

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 10th July, 2013

The House met at 9.00 a.m.

[The Deputy Speaker (Hon. (Dr.) Laboso) in the Chair]

PRAYERS

MOTIONS

ESTABLISHMENT OF AD-HOC COMMITTEE ON *MIRAA*

THAT, aware that *khat (miraa)* is an economic mainstay of many people in Kenya and has led to economic growth and development in the country; noting that the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) has continued to campaign against consumption of the commodity and classified *khat (miraa)* as a drug; concerned that most countries have banned the chewing of *khat (miraa)* and others are in the process of banning the entry of the product into their markets including recommendation of severe penalties against consumers, while others have granted the Government of Kenya a window period to consider the suitability of the product for export; further noting that recent research has established that *khat (miraa)* is not a drug and, therefore, appropriate legislation should be put in place to regulate the industry; this House resolves to establish an *ad-hoc* Committee to comprehensively investigate and inquire into all matters relating to *khat (miraa)*, consider and review all research findings and make recommendations to the House within 90 days, and that the Committee should comprise of the following Members:-

1. The Hon. Florence Kajuju, MP – Chairperson
2. The Hon. Franklin Mithika Linturi, MP
3. The Hon. Muriuki Njagagua, MP
4. The Hon. Gladys Wanga, MP
5. The Hon. Daniel Maanzo, MP
6. The Hon. Dennitah Ghati, MP
7. The Hon. Dr. Susan Musyoka, MP
8. The Hon. Fatuma Ibrahim, MP
9. The Hon. Cyprian Kubai Iringo, MP
10. The Hon. Joseph M'Eruaki, MP
11. The Hon. Farah Abdulaziz, MP
12. The Hon. Tiyah Galgalo, MP
13. The Hon. Dan Kazungu, MP

14. The Hon. Mohamed Elmi, MP
15. The Hon. Rachel Nyamai, MP
16. The Hon. Jimmy Angwenyi, MP
17. The Hon. Beatrice Nkatha Nyaga, MP
18. The Hon. Benson Mutura, MP
19. The Hon. Afred Kiptoo, MP
20. The Hon. Kanini Kega, MP
21. The Hon. Zipporah Kering, MP
22. The Hon. Ayub Savula, MP
23. The Hon. Sabina Chege, MP

(Hon. (Ms.) Kajuju on 4.7.2013)

(Resumption of Debate interrupted on 4.7.2013)

Hon. Deputy Speaker: Hon John Mbadi was on the Floor. He has a balance of eight minutes. Is he in the House? I am told he is not. Therefore, he loses his chance. Hon. Iringo Cyprian!

Hon. Kubai Iringo: Thank you, hon. Deputy Speaker, for giving me this chance to contribute to this Motion. I rise to support this Motion by hon. Florence Kajuju. I congratulate her for bringing this Motion before the House. It will be the benchmark and also the foundation of solving the saga of *miraa* in Meru and other areas.

Miraa has been unfairly judged and put in the category of stuff that is referred to as drugs. The people who have categorized it so have not taken time to evaluate or conduct research about it. In fact, most people do not know the background of *miraa*. Having been brought up in Meru, I can authoritatively attest to the fact that *miraa* is not a drug. Personally, I chew *miraa*. Every weekend, when I go to my constituency, I chew *miraa* and I have never felt any effects as a result of that. That is in the domain of my people. When we look for votes and travel at night, we carry some in our pockets to give us energy to keep on moving during the campaign period.

If *miraa* is categorized as a drug, I do not see why we should leave behind beer, tobacco and *tambuu*, which is taken by Asians and others. That is because *miraa* is milder than all those. There is nobody who chews *miraa* and gets confused like those people who take beer and tobacco. We know tobacco users are vulnerable to lung diseases and even cancer.

Hon. Deputy Speaker, *miraa* in Meru has been regarded as a sacred crop. In our culture, you cannot marry somebody's daughter without taking *miraa* to her father's homestead. Even if you are not from Meru--- My own daughter is married in Funyula, but I had to ask the young man to go and look for *miraa* so that I can accept him to marry my daughter. Once you bring *miraa* and you do not give out anything else, you will be given the girl. So, it is a sacred crop. If it is demonized in Kenya, then that means we are demonizing Merus and their culture.

Miraa is the mainstay of Meru County. We know that 70 per cent of the per capita income comes from *miraa*. It has engaged or employed 40 per cent of the working force in our community. Maua Town is regarded as the home of Probox. There is no part of the country with as many Proboxes as Maua. Those are the vehicles we use to ferry people

and *miraa*. Were it not for *miraa*, those vehicles would not be there. We have over 20,000 boys who ride *boda bodas* to ferry people, *miraa* and other crops to the market places. If you ban *miraa*, then we are going to reduce the workforce that is engaged in gainful employment in Meru. We will condemn those people to be idlers, thieves, crooks and so on. The Government must then be prepared to run after those people wherever they will be as they destabilize those who are working.

This House needs to pass this Motion. The Committee needs to come up with enough evidence to prove that *miraa* is just a stimulant and not a drug. It has been chewed since time immemorial and people have been living with that crop for many years. It is assumed that people do not get children when they chew *miraa*. I can attest to the fact that Igembe Central has the highest population in Meru County, with over 200,000 people. The schools in Igembe Central are over-populated with children. Most schools have, at least, 2,000 pupils. Those children have been born by people who chew *miraa*. I do not understand why it is said that chewing *miraa* prohibits reproduction.

The pick-up vehicles that ferry *miraa* pay cess. The former Nyambene County Council was sustained 70 per cent by *miraa*. I was a councillor in Maua Municipal Council for five years and we were using the proceeds from *miraa* to pay for our recurrent expenditure and other activities in the council. Very little came from other sources of revenue collection.

If you go to any school in Meru, people will tell you that certain classrooms have been put up using money from *miraa*. Churches have also been put up using money from *miraa*. We go for *harambees* in churches where drugs and other things are condemned, but pastors hold bunches of *miraa* and bless them because they know that *miraa* is good. I am talking facts. Therefore, *miraa* has been accepted in the church and we have been using proceeds from *miraa* to put up churches and schools. Our brothers, the Somalis, who are living in Maua and Eastleigh have earned their wealth through *miraa*. I beg them to support us so that we can support that revered crop. We need to establish the Committee so that it can start working. I believe it will come up with results to enable us to tell the world that *miraa* is not a drug. It is a crop. I also urge the Government to accept it as a cash crop like any other, so that the people of Meru are recognized through their natural plant, namely, the green gold of Meru. It should be protected and the Government should recognize that the Meru are lucky like the Turkanas. The Turkanas have oil and we have our green gold. It should be protected because our livelihoods depend on it.

I beg to support and urge my fellow Members to support this Motion for the sake of our Kenyans, the Merus and generations to come. I beg to support.

Hon. Njagagua: Thank you, hon. Deputy Speaker. I rise to support this Motion by hon. Kajuju, which basically seeks to establish an *ad hoc* Committee to come up with legislation to regulate the *miraa* industry.

From the outset, I want to say that quite a number of people have demonized *miraa* or *khat*, but in Mbeere North, Mbeere South and Meru in general, *miraa* is grown and has been used to sustain the livelihoods of the people. Many people are in *miraa* farming and they eke out their livelihoods by growing *khat*. *Miraa* has medicinal value to the people who consume it. Again, it sustains the economy of this country. *Miraa* is exported to countries like Saudi Arabia and, until recently, to the United Kingdom until they banned it. As you have heard, there are those who use the crop as part of their dowry. So, when people demonize what has been used from time immemorial by a

certain group of people and ban it, it means that what they have been using to pay their dowry goes with it. So, I support this Motion because, one, *miraa* is of cultural value and has medicinal value.

Miraa does not affect libido like many people have been saying. Research has been done and there are quite a number of papers to show that if it is consumed in the right manner – and if you do not over-indulge in it - it cannot affect your libido. Again, as people demonize the chewing of *miraa*, many great men and women have come from Mbeere and even Meru. So, why would you say that *miraa* affects those people? I support this Motion. In particular, I urge this House to pass the Motion so that an *ad hoc* Committee is formed to regulate that industry. I must also warn that the Government is looking into ways and means of raising taxes. Once the industry is regulated, it will go a long way in supporting the Government in its effort to raise taxes.

I beg to support the Motion.

Hon. (Dr.) Nyikal: Thank you, hon. Deputy Speaker, for giving me this opportunity to contribute to this matter. I stand to support this Motion. The issue of *miraa* has three components and we need to look at those components carefully to get the proper outcome.

The first one is the socio-economic component of *miraa*. That has been discussed quite adequately in this House. Its social importance amongst the Ameru people cannot be doubted. All the Members who have supported the Motion have adequately illustrated that, and we all know it. Its economic importance in the same area--- The amount of cash that gets into the area, again, that has been well documented and adequately demonstrated here. The other component of that is the medical aspect. The truth is that *miraa* has active ingredients that are related to substances that are classified as drugs. It has vitamins like compounds that have effects on people. What is important is how it is used. That goes for anything including water. If today I force you to take adequate amount of water, you can start convulsing because it will have toxic effects. That goes for anything. So, the fact that *miraa* has active ingredients that can cause psychological addiction, euphoria and hallucinations, that alone should not make it be classified as a drug in a manner that prohibits its use by many people. That is an extremely important point that we should take into account.

That is, basically, the reason why there have been arguments that *miraa* should be classified as a drug in some countries. But even in those countries, the technical experts have indicated that the amount of the ingredients in *miraa*, if adequately used, is not sufficient to make it be classified as such. The latest argument came from Britain where the Minister classified *miraa* as a drug in the context in which we are discussing. However, information that is available, at least, in the Press, indicates that experts have advised the Minister that it was not necessary to do that. The components that are active and cause the effects that we know are in minimal amount. They change very quickly chemically even when *miraa* is being transported to ingredients that are less active. All of us know that when you transport *miraa*, you have to dash at break-neck speed and even if you have an accident, you deliver the *miraa* first before you look at the people who need to be supported. The basic reason is that the active ingredients change so fast that if you take within 24 hours, you will miss those active ingredients. That indicates that it is not a compound that should cause such a big argument.

Again, it is important to take into consideration NACADA's position because NACADA takes it from the point of excessive and uncontrolled use. Definitely, you will have those effects that are talked about. The one that people are worried most about is actually psychological addiction. But I think it is important to remember that psychological addiction is different from physical addiction. You can actually get over psychological addiction. After some time, you can get over that without serious medical effects on the person. With regard to physical addiction – and which is confusing people – actually people suffer and can die from the effects of withdrawal if you stop the drugs suddenly. So, I think, again there, *miraa* is not as bad as has been put out by the countries that have chosen to ban it.

Hon. Deputy Speaker, the third component is the political component. From what I am reading in the newspapers, the debate is taking a political nature and my advice would be we need to be extremely careful with that. That is because if we do that then, basically, all the scientific arguments that we will bring out will be drowned. We know – since we are politicians – that politics can insist that this chair is black and people will vote and say it is black. If we do that, the argument will be lost and we must realise that the argument is not only within the country. The argument is international. The people we seek to convince are not just Kenyans, but people who are outside this country; people who stick to regulations a lot more than we do; people who will bring out scientific evidence.

So, I support this Motion and my advice to the Committee and also to the Mover – who I must congratulate for bringing it – is that the Committee must do technical work. The Committee must remember that the work it is being called upon to do is, to a large extent, technical. Bring out real data and not political arguments and I think there is enough that will make many people realise and support the fact that we can regulate the use of *miraa* but not really ban it. We do not just have to insist that *miraa* must be used the way it is being used now. The Committee should also bring to us the following: What are the other ways that *miraa* can be used? Can we extract the ingredients so that they can actually be used in medicinal form? I must warn that, if you are not careful, sooner or later, somebody is going to actually look at the active chemical and produce it and the crop will lose its value. It has happened to our pyrethrum. We had the best natural pyrethrine. We messed around with it. We could not produce it. So, what did Japan do? They produced artificial pyrethrines. So, now everybody is using artificial pyrethrines and our pyrethrum has lost value in the international market. It is just coming back because of the green movement using natural things.

So, I think this is an important Motion for the crop. It is going to attract a lot of scientific investigation and what can follow from there is that it can actually be usurped. The components can be actually identified, produced by other countries and we will find that the crop will lose value. People will start selling artificial components that will be sold even just as tablets. So, I think this is extremely important.

Hon. Deputy Speaker, so, let the Committee bring us real scientific evidence that is not stained with politics and we can use it. I am very certain that if we do that – even internationally – we will win this war. There are two important components. Regulate its use now and two, look into the future in terms of how we can actually use it as an agro-industry and produce the active ingredients which I am sure, sooner or later, somebody is going to produce and sell to us in a much cheaper way than the crop you are selling now.

With that, hon. Deputy Speaker, I beg to support.

Hon. Deputy Speaker: Thank you. Hon. Nyikal. You can see we have expertise even within ourselves. I want now to give a chance to hon. Francis Waweru Nderitu.

Hon. Nderitu: Hon. Deputy Speaker, I rise to support the Motion. First of all, I would like to thank the Mover of the Motion, hon. Florence Kajuju, for bringing it at this time. I remember sometimes reading the newspapers about a young man who travelled to Tanzania with a bunch of *miraa*. To him, having coming from Kajiado, he thought that, that was a normal business like the one he was doing in Kenya, only to find that it is not the case in Tanzania. So, as this Committee tries to give us a report, we should also look at the regional markets and see where the trend of classifying *miraa* as a drug started.

I am a valuer and I have done a lot of work in Meru. Every time I am called to do work there, the first question the caller asks me is: “Do you know the value of *miraa*?” So, to me, I know very well that the economic value of *miraa* in that region has such a large impact on the people of Meru and, without that plant there - as one of the speakers has called it the “green gold” of Meru - the impact and the economic situation of that area would be very much affected.

Hon. Deputy Speaker, I would like the Committee to consider very well all the areas that *miraa* is used in so that in the list of the Committee members, they try to include all the people including the users from Namanga. I usually travel there and the fear of people being caught with *miraa* on the Tanzania border has such a big impact. I come from Ndaragwa Constituency and due to its climate, people have been considering extensively the idea of growing *miraa* as a cash crop. That is because it is a dry region and looking at the level of unemployment in the area, everybody is considering every option that is there to make sure that we create more employment opportunities. The Government is fighting to create employment and if that ban is enforced, one of the things that we will have to lose tremendously will be employment opportunities. So, I support this Motion and I know very well that with the kind of expertise that we have received from the likes of Dr. Nyikal, we will be able to get a better informed opinion for some of us who do not know about *miraa* very well. So, when we are in our communities, we should tackle the issue of *miraa* and protect it as the people who come from *miraa* areas do.

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

Hon. Deputy Speaker: Hon. Benson Makali Mulu.

Hon. Mulu: Thank you, hon. Deputy Speaker. I rise also to support this Motion and, to me, this Motion is very important. It proposes thorough investigations on all matters relating to *miraa*. We are all aware that there is a lot of misinformation relating to *miraa* and this Motion will help us get the right information. I only hope that the procedure they are going to use or the methodology is going to be scientific enough so that the information that we get from the Committee is information that Kenyans can rely on. Why am I saying that? I am saying that because we are all aware that there are merits of that crop. We have also heard of demerits. I think the merits are not doubtful. We all know that *miraa* as a crop has helped people in that region to improve their economic livelihoods. We know that it has employed many Kenyans.

Hon. Deputy Speaker, if you look at the chain of Kenyans who are benefitting from that crop, all the way from those who are harvesting the crop, those who are transporting the crop and even those who are chewing the crop, you will realize that,

actually, Kenyans have benefitted. If you look at what happens at Wilson Airport, you will realise that there is a lot of business. *Miraa* is transported to different parts of this world and all those who are doing that; some of them are Kenyans who are also benefiting from the employment.

When you look at what we call the backward and forward linkages of that crop, we can all agree that it is very important. It is really helping Kenyans. However, at the same time, those of us who come from regions where *miraa* is not grown have heard a lot of stories about that crop. I think it will be very important if we get to know the truth about it.

For instance, we have seen ladies in the streets complaining about the consumption of that crop. In the English language we say: "It is the wearer of the shoe who knows where it pinches most". So, when I see ladies demonstrating about that crop, saying it is making their men lose their manhood, I get very concerned. I think it is important if we get that information. I get very worried when I see ladies complaining because they are in a better place to complain. To me, I would really be very interested to know whether that is the truth. The truth can come from this Motion. That is one of the reasons why I am supporting this Motion.

The other reason is that there are allegations that most of our youth who are engaging in crime are actually doing so as a result of the consumption of that crop, including other drugs. That is why you find most Kenyans would actually categorize *miraa* as a drug like any other. I am not sure whether it is *miraa* which contributes to that or it is just bad habits. I would be very interested to know: Does it then make the young people who chew it lose their senses to a level that they can engage in crime, or is it because as they chew it when they are in groups, they can discuss those bad things and then execute their plans?

This Motion becomes very important, and I would be very interested to see the outcome of the investigations and the information disseminated to all Kenyans. At the end of the day, we will have the truth about that crop. Then we can say we support it or we do not support it, from an informed position.

With those remarks, I support this Motion.

Hon. Deputy Speaker: The hon. Mwinga Gunga Chea.

Hon. Chea: Thank you, hon. Deputy Speaker, for giving me this opportunity to contribute to this Motion. I must confess that, probably, before last weekend, I had a different opinion about *miraa*. But I had a very good opportunity with my friend, hon. Kubai, over the weekend, when we had a retreat. He gave me a lecture on *miraa* and almost handed over a few leaves to me. But I told him I need time to look into it.

I support this Motion. The idea of establishing a committee to look into the issue of *miraa* and come up with findings is noble. Hopefully, when the findings reach this House, we will have an opportunity to debate them. We believe it will go a long way to assist the people who are interested so much in this issue of *miraa*.

I must say, probably, before we have authorities like NACADA or any other body passing a very harsh sentence against *miraa* or other commodities of that nature, it is important that there must be conclusive scientific research so that we do not condemn commodities of that nature, which are very important, particularly, when it comes to the economic welfare of individuals.

As it has been said by my colleagues, *miraa* appears to have the economic, political and social attachment and it creates employment amongst the youth and those people who rely on it heavily. It is important that, that product, in fact, instead of it being condemned, should be given the requisite support so that it can benefit the region as is expected.

I must say that when the Committee comes up with a report after investigations, we will have an opportunity to assess areas with similar climatic conditions so that *miraa* can also be grown in other areas. When we look at the Coast where I come from, we have so many people who consume it. In fact, within Mombasa Town, in the evenings, you will find old and young men going down to the ocean and chewing *miraa* seriously. So, it is very important that there needs to be proper research so that we can see whether it will be possible to grow that very important commodity within our area. If that happens, I think the economy of the Coast region, like Meru where we know that commodity is found in plenty, will definitely grow.

My position is that this is a noble Motion and thanks to hon. Kajuju for this initiative. I would urge my fellow colleagues to pass this Motion.

With those very few remarks, I humbly support the Motion.

Hon. Deputy Speaker: The hon. Kathuri Murungi. Now, this is the habit of switching on the microphone and not being in the room. Hon. Christine Ombaka

Hon. (Ms.) Ombaka: Thank you, hon. Deputy Speaker, for giving me this opportunity to contribute to this Motion. I want to thank hon. Kajuju for bringing it. That *miraa* is a drug or not a drug is something that we need to know more about. It is something that we have been saying, but we are not aware what it does or what it is; whether it is medicinal or whether it is a drug like beer or cigarettes. It is not very clear. But what I have learnt as a person is from documentaries that have emerged, or that have highlighted what *miraa* does to people. I remember seeing one on television last year. I think it was a long documentary on *miraa*. It was a very negative one in the sense that they depicted the drivers taking *miraa* getting drunk and causing accidents. They demonstrated that *miraa* is actually harmful to human health and, as a result, it was being condemned. So, from that, one sees that *miraa* has been criminalized. It has been discriminated against and it has been seen to be wasting people's lives. That is what we know about *miraa*. When you see people chewing it, you just believe this is a hopeless person; you tend to have a negative image or feelings about such people. I believe that research should be conducted based on this and whatever will come out will give us the real story or the truth about *miraa*. Where does it belong? Is it something we can accept or is it something that we can actually criminalize and make those who chew it go to jail? So, it is very important.

The other thing I learnt about *miraa* - and this is subject to research - is that so many young boys who chew *miraa* from Central Province drop out of school to go into that business. So, it has been associated with school dropouts and that is a negative thing on the lives of young boys. They drop out of schools to make money through *miraa* and it has that social effect. I would support that they study that very keenly because, if it is affecting school, then it is definitely a bad thing.

The only way to know what to do with this or what stand we should take is to engage a research on it, for us to know how effective it is in our lives and whether it is dangerous or not. It may be also useful if it is a good plant that brings a lot of money or

it has a lot of economic value to the people who plant it. Then, we can actually plant it all over the country, so that we have more money. There are so many young boys and girls who are jobless and that could also be a way out of joblessness. It can give young people something to do so that they can earn a living.

I also want to say that the matter needs to be made clear so that we do not condemn it. If *miraa* has an economic value, the way it has been described that 70 per cent of income in Meru is based on it, and if it has a cultural value that you have to use it to pay dowry as I have just heard, certainly this must be something that we must value in our society.

Hon. Deputy Speaker, I want to support this Motion by urging the team that has been elected or proposed here to come up with concrete and social-based research. What do people feel about *miraa*?

(Hon. Muzee walked across the Floor without bowing to the Chair)

Hon. (Ms.) Abdalla: On a point of order, hon. Deputy Speaker. I have just seen hon. Kazungu - I believe the Member for Malindi - walk from the right side of the House to the left side without bowing to the Chair.

Hon. Deputy Speaker: Hon. Members, we really cannot continue like this. Hon. Muzee, may it be your very last time because we will have to throw Members out of the House for crossing the Floor without bowing to the Chair. You have seen every other person going to the Bar and bowing to the Chair. You have two options. If you are around here, use the back side but, if you are on the Floor, you have to go to the Bar and bow to the Chair before you can cross to the other side of the Floor. You are a new Member but let it really be your last time.

(Hon. Muzee went to the Bar and bowed to the Chair)

It is okay. Hon. Ombaka, you can continue.

Hon. (Ms.) Ombaka: I was just about to finish, Hon. Deputy Speaker. I want to say that research will give us a lot of information about *miraa*. I am very keen on the effect of education. As an educationist, I feel that this needs to be highlighted in the study so that we see whether it is true that boys and girls are dropping out of school to get into the *miraa* business; that they are dropping out too early before they complete their education. That will be very useful to us as educationists because better policies will be made as a result.

Otherwise, I support the Motion and look forward to the study and its findings.

Hon. Deputy Speaker: Hon. Shebesh, you have an amendment you want to move on the Motion.

Hon. (Ms.) Shebesh: Thank you, Hon. Deputy Speaker. I beg to move: -

THAT, the Motion be amended by expanding the membership of the *ad hoc* committee to include the following Members: -

1. Hon. George Wanjohi, MP.
2. Hon. Kathuri Murungi, MP.
3. Hon. (Ms.) Wanjiku Muhia, MP.
4. Hon. Philip Rotino, MP.

5. Hon. (Ms.) Alice Ng'ang'a, MP.

6. Hon. Mpuru Aburi, MP.

Hon. Deputy Speaker, my reasons for moving the amendment are very basic. One is that we have a right as Members of this House to sit in Committees. When a Select Committee is formed, it should go in terms of numbers. The numbers should be as closely as possible to the other Committees that exist. All our Committees have a membership of 29 while this Committee has a membership of 23. To me, that just reduces the opportunity for Members to take part in some vital work of this House, which I believe this Motion is part of. That is because if you listen and look at this Motion, you will realize that it needs to have membership from the areas that grow *miraa*, areas that consume *miraa* and areas that look at *miraa* as a phenomenon; they do not understand. For us to effectively conclude the Motion that has been brought before us by Hon. (Ms) Florence Kajuju--- I really want to congratulate her for taking the bull by the horns and bringing to the Floor what has been a controversial issue to be decided once and for all.

We would like to have a Committee that is not biased. I have said that I would not like this Select Committee to appear as if it is just for those who grow *miraa* for economic benefit. That is because there are those who consume *miraa* and majority are in Nairobi and other urban areas. The effect of growing and consuming *miraa* is totally different and divergent. Therefore, we must get views from both sides.

Again, I thank hon. (Ms.) Kajuju for bringing out the social aspects of *miraa*. Some of the Members who have spoken have already enumerated them. That is why many women county Members of Parliament have been included in this Motion. I have also included one or two simply because I also know the social effects of *miraa*. That is probably the reason why NACADA would go out and ask that it be classified as a drug.

Hon. Deputy Speaker, I do not want to start debating this issue contrary to what my colleagues have said. I would rather have inclusivity in this Committee so that issues of pros and cons are discussed at the Committee level. I also believe that they will invite experts – they should really start with NACADA – to explain how *miraa* is a drug. Does it continue to be grown in Meru without arresting the farmers because if you grow anything that is a drug like *bhang*, then you should be arrested for growing it? However, I do not see any attempt to arrest *miraa* farmers. Definitely there is a disconnect between NACADA calling *miraa* a drug and what is on the ground.

Hon. Deputy Speaker, I am the Nairobi County Woman Representative and I represent many consumers of *miraa*. Without hesitating, I can tell you that it does have physical effect on those who take it for too long. Anything that you take for too long and you become addicted to will harm your body. So, we must also find a way of protecting the consumers. That will ensure that we do not have children sitting in some areas in Nairobi chewing *miraa* the whole day and not having any interest to go and do any work.

The libido issue has been discussed in this House. I can tell you with certainty that there is an effect on libido. Whatever the effect is, the doctors will tell us. However, there is an effect on the libido of men who take *miraa* for too long or for many years. That is a fact.

(Laughter)

So, those are the issues I would like to be brought before this Committee.

Therefore, I beg to move my amendment and if there is need to be seconded, I request hon. Rotino to second me.

Hon. Rotino: Thank you, hon. Deputy Speaker for giving me the opportunity to second the amendment to this Motion. It is important, as my colleague has said, to increase the membership of the Committee. As you know, people call West Pokot a dry zone but we grow a lot of *miraa*. There is a lot of *miraa* that comes from Mount Kadam. It is even brought to Nairobi.

So, it is important for our communities to know the effects of *miraa*. Many people think that *miraa* is not good for consumption. However, many of our children consume *miraa*. So, this Committee should investigate and come up with information so that when we speak, we do so from a point of information. We should be informed about the effects of that commodity.

Many children from my community have dropped out of school because of *miraa*. They also drop out of school because of gold mining. Many children do not go to school because they consume *miraa*. They have taken *miraa* as an occupation.

Hon. Deputy Speaker: Hon. Rotino, I want to cut you short because we want to address ourselves to the amendment. We should dispose it of so that we can debate the amended Motion.

Hon. Rotino: Hon. Deputy Speaker, with those few remarks, I second the Motion.

(Question, that the words to be added be added, proposed)

Hon. Deputy Speaker: We need only two hon. Members on the amendment before we put the Question. There are many hon. Members. I can see Joe. Hon. Omagwa, are you addressing yourself on the amendment?

Hon. Omagwa: Thank you, hon. Deputy Speaker, for giving me the opportunity to support this amendment.

As you know, I come from Kisii region which does not grow *miraa*. I want to agree with the amendment so that we have membership from regions that do not actually grow or even consume *miraa*. That is where people look at *miraa* as something that cannot be comprehended. So, I want to support the amendment. We should have membership increased to this *ad hoc* committee so that the outcome of their findings can be objective; coming from all the areas of consumers, producers and also from areas where people do not quite understand *miraa*. What is it that we are agreeing on here? We are agreeing on the formation of a bigger *ad hoc* committee so that the results that come up from the findings are scientific and Kenyans can be explained once and for all. What is it that *miraa* as a drug contains?

Hon. Deputy Speaker, there has been a lot of information, untruths and misinformation about that crop. It is coming to the limelight now because the British Government has banned its export to that country. It behoves this House to give direction on the future of that crop in this country.

My colleagues have spoken on the economic activity that helps areas that grow the crop. They have also spoken on the fact that, as with any drug, it has certain adverse effects. This is as much as we speak. We now want the Committee to go deeper and interrogate, first of all, the organization that is called the National Campaign Against

Alcohol and Drug Abuse. That should be the first client to look at because NACADA has already classified *miraa* as a drug.

Hon. Deputy Speaker: Hon. Omagwa, you are now moving---

Hon. Omagwa: Hon. Deputy Speaker, I support the amendment.

Hon. Deputy Speaker: Thank you. Hon. Kathuri Murungi, the Floor is yours. But you are only allowed to speak on the amendment. You had already lost your chance to contribute on the debate.

Hon. Murungi: Thank you hon. Deputy Speaker. It is my wish to actively contribute to this Motion. With your indulgence, I would like to ask if you could give me even five minutes after this to contribute to this important Motion, which affects my constituents.

Hon. Deputy Speaker, I beg to support the amendment as moved by hon. Shebesh because we have an opportunity to put the record straight as pertains the use of *miraa*. The allegations that have been levelled against *miraa* will be put on record because, as far as men's libido is concerned, it depends on the user and I can attest to that.

In Meru, especially where this crop is grown extensively, classrooms are overflowing with children who are joining Standard One. In some regions in this country where alcoholism or alcohol is abused, women are moving up and down the streets complaining about men who are no longer able to give them children. So, it shows that *miraa* does not have any negative effect on the performance of men.

Therefore, with this amendment, we will be able to come up with thorough research with hon. Kajuju as the Chair, to make sure that things are put on record. You will get to know the depth of the *miraa* effects.

Hon. Deputy Speaker, I beg to support the amendment and also remind you again to give me five minutes later to give a thorough contribution.

Thank you.

Hon. Deputy Speaker: That request will not be given my brother because you have already used up your time and lost the chance. So, next time, do not switch on your microphone and go out. It will be a lesson.

Hon. Members, is there any other hon. Member who has a contrary view on the amendment, so that we can continue? If there is none, then we can put the Question.

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

(Question of the Motion as amended proposed)

Hon. Gikaria: Thank you, hon. Deputy Speaker. First of all, let me thank hon. Kajuju for bringing this Motion and, of course, by the objectiveness of her request that thorough research - through the *ad hoc* committee - be done so that the pros and cons of the usage and chewing of *miraa* can come out very clearly.

First and foremost, I want to say that the economic value of the production and sale of *miraa* cannot go unnoticed. I think Meru families have benefited from *miraa*. They have been able to develop their areas from *miraa* farming.

Secondly, it is on the job creation. I come from Nakuru Town East, Nakuru County, where so many people have been engaged in this business. It has really employed so many people, not only the youth, but also the elderly. It cuts across the ages.

The involvement of *miraa* goes beyond the selling and usage because there so many other sectors that grow in-between the selling of *miraa*. I would want to admit that it has really helped in job creation and also the youth.

Hon. Deputy Speaker, I am saying that from some information that I got in my area. Yes, it does have some effect on the libido of men. But, at the same time – and I stand to be corrected – I do not know and let me not use that because it might bring many issues. The more the game goes on, the more people appreciate it unlike when it is only for two minutes---

(Applause)

(Hon. (Ms.) Shebesh stood up in her place)

I withdraw and apologise.

Hon. Deputy Speaker: Hon. Shebesh, what is your point of order?

Hon. Member: She is on a point of information.

Hon. Deputy Speaker: She is on a point of information? Does he wish to be informed? Hon. Gikaria, can you say that you want to be informed?

Hon. Member: Yes!

Hon. Gikaria: Hon. Deputy Speaker, I assume that is what is happening, but maybe, she can inform me on the contrary, or she can maybe, re-emphasize what I know.

Hon. Member: Where is the user?

Hon. (Ms.) Shebesh: Thank you, hon. Deputy Speaker. I want to give the hon. Member some information on the side of women when you have taken *miraa*. I want to inform him that because *miraa* is a stimulant, you can imagine that it stimulates.

In fact, most women who take *miraa* will enjoy sex better. I think that is a parliamentary term. I do not think it is unparliamentary to use it. I think going round the issue is not helping; it is not a game. I can tell you that it is another effect when it is taken by women. They become more active. It opens up the brains; it is a stimulant. It is like taking a lot of coffee. That is the information I want to give the hon. Member.

Hon. Gikaria: Thank you, hon. Shebesh. She is a very good friend of mine---

Hon. Deputy Speaker: Hon. Members let the debate not have too many details. I believe the Committee will go into the details. Here on the Floor, we only want the general statements or information that does not contain too much graphic details.

(Laughter)

Hon. Gikaria: Hon. Deputy Speaker, I used to live in an area where some sections were used by commercial sex workers. I think the chewing of *miraa* encourages the raping of women. I am saying that because where I come from, if somebody wants to go and engage the commercial sex worker and going by the time that it takes for somebody to be there, the commercial sex workers will not want to engage themselves with any *miraa*-chewing persons. That is because they think a *miraa*-chewing person will be there forever and the time---

(Laughter)

This is from the point of view of the commercial sex workers. So, if that person does not get an opportunity---

(Several hon. Members stood up on points of order)

Hon. Deputy Speaker: This matter is becoming too controversial. Please, let him finish.

Hon. Gikaria: Lastly, hon. Deputy Speaker, research that will be done will give us the pros and cons with regard to the consumption of *miraa*. In 2006, we had a Kenyan boxer who represented this country in the Commonwealth Games. When the young boxer went for doping tests, he was sent away from the games. It was alleged that he was taking *khat*. He was told that he could not participate in the games because of consuming *khat*. He had a bright future in the sport, but it was brought down. I hope the Report by this Committee will come up with conclusions that will help us legalize *miraa* production or usage.

With regard to the dental issue, if you look at the teeth of those who chew *miraa*, you will realize that they have a medical problem.

I beg to support this Motion.

Hon. Muzee: Thank you, hon. Deputy Speaker for giving me this opportunity to contribute to this important Motion as amended by the hon. Member. I want to thank hon. (Ms.) Kajuju for bringing this very important Motion. We have had this controversial discussion in this country where economic crops are banned haphazardly and people are left to suffer the consequences.

I come from Malindi which is known for coconut production. We have been having run-ins with the Government because of *Mnazi* (Palm Wine). Before we cast aspersions on our economic mainstay, especially products that should be helping our community, it is important that we get to the bottom of those things. We need to get scientific reports. We need to delve deep and get to know what the story is before we take any action. I am glad that I am a Member of this Committee. I will give my very best to ensure that we unearth and unravel the truth about *miraa*. We will strive to inform the country and the international community so that there are no grey areas at all.

Just like hon. Shebesh has put it, *miraa* is a stimulant just like coffee or beer – I do not know whether beer is a stimulant. My view is that anything that is consumed excessively will have an effect on the person consuming it, and that is truth for *miraa*, beer, *mnazi* and so on.

The fact that there are people who are saying that it is a drug, we need to disabuse that fact. Recently, we had the international day for drug abuse and trade. I know that drugs have affected many families. We do not wholesomely condemn *miraa* or any other product for that matter.

I congratulate hon. Florence Kajuju for bringing this Motion. This is the way to go not only for *miraa*, but anything that will be brought before us and is controversial or needs clarification. We have heard stories about libido. Probably, that is one thing that we have to unravel when we are doing that exercise. We need to find out whether it helps or diminishes libido. My friend here tells me that if you want to know that *miraa* has adverse effects or otherwise, maybe, we need to be given some ladies from the regions

that are protesting and we will be able to confirm whether that is true or not. Once we do the study and unravel the truth, we will have to come and inform the House and the nation at large, accordingly.

I support this Motion.

Hon. (Ms.) Abdalla: Hon. Deputy Speaker I stand to support this Motion as amended. My first reaction to the expansion of this Committee was to oppose it until hon. Rotino spoke. The contribution by hon. Rotino convinced me that the persons in this Committee could have diverse opinions on the matter that includes those persons who support the fact that NACADA has declared *miraa* as a drug and believe that stand should remain so.

I appreciate that *miraa* growing is an economic mainstay for the people of Meru. We need to look at that economic opportunity. I am happy that hon. Kajuju has taken a very objective and wide approach to this subject so that we can see how to give alternatives to the persons involved in this trade. Those alternatives need to take root before the banning. I, therefore, support the provision of a window period for the producers and exporters.

On the issue raised by hon. Shebesh about why *miraa* growers are not being arrested, the same situation is true for tobacco growers. The NACADA and the whole world have identified tobacco as being harmful to health and that it is a drug. As we expand this Committee to look at the problems related to *miraa*, I request that the House gives attention to the tobacco growing areas in the country, so that we can address the issue of tobacco and tobacco products now that smoking is banned in public places and production is dwindling. So, farmers in those areas need to be given alternative crops. I hope hon. Kajuju's report will address the issue of alternative crops, so that we can address the economic aspect of this.

Hon. Deputy Speaker, I want to support and congratulate hon. Kajuju. I look forward to having a solution to this problem. *Miraa* and a variety of it called *Muguka*, is giving us a lot of headache in the eastern side of this town. We need to address it and know that we are affecting the most productive segment of our society. I would not have a problem if we are just exporting it to the West. We would be doing them a favour, but it is being used locally and we need to address its impact on our youth. My experience is that they start with *Muguka*, graduate to *bhang* and they go into hard drugs. So, I wish to urge hon. Kajuju, coming from the region that depends on *miraa* for its economic activity, to look at the negative side where we are taking our children to rehabilitation centres, which are very expensive, after consuming this purported stimulate that then pushes them to graduate to hard drugs.

With those remarks, I beg to support.

Hon. Deputy Speaker: Hon. Members, we barely have half an hour before we end the three hours debate on this Motion. I have a very long list before me. I would like, therefore, to reduce the speaking time to three minutes, with your concurrence.

So, we will take three minutes each. Do not get excited, hon. Linturi. I have not stopped debate, but I am just informing Members that we have half an hour.

Hon. Ndiritu: Hon. Deputy Speaker, I rise to support the Motion as amended. First, the issue of *miraa* on the economy and the cultural values have been well enumerated. I would like to talk about one or two items that I would wish the Committee would look into thoroughly. When we talk of the economy, we are talking about over

Kshs1 billion from a very small area. So, this is very high income. For us to just wake up one day and ban *miraa*, this is a very drastic decision to take. We know the effects that tobacco has on people. We know all the bad things like cancer and other destructive effects of tobacco, but we have never thought of uprooting tobacco and telling the Kuria people or other places where it is grown that they must stop growing it. The Committee should look into the possibility of controlling the use of *miraa*. In tobacco, we write a very big warning on the packets that its consumption is harmful to one's health. That is the awareness that needs to be created and the Committee should come up with the methods to do this with the advice of NACADA. Declaring *miraa* a drug does not mean declaring it illegal.

When we look at the global impact, thanks to the Somalis and their diaspora nature, they have taken the market of *Khat* to the world. Talking about Somalia, it has been the greatest exit point for *miraa* and the market outlet. We know the connection that has been put between Somali and *Al Qaeda*. The Committee should look into the possibility of the West wanting to fight *Al Qaeda* through the *miraa* business. That would have a very devastating effect. The Meru County is looking at the *miraa* trade as one of the methods of raising revenue. They should look at the marketers of *miraa*, who benefit more than the growers. The Committee should also advise the county on how to make more money through going back to the growers rather than the marketers. This is a big phenomenon in all the farming areas in the country.

Hon. Nakara: Thank you, hon. Deputy Speaker. I rise to support the Motion as amended because that will help us to clearly get the views of all the concerned parties. We need to include people who are engaged in *miraa* as their major activity. We need to take the views of the consumers and the businessmen, so that when we make a decision, we will have got all the views of the people concerned.

With that, I want to talk about the effects of *miraa* in my constituency. *Miraa* has affected many people in my constituency. We have high percentage of school dropouts because the *miraa* businessmen employ children to distribute *miraa*. This has led to child labour. As you know, Chapter Four of our Constitution on the Bill of Rights, Article 53(d) provides that we need to protect a child from any abusive or exploitive labour. As we try to make *miraa* an income generating business where it is grown, we also need to know that *miraa* has brought some negative effects to some people.

In addition to that, I have been a student in the Kenya Methodist University and I know that if you meet a *miraa* transporting vehicle, you should not stand by because it will go over you. It is as dangerous activity along the road. We need to curb it. They drive very fast and cause a lot of accidents along the Meru-Nairobi Road. If you go to places where people consume a lot of *miraa*, you find that some people are sick and others have teeth problems. We need to come up with strategies to ensure that *miraa* is not accessible to underage children. We need to limit the age of the people who are supposed to chew *miraa*, maybe to 25 years and above, so that even the productivity of men can be realized in their families.

Finally, when you chew *miraa*, it gives you hallucinations and as a result, you think you are a rich man at night and then in the morning, you are a poor man. You end up stealing or engaging in illegal activities because *miraa* makes you hallucinate.

Hon. (Ms.) Ghati: Thank you, hon. Deputy Speaker. I rise to support the Motion as amended. I am a Member of that Committee and for the first time, this is the most gender balanced committee I have seen in this House.

I support the Motion because *miraa* has a history with the Ameru people. It has an economic importance to the Ameru people. From the Members' contributions, we all have myths surrounding *miraa*. This timely Committee is going to look at the myths, facts and fiction, so that we can differentiate the truth from the myths. The Ameru people have educated their children. From research, 80 per cent of what is produced in Igembe and Imenti and all the hills of Meru is exported. Those people make a lot of money. I am in this Committee because I also want to see how this money can be distributed to where I come from.

Hon. Deputy Speaker, maybe, from this research, my county can also focus on *miraa* so that it is able to make money. The Netherlands and the United Kingdom (UK) are countries where the crop is exported. *Miraa* is as important to the Meru as tobacco is to the Kuria people where I come from; or to the Luhya people where tobacco is grown.

So, I want to support this Motion so that we are able to come up with recommendations. If this is a drug then how is it supposed to be regulated? I fully support.

Hon. Deputy Speaker: Hon. Roba Duba.

Hon. Duba: Thank you, hon. Deputy Speaker. From the outset, I want to thank hon. Shebesh for introducing the amendment. It is so critical. I was going to question the composition of the *ad hoc* Committee because it is important that it is properly representative of consumers, producers and other interested parties in terms of consumption or production. As far back as the first President of the Republic, people have said *miraa* has a lot of disruptive activity on the family, and the social fabric of the community and the feeling has been that there is favouritism and that is why a serious objective analysis of the effect of *miraa* has not been done. This favour is considered to be for the producer at the risk of the consumer. This is perception. The Committee so appointed is likely to help in trying to change this perception to a reality and, therefore, it is important that this Committee be detailed enough, be as objective as possible, bring all the research on the table and make sure that Kenyans get proper information from those investigations.

As regards the most monumental effect, for me, it is not the issue of below the line, it is above the line. For example, hallucinations have been mentioned as a factor. People who think that they are okay over the night when they are awake realise the hard reality that they have nothing on their hands. This has effect. The hangover effect, the hallucination effect and all those are very disruptive. So, it is very important that we become objective. This Committee is likely to change this perception and bring the reality to the House.

So, thank you very much. With that, I support the Motion.

Hon. Deputy Speaker: Hon. Esther Nyambura Gathogo.

Hon. (Ms.) Gathogo: Thank you, hon. Deputy Speaker, for giving me this opportunity. I rise to support the Motion as amended because one, all of us are talking about *miraa* in the negative side but we have so many other things---

Hon. Deputy Speaker: Hon. Tiyah Galgallo, I see you want to intervene. Do you have a point of order?

Hon. (Ms.) T.G. Ali: Hon. Deputy Speaker, I am just waiting to support.

Hon. (Ms.) Gathogo: It is only because she has just entered. So, I would like to say that yes, we are going to find out and investigate as the Committee that is allowed to do this so that we know whether *miraa* really is a drug and whether its negative sides as we are being told in this House are true. This is because we cannot rule that out. There are those people who see the positive side of *miraa*. I would say that I support but I still request the Committee to do it thoroughly so that we know the truth about *miraa*.

Thank you and I support.

Hon. Deputy Speaker: Hon. Franklin Mithika Linturi.

Hon. Linturi: Thank you, hon. Deputy Speaker. From the outset, I want to seek your indulgence and the indulgence of the House to understand that *miraa* is the livelihood of my people. Because of the passion with which I hold *miraa*, I kindly and humbly request you or my sister, hon. Kajuju, to cede some extra minutes. Do not disconnect after three minutes, I really plead with you.

Let me thank the Members of Parliament who have really come up to support this Motion. I believe it is very important because from their contributions, I have been able to capture the fact that they would want to have the mystery surrounding *miraa* unraveled. Let me shed some light or tell people exactly what *miraa* is because most of the people, including NACADA, have been spreading rumours about *miraa*. In my view, it has been operating on misinformation and it is an institution that continues forever to provide a situation whereby people from Nyambene and the *miraa* growing areas are continually marginalised.

Hon. Deputy Speaker, Sir, why do I say this? God had a reason for creating this country in the form in which it is. That is why he decided that *miraa* must only be grown in Nyambene, tea in Kericho, bananas in Kisii and tobacco in Kuria and other areas. This is our “green gold” and we must be respected for that because God had a reason. *Miraa* also comes from Yemen. The botanical name of *miraa* is *catha edulis*. “*Catha edulis*” means an edible plant. It is not a creature of Linturi and I want to thank Professor Charles Maitai from the University of Nairobi (UoN), Department of Pharmacy who led a serious research team that came up with a report by the National Council for Science and Technology (NCST).

Hon. Deputy Speaker, what Professor Charles Maitai found in his research is that *miraa* has a nutrient called cathine and cathinone. Cathine and cathinone is of the vitamin class, for those that understand biology and science and a vitamin is a stimulant. This stimulant is used for stimulating the nervous system. This stimulant gives energy and that is why when we talk about *miraa* being a stimulant, it is a stimulant that provides the necessary energy to work. There are people who chew *miraa* and many people have said they do not perform. Let them go and look at the 2009 Population Census results. I represented a constituency which I represent today. The population of Igembe is 482,000 people and it is where *miraa* is grown and chewed. Igembe has the highest population in Eastern Province. Do you want to tell us that we import other men to come and sleep with our women?

(Laughter)

This is wrong and we must tell the country the truth.

Hon. Deputy Speaker, *Mheshimwa* Iringo, *Mheshimiwa* M'Uthari M'eruaki and *Mheshimiwa* Kathuri are all here and they can attest to this. We also want to make sure you understand so that we do not talk out of ignorance. Some of us may require to volunteer themselves as specimens so that people who are talking that way understand what we are talking about. If you take the right *miraa*, you do not require the blue tablet. That one is an organic stimulant and this is the truth.

Hon. Deputy Speaker: We had agreed hon. Linturi to keep---

Hon. Linturi: Hon. Deputy Speaker, from this report, the professor continued and said that when you look at the effects of *miraa* and the effects of tobacco and beer, they are incomparable. He who pays the piper calls the tune. Why is *miraa* being demonised? It is because it is grown by very poor farmers. There is no multinational company that has found any potential in terms of economy in *miraa* to come and invest in it. But you find tobacco that kills thousands and that is directly associated with lung cancer, is one of the highest earners of revenue to the Government. That is why they cannot touch tobacco and beer. Beer directly causes liver cirrhosis.

I am happy that every speaker would want to find a situation so that the Government can save the economic mainstay of the people of Nyambene.

Thirdly, let me also say that the advisers of the President are also working in cahoots with others so that there is a conflict between the Office of the President and the people of Nyambene. There is a sticker that reads: "The President and the Cabinet Office, *Miraa* causes spermatorrhoea and infertility". We have said that, that is not true and it is propaganda that NACADA is spreading. What is spermatorrhoea? For those who would like to *Google* to understand it, this is involuntary flow of semen from one's body. This is very serious because what they are telling the country and the people is that this is a very dangerous crop where you can have people go to Nyambene and carry out an extensive study on what *miraa* is. That has been happening since the beginning of the world.

Hon. Deputy Speaker, I humbly support this Motion. The merits and demerits will be found when we take evidence and conduct research. That is when we will come up with the scientific---

Hon Deputy Speaker: I have given you time because I know the passion with which you hold this plant. However, we hope that you will get a chance as you get more information after the research.

Yes, hon. Dido.

Hon. Dido: Thank you, hon. Deputy Speaker. I want to support this Motion. I would like to say that I like the passion with which the Member for Igembe has contributed to this Motion.

I come from Saku Constituency in Marsabit County. Recently, we discovered the benefit of *miraa*. People have moved from charcoal and firewood trade or brewing *chang'aa* to growing *miraa*. Those people have been able to send their children to school. Before they started growing *miraa*, they depended on handouts, relief food and missionaries who have been supporting many families.

When we talk about *miraa*, some of us who come from those areas talk with passion because the Government of Siad Barre was brought down because he attempted to ban *miraa*. If you go to the streets of Djibouti or Yemen and you attempt to say that *miraa* is a drug that can be banned, you will face a revolution. This is because whenever something has a benefit to the low families--- For example, the Member for Igembe has

said that *miraa* farmers are the poorest of the poor. There is no single cent of Government investment towards *miraa*. Therefore, even those who grow the crop or are involved in *miraa* marketing do not get any benefit from the Central Government in terms of finance.

Hon. Deputy Speaker, there should be discipline within the society and we should also follow our culture. This is because alcohol has always been there but at no time has it be banned or the negative---

Hon. Deputy Speaker: Your time is up. Yes, the Chair of the Departmental Committee on Health.

Hon. (Dr.) R.K. Nyamai: Thank you very much, hon. Deputy Speaker for giving me this opportunity. I rise to support this Motion as amended. I would like to thank the selection team for proposing me to be one of this Committee Members. This shows that they have a commitment to also identifying health matters that will come out of the deliberations that we will have.

I would like to assure the House that I, together with other Members of the Committee, will be committed, will be objective and will do as much as possible to know exactly what is in this substance called "*miraa*" or the "*khat*" that could be harmful to health.

Although *miraa* is not planted or does not grow in my constituency, you will find that it is sold in all towns including the most remote towns next to Tsavo National Park. I know the distributor who is called Nzana who distributes it all over the place. This man has employed almost 1,000 youths. I would like to point out that I do not know whether from the health point of view banning *miraa*, which is a substance maybe of the same level with other substances that are also being misused by our youth, is a solution or is going towards health education and health promotion.

Hon. D.A. Mohamed: On a point of order, hon. Deputy Speaker. I am very concerned because the Chair of the Departmental Committee on Health who has been proposed to be in this Committee is already supporting *miraa*. I thought the Chair should take a neutral stand and give us a balanced view when she is in the Committee on what the effects of *miraa* are. This is very serious. This is something that can be harmful but has not yet been proved. I am very much concerned and I would like the Chair of the Departmental Committee to clarify whether she will support the already preconceived Motion or not. Some of us believe very passionately that *miraa* has a huge health effect and it is causing many health problems. How can the Chair of the Departmental Committee on Health support that?

Hon. Deputy Speaker: All of us have our views on this matter.

Hon. M'uthari: On a point of order, hon. Deputy Speaker. I want to know whether the Member is insinuating that the other Member does not have an opinion even if she is the Chairlady of the Departmental Committee on Health.

Hon. Deputy Speaker: I gave you the chance as the Chair of the Departmental Committee on Health. You are being challenged that you already have an opinion even before you begin the investigation. This is the case and yet you are the Chair of the Departmental Committee on Health. Could you clarify your position?

Hon. (Dr.) R.K. Nyamai: Thank you, hon. Deputy Speaker. I would like to thank the hon. Member for pointing that out. However, I am very happy as the Chair of the Departmental Committee on Health to be included in this Committee. This tells us clearly that the Committee will not try to hide health matters behind this investigation.

(Applause)

I have not said that I support chewing of *miraa* but I have said that I give my commitment to making use of participatory and non-participatory manner of research in order for us to know the truth about *miraa*.

Having said that, I am concerned as other Members of Parliament that *miraa*, although it does not grow in my constituency, is taken up to the most remote areas. I also know that there is one distributor who has hired almost 1,000 youths in my constituency. I think I also have a right to inform and acknowledge that *miraa* is taken to the most remote areas. I hope that I have responded to the Hon. Member's point of order.

I would also like to assure the House that we will bring health matters in this Committee by getting information from doctors, pharmacists and whichever kind of experts who may give us the best information on this Motion. I am so proud to be in this Committee.

Finally, I would like to say that *miraa* is being misused like any other substance in the market. My concern is our approach to this issue. We need to approach it with soberness, we need to know and identify very participatory approaches so that we can address this matter. I would like to give the commitment of myself and also the Committee on Health that any matters to do with health will be addressed accordingly. Thank you.

Hon. (Ms.) T.G. Ali: Thank you, hon. Deputy Speaker. I stand to support the Motion. I know *miraa* is widely used in this country and outside the country as well. This crop has created a lot of employment opportunities. I come from Isiolo and I know that, if *miraa* is not brought in Isiolo many of the women, youth and men who sell *miraa* will not have employment.

I know *miraa* is an economic booster; it is a cash crop like coffee and the rest that is generating income for this country. I also know that any substance that is taken in excess will create health problems and *miraa* is not an exceptional.

I would want to really thank hon. Kajuju for thinking about this committee. This is because the findings of this committee will really help the whole country in demystifying what *miraa* is and what it is not. *Miraa* has been labeled as one of the drugs that should not be used in this country.

So, I stand to support this Motion. I am sure when we will go out there, we will have equal representation across the regions. I think there is no region that is not represented in this team. I am sure it will be very exhaustive and very important. I am sure the finding will really help this country to put to rest what *miraa* is and what it is not.

I stand to support the Motion.

Hon. Deputy Speaker: Let us have Ferdinand Wanyonyi.

Hon. F.K. Wanyonyi: Hon. Deputy Speaker, I come from Trans-Nzoia, where we plant maize. Having listened to my friend Linturi from Meru, I am inclined to support the Motion because now I understand. *Miraa* is the mainstay for the Meru region as maize is to me in Kitale because we plant maize.

Secondly, when I was watching television recently, I saw members of a certain church presenting *miraa* as offertory instead of money. This meant to me that *miraa* is a well accepted product in that particular area. I also find that this Select Committee that is

quite representative, will give us a guideline and be able to come out with scientific results. Of late, I have heard Europeans banning exportation of *miraa* to Europe, particularly to Holland and United Kingdom. I think with the findings of the committee, we will be able to have them change their mind and allow *miraa* to be exported to Europe.

Hon. Deputy Speaker, the other thing that has made me accept and actually support this Motion is the fact that, I see young men driving very fast from Meru, all the way to Wilson Airport. I see quite a good number of them. I am told that thousands of them gain meaningful employment out of this business of *miraa*.

Hon. Deputy Speaker, this House should support this Motion as amended, in order to be able to give our brothers in Meru the opportunity to use this product as an economic empowerment of that region.

With those remarks, I beg to support the Motion.

Hon. Deputy Speaker: I call upon the Mover. But you have a long list of hon. Members who would really want to contribute. You have 10 minutes and I do not know whether you want to share your 10 minutes with a whole list of hon. Members, like Ms. Tuya, Bunyasi, Waititu and Maison. I do not know what you want to do with your 10 minutes, hon. Kajuju.

Hon. (Ms.) Kajuju: Thank you, hon. Deputy Speaker. Before I respond, I have been requested to give time to hon. Nyasuna, hon. Tuya and hon. Waititu, I donate a minute of my time to each and every one of them.

Thank you.

Hon. (Ms.) Tuya: Thank you, hon. Deputy Speaker. I take this opportunity to thank hon. Kajuju for donating one minute to me. I maybe one of the hon. Members who may not have a clue of how *miraa* or *khat* tree looks like but I have seen on television and I have heard about it. I can only imagine what it is, but to a Kenyan Meru, *khat* is like a cow to a Kenyan Maasai because of its economic mainstay nature. It is a livelihood issue.

I am also in support of the very pragmatic approach that the Motion has taken where we are going to look at the pros and cons of what *khat* is and what it is not, as well as its positive and negative effect. For that reason, we will be able as a nation to come up with a very informed regulatory way of using and classifying *khat*.

For that reason, I support the Motion as amended.

Thank you.

Hon. (Ms.) Nyasuna: Thank you hon. Deputy Speaker and hon. Kajuju for donating one minute to me to express my support for this Motion.

Hon. Deputy Speaker, putting money in the pockets of our people is a pledge that almost all of us made as we sought to come to Parliament. The ban on export of *khat* is likely to remove money from the pockets of our people rather than add. Therefore, it is something we must quickly and swiftly respond to.

Secondly, the composition of this committee appreciates the fact that this is a national issue. While *khat* is mainly grown in Nyambene and Meru, the economic impact of *khat* affects the entire nation.

Because the time is very short, I am happy to be part of this committee that will review the issues. We hope to put a comprehensive report on the Floor of this House.

Hon. Francis Waititu: Thank you, hon. Deputy Speaker. I also rise to support this Motion and thank hon. Ms. Kajuju whom I supported one day when there was a conflict in this House. I thank her for giving me part of her time.

Hon. Deputy Speaker, we know *miraa* cannot only be grown in Meru. I would like to advise the committee, led by hon. Kajuju, to do a research and do soil analysis in this country. I think most parts of this country can grow *miraa*.

I would also like to advise my friend, hon. Simba, to do some soil analysis in his constituency and see whether he can grow *miraa* and create money for the youth that really like him.

Hon. Member: *Hakuna shamba la kupanda miraa katika eneo lake la uwakilishi.*

Hon. Francis Waititu: Hon. Deputy Speaker, Thika Superhighway and Nairobi City provide access to *miraa* market. I think it is in order for us to think much about the *miraa* crop. I would like to advise hon. Kajuju to advise the *miraa* transporters when they are driving on the Superhighway---

Hon. Deputy Speaker: Your time is up. Hon. Kajuju, proceed to reply to the Motion.

Hon. (Ms.) Kajuju: Hon. Deputy Speaker, I take this opportunity to thank each and every speaker who has spoken to this Motion.

Hon. Deputy Speaker: Hon. Arati, what is your intervention all about?

Hon. Simba: Hon. Deputy Speaker I wanted to inform her, if she does not mind, that, one---

Hon. Deputy Speaker: Order, hon. Arati! If it is a point of information she must want to be informed.

Hon. Simba: Are you willing that I inform you?

Hon. Deputy Speaker: She is not willing that you inform her.

Hon. (Ms.) Kajuju: Hon. Deputy Speaker, I have not sought information from Mr. Arati. Could I proceed with my response?

Hon. Deputy Speaker: There is also a point of order by hon. Maison.

Hon. (Ms.) Leshoomo: Mhe. Naibu Spika wakati mwingine uangalie watu wengine ili waweze kusema neno hata moja. Tangu tuingie hapa, wengine wetu hatujapata nafasi. Haya mambo ya *miraa* yanadhuru kila mahali.

Hon. Deputy Speaker: It is up to hon. Kajuju because she is responding. *Mpatie* one minute if you are willing to do so, hon. Kajuju. You have to agree to that before I give the go ahead.

Hon. (Ms.) Kajuju: Hon. Deputy Speaker, hon. Leshoomo had spoken to me earlier, but she was not present when I looked around the Chamber. Now that she has come, I will give her a minute.

Hon. (Ms.) Leshoomo: Ahsante mhe. Naibu Spika. Naunga mkono haya mambo ya *miraa*. Hii kamati sharti ichunguze *miraa* ina *sections* ngapi. Hii ni kwa sababu kuna ile inaitwa *kangeta*, *muguka*, *giza* na kadhalika. Hii ambayo inaitwa *kangeta* ndiyo inakata wanaume.

(Laughter)

Tungependa tujue gani kati ya hizo ndiyo mbaya. *Miraa* ni kama ng'ombe kwa Wameru kwa sababu wanaitumia kusomesha watoto wao. Sharti tujue gani mbaya na

gani nzuri. *Miraa* sasa inatumika na Wakenya wote. Watoto wote wanakula hii *miraa*. Kamati itupatie habari kamili.

Hon. (Ms.) Kajuju: Hon. Deputy Speaker, I thank all those who contributed to this Motion. We are telling Kenyans that if there is no committee of this nature to make a decision on *miraa*, the Meru people will be more sinned against than sinning as William Shakespeare said, "Every person must have an opportunity to be heard."

Natural justice demands that people must be given an opportunity to be heard. Let the people who consume *miraa* speak to the issue so that we come up with a proper decision. The decision this committee makes will determine whether *miraa* is a blessing or a curse to the people of Kenya. If you look at the economic aspects, people have been exporting over 60 tonnes of *miraa* to the United Kingdom. They have been making over Kshs41 billion per week. This is the right time for us to make a decision about *miraa*.

The Constitution promotes the culture of the people. *Miraa* is part of the culture of the Meru people. The committee will seek the views of the Meru people and the consumers. It will also seek views of the people who think that *miraa* is not consumed properly by the people of Kenya. We are asking that this committee be formed and that they report to this House which will interrogate its findings. A decision will be made by this House.

I pray that this Motion be allowed and that the committee proceeds as composed. Thank you.

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

Resolved accordingly:

THAT, aware that *khat (miraa)* is an economic mainstay of many people in Kenya and has led to economic growth and development in the country; noting that the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) has continued to campaign against consumption of the commodity and classified *khat (miraa)* as a drug; concerned that most countries have banned chewing of *khat (miraa)* and others are in the process of banning entry of the product into their markets including recommendation of severe penalties against consumers, while others have granted the Government of Kenya a window period to consider the suitability of the product for export; further noting that recent research has established that *khat (miraa)* is not a drug, and therefore appropriate legislation should be put in place to regulate the industry; this House resolves to establish an *ad-hoc* committee to comprehensively investigate, inquire into all matters relating to *khat (miraa)*, consider and review all research findings and make recommendations to the House within ninety days, and that the committee comprises the following Members:-

1. The Hon. Florence Kajuju, MP – Chairperson
2. The Hon. Franklin Mithika Linturi, MP
3. The Hon. Muriuki Njagagua, MP
4. The Hon. Gladys Wanga, MP

5. The Hon. Daniel Maanzo, MP
6. The Hon. Dennitah Ghata, MP
7. The Hon. Dr. Susan Musyoka, MP
8. The Hon. Fatuma Ibrahim, MP
9. The Hon. Cyprian Kubai Iringo, MP
10. The Hon. Joseph M'Eruaki, MP
11. The Hon. Farah Abdulaziz, MP
12. The Hon. Tiyah Galgalo, MP
13. The Hon. Dan Kazungu, MP
14. The Hon. Mohamed Elmi, MP
15. The Hon. Rachel Nyamai, MP
16. The Hon. Jimmy Angwenyi, MP
17. The Hon. Beatrice Nkatha Nyaga, MP
18. The Hon. Benson Mutura, MP
19. The Hon. Alfred Kiptoo, MP
20. The Hon. Kanini Kega, MP
21. The Hon. Zipporah Kering, MP
22. The Hon. Ayub Savula, MP
23. The Hon. Sabina Chege, MP
24. The Hon. George Wanjohi, MP
25. The Hon. Kathuri Muriungi, MP
26. The Hon. Wanjiku Muhia, MP
27. The Hon. Philip Rotino, MP
28. The Hon. Alice Ng'ang'a, MP
29. The Hon. Aburi Mpuru, MP.

LIBERALIZATION OF POWER DISTRIBUTION IN THE COUNTRY

THAT, aware that Kenya as East Africa's largest economy remains a minor electricity supplier with a low penetration level of about 15%; concerned that Kenya Power, as a strategic national agency, appears to be grossly inefficient in its operations, still having 85% of the population unconnected and facing a fast-growing population of 3% annually; also noting that power outages and surges have become the norm especially with the onset of long rains, sometimes causing electrical faults that result in fires and loss of property which is never compensated by Kenya Power; and further concerned that Kenya Power has portrayed a lackluster approach to handling customer complaints which leaves customers disadvantaged due to a lack of alternatives in electricity providers, this House urges:-

- (i) the Government to liberalize power distribution thereby breaking the monopoly of Kenya Power in order to encourage competition, improve efficiency, and reduce the cost of power; and
- (ii) Kenya Power to offer compensation to those who have encountered fires and loss of property due to power outages and surges.

(Hon. David Kangogo Bowen on 9.7.2013)

(Resumption of Debate interrupted on 9.7.2013)

[The Deputy Speaker (Hon. (Dr.) Laboso) left the Chair]

[The Temporary Deputy Speaker (Hon. Kajwang') took the Chair]

Hon. (Ms.) Ngetich: Thank you, hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion. I rise to support the Motion that the Government liberalizes power distribution and thereby breaks the monopoly of Kenya Power. Also, Kenya Power should offer compensation to those who have encountered fires.

Before I go to the Motion, allow me to take a minute to mourn the celebrated heroin, the late hon. Chelagat Mutai. She was a brave and selfless leader who became a voice of the voiceless and also fought for the landless. She fought for democracy and human rights. We can only imagine what it took then to oppose the Government of the day. Therefore, she was bold and no wonder, we take her as our role model. That is why in the Tenth Parliament and even in this Parliament, Rift Valley has elected women leaders to Parliament. May God rest her soul in eternal peace.

In supporting this Motion, we are implementing the 2010 Constitution. The essence of the Constitution is devolving services. Electricity is one of those essential services to our people and if it is devolved, it would allow the governors to seek alternative ways of generating and distributing electricity. They should look for ways of generating power on their own through hydro-power, wind power and geothermal. This removes the monopoly of the Kenya Power and KenGen. It will bring about efficiency. At the local level, it will not take long for people to be connected to electricity after the application because it will just be done within the county level. In relation to cost reduction, KenGen, which is the company that is allowed to generate electricity, should be discouraged from using diesel generators. This is because the use of those diesel generators not only makes electricity very expensive, but also causes pollution. They should explore more on the geothermal. I am aware that they have only drilled geothermal, but have not been able to tap from the various wells that produce electricity.

The Vision 2030 can only be achieved by growing our economy. Our economy can only grow through industrialization. I am aware that small and big industries use electricity. If the cost of power is high, it will have the ripple effect of increasing the cost of commodities and therefore, raising the cost of living. This causes inflation. We should do everything possible to liberalize power and bring down the cost of electricity. The Mover of the Motion has stated that only 15 per cent of our population is covered by power supply. We want to turn it the other way round and have 85 per cent of our people connected to electricity and maybe 15 per cent not connected where it may not be possible to do so and they can use solar or alternative sources of power.

On the second point on compensation, I want to support the suggestion that the Kenya Power should offer compensation to those who have lost properties due to power

surges and sometimes due to shoddy connectivity. We are all aware that the Kenya Power sub-contracts electricity connection to certain firms and sometimes, those firms work with minimal supervision from the Kenya Power. They, therefore, end up doing shoddy job. As a result, property and valuable documents have been lost. Recently, the Kenya Bureau of Statistics offices were gutted down by fire and I am worried whether we have the valuable data that was in those offices. My advice to the Government in relation to this is that we should not only rely on compensation from the Kenya Power. It is also important for us as individuals to insure our properties, so that we can get compensation when we lose them in such a manner.

As I end, I want to give an incident to emphasize the point of the sub-contracted services. This is an experience that I had over the weekend. There was a power blackout and I called the emergency line. They came after 14 hours, but all the same they came. I reported at 5.00 p.m. and they came the following day at 10.00 a.m. On site, they claimed that they could not reconnect power because they discovered that one of the connection wires was loose and any time there was wind, the wires easily sparked and collided and therefore, caused fire. Secondly, they said that the sub-contractor used a three-phase cable to drop power from the pole to the house yet this is a single-phase cable. Again, this poses a lot of danger to the lives of the inhabitants there. This is just a single case. I come from Sotik Constituency, Woman Representative Bomet County and I want to urge the people who are responsible there to go and inspect because there is a lot of danger that is looming.

With those remarks, I support the Motion and strongly suggest that we liberalize power, so that the cost of electricity can come down. We also need to get good services from the providers, the suppliers and the distributors of electricity.

Hon. Wakhungu: Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion. First, I want to congratulate hon. Bowen for bringing such an important Motion. It is long overdue. When you study business monopoly, it is very dangerous in terms of efficiency and effectiveness. The Kenya Power has been taking consumers for granted. We cannot achieve our Vision 2030 without electricity. Electricity is very important as far as industrialization is concerned. We know the Jubilee Government is planning to roll out the laptop project, but this will only succeed when we have electricity.

The Jubilee Government has talked about the one million acres of land to be irrigated. This can only happen if electricity is available. Unfortunately, this parastatal is sleeping on the job because the aspects of inefficiencies and ineffectiveness are alarming. In my constituency, people have applied for electricity and six months down the line, they have not been connected. I am told cases of corruption are very rampant at the Kenya Power. Unless you bribe them, they will not connect you with electricity.

Hon. Temporary Deputy Speaker, Sir, there is a case in my county particularly in Kiminini Constituency whereby a corporate and individuals came together and paid money to the Kenya Power but they were conned. We have conmen outside there colluding with the staff of Kenya Power and they have been conning poor Kenyans of their money in the name of coming to connect electricity. It is high time we had another body to provide competition.

Hon. Temporary Deputy Speaker, Sir, if you look at the telecommunication industry, sometimes back before the mobile phones came in, we had Kenya Telkom

where we had fixed landlines. There was a lot of laziness. They could not connect people. Thank God when the mobile phones came in, they woke up. So, if we are going to have another body that is going to compete with Kenya Power, then consumers are going to be assured of effectiveness and efficiency.

Hon. Temporary Deputy Speaker, Sir, look at the banking industry. Before the banking industry was liberalised, the big players were taking consumers for granted. Thank God when Equity Bank and Family Bank came in other giant banks had to wake up. You see people moving all over asking for people to get loans. Those were the people from the major banks who were taking consumers for granted and I am very sure if we bring another body that is going to compete with Kenya Power, it is going to wake up. Kenyans are going to have electricity. With competition you cannot be taken for granted. We know very well that when it comes to connection of electricity people have been paying Kshs35,000 but Kenya Power with their impunity have doubled this amount and going against what the Deputy President had said. When are we going to get industrialised if Kenyans are not going to get electricity?

Hon. Temporary Deputy Speaker, Sir, I have experienced power outages. We have a lot of power outages. I reported to Kenya Power and they told me to go and do the repairs. I had to buy a new fridge and television. Up to now, six months down the line I have not been compensated. So, this Motion has come at the right time whereby we should allow another body to come in to give competition to Kenya Power so that they can wake up.

Hon. Temporary Deputy Speaker, Sir, another thing is that when you go to their banking halls the queues are very long. Their customer service is very pathetic. We know very well that a satisfied customer will come back. Kenyans have been going back to Kenya Power because they do not have an alternative and this is the time the Government should encourage other players to come in to provide this competition so that those people can be able to wake up.

Hon. Temporary Deputy Speaker, Sir, the Jubilee Government has talked of free maternity services. Free maternity services will work if at all we are going to have electricity in the rural health facilities. When you go to the rural health facilities, the situation there is difficult. Some of the drugs are supposed to be refrigerated. A fridge will only work when there is electricity. So, it is high time for them to achieve their manifesto which we are supporting. Now that we are in the Opposition, we do not just oppose for the sake of it. We oppose to give constructive criticism. So, it is high time we had another body that is going to give competition to Kenya Power. A lot of impunity cases have been reported because of this monopolistic nature of this issue of Kenya Power.

Hon. Temporary Deputy Speaker, Sir, when it comes to compensation, it is high time we looked at the time value of money. If a client, consumer or a customer experiences what happened to me, he or she should be compensated. You have spent your money and when it comes to compensating you, they should not be allowed to compensate you using the same amount of money you used to purchase your property which was destroyed. We should come up with a specific percentage interest so that when you are compensated, they can feel that compensation. This is because the way things are, we are not going anywhere.

Today go to Kenya Power and you will see the laziness that is around there. The aspect of customer service is very pathetic. So, I urge the Government and the Mover of this Motion not just to stop at the Motion level but to move quickly and come up with a Bill. This Bill should come to this House and we debate it so that another agency can come into existence to give competition to Kenya Power and to give consumers value for their money.

Hon. Temporary Deputy Speaker, Sir, thank you and I support.

The Temporary Deputy Speaker (Hon. Kajwang'): Thank you Chris for that passionate approach. The next one is hon. Dennis Waweru.

Hon. Waweru: Thank you, hon. Temporary Deputy Speaker, Sir. I am very happy today that I will have an opportunity to contribute to a Motion on a subject that I am very passionate about and I know most of the Members will agree with me that it is very important. I will start by saying that His Excellency the President during our campaigns had promised that we need to create one million jobs. We have been talking about Vision 2030, Konza ICT City, Lamu Port-South Sudan-Ethiopia Transport (LAPSSET) Corridor Project, Isiolo Resort City Project and Isiolo-Juba Road. We have also been talking about Kenya being a middle-income country by 2030. We have been talking about industrialisation and all those things but all those ambitions will have to be powered. So, without adequate energy I do not think we are going anywhere.

I know hon. Wamalwa has really talked passionately about this but the first thing we should ask ourselves is: Which is this elephant in the house? I think it is about time we addressed the main issue in the energy sector. I know there are some contracts in Kenya Power with some of the Independent Power Providers (IPPs) that are still ongoing. There are some emergency power producers who add to the pool with KenGen. I think we need to know the costing of some of this power that is supplied to Kenya Power by some of those IPPs. If you look at the annual results of Kenya Power, you will realise that for example in six months you find revenues of Kshs15 billion and the bottom line barely gets to Kshs400 million. The cost of electricity to Kenya Power from IPPs is three times the cost of power from KenGen and that explains why our people are paying more for electricity and I think it is about time we asked questions. We need to know who those IPPs and emergency power producers are so that we can see what kind of contracts were entered into which we have to keep paying expensive power.

Hon. Temporary Deputy Speaker, Sir, I would urge our Chair of the Departmental Committee on Energy, Communication and Information through hon. Speaker to give us a comprehensive report on how much each and every IPP and emergency power producers sell power to Kenya Power and this is going to clearly demonstrate where our problem is. I know hon. Wamalwa has talked about Safaricom. Before Safaricom came in we had Telkom. I remember we used to pay Kshs200,000 to get a mobile phone. Nowadays, they are hawked on the streets and I think removing this monopolistic tendency that we keep maintaining for inefficiency is not the way forward. So, I would urge through hon. Speaker that our Chair of the Departmental Committee on Energy, Communication and Information to table for us in this House a list of all the tariffs that we pay to IPPs comparatively to KenGen. I think if you look at what we pay together with maybe what we get from KenGen, we still pay one of the most expensive electric power in the region.

Hon. Temporary Deputy Speaker, Sir, we have invested a lot of money in the generation of power in this country, but unless we sort out distribution of power, we are not going anywhere. We are doing disservice to this country, and I think it is time we broke all the corrupt cartels in the energy sector.

I know that the Mover of this Motion did not incorporate in it this, but I think that is where our problem is. So, I urge this House to look at the energy sector; if we do not do that, we are will lose 3 per cent of our Gross Domestic Product (GDP) annually. Therefore, this is an urgent issue that the Government should look into.

On connection, if you look at how many people are connected annually, you will realize that Kenya Power is doing nothing. The Rural Electrification Authority (REA) is, for example, responsible for over 50 per cent of the new connections. Somebody is generating power for you and then you have another institution called Kenya Electricity Transmission Company (KETRACO), which transmits power to the substations, and connection is, again, done by REA. Why should Kenya Power make losses? I think your guess is as good as mine.

It is one of the cash cows for those corrupt fellows is Kenya Power. As much as the Government is investing in geothermal power, and as much as we are trying to connect to the Ethiopian line and develop other alternative sources of energy like wind, without addressing adequately the issue of distribution, we will not provide electricity to Kenyans cheaply.

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

The Temporary Deputy Speaker (Hon. Kajwang’): Thank you. Hon. Peter Kinyua, I am informed that you have misplaced your card. Hon. Members, we urge you to keep those cards, so that you are able to contribute from your seats.

Anyway proceed.

Hon. Kinyua: Thank you, hon. Temporary Deputy Speaker, Sir, for your indulgence. I will make sure that I come with my card. I want to start by thanking Hon. David Bowen for bringing this Motion to this House. This Motion has come at a time when we, in the Jubilee Government, are finalizing our formative stages, so that we can get started. It is commonly said that you cannot do the same thing all the time and expect different results. It is high time we came up with different ways of doing things in the power sector, so that we can realize different results.

If I may start with a bit of statistics, 15 per cent penetration has been converted to about 30 per cent, and is recorded by Kenya Power and other power sectors. This means that 70 per cent of this country is in need of power. This is the case, yet we want to get industrialized by 2030.

Hon. Temporary Deputy Speaker, Sir, the Ministry in charge of energy, Kenya Power and all the other companies that do connections like REA, should connect 300,000 people annually. We have said that we want to have 100 per cent connectivity by 2030. If we do 300,000 connections per year, that is a mere 3.5 per cent connection annually. With the current population growth of 3 per cent, the marginal increment of our power connectivity is only 0.75 per cent. Therefore, it will take us 93 years to get to 100 per cent connectivity. In fact, Vision 2030 will in essence become 2106. We need to do, at least, 7.11 per cent, so that we can achieve full connectivity in the 17 years that we have remaining. This calls for a different approach.

To start with, we want to see Kenya Power develop a strategic plan that shows where and what is where. We also want to see Kenya Power develop a geospatial information system that clearly documents the distribution lines as they are, and the substations, so that we can determine the requirements that we need in terms of infrastructure for a 100 per cent penetration to be achieved. We can go to the second level and liberalize some of the areas once we have the strategic plan. Those areas have to do with renewable energy, namely solar and wind power. With this, the liberalized areas will fall well within the strategic plan of the 100 per cent penetration by Kenya Power and the Ministry of Energy and Petroleum.

What are the gains that will be achieved by liberalization? One, we will free Kenya Power, which seems to be groping in the dark, with no clear way of dealing with issues of maintenance and operation. We will also have a benchmark. With no competition today against Kenya Power, it is their word against yours. They act as they are the benchmark while we act as their monitoring parameter.

Hon. Temporary Deputy Speaker, Sir, once we have independent and liberalized power providers, who will distribute it, we will have a clear benchmark on the quality of work and cost efficiency.

The Kenya Power has increased the connection fee from Kshs35,000 to Kshs75,000. Are we gaining efficiency, or are we going backwards as a county? Those are the questions that need to be answered.

The response time to failure is another benchmark that we will set. I come from a telecommunications background, where availability is 99.99 per cent of service. This is not achieved by doing the same thing all the time. It is high time Kenya Power came out of the woods and approached issues in a systematic and scientific manner. It should approach things in a way that is geared towards achieving our target as opposed to just having activities being carried on every other day.

This will not be achieved without unearthing the rot in the Kenya Power. The rot in Kenya Power, corruption, issues to do with independent power providers and illegal connectivity--- There are some cartels that are hidden from the top management of Kenya Power, who do connection in villages.

We have power providers in slum areas who do not pay for their power to any of the organized sectors. In essence, those cartels become power providers but do not pay the source of their power. This is one of the leakages that need to be addressed.

With those few remarks, I would like to support this Motion and say that we expect to see more results, particularly in matters to do with efficiency and timely delivery to the people of Kenya.

Thank you.

Hon. Mohamed Abass: Thank you, Temporary Deputy Speaker. I rise to support the Motion. Unfortunately, Kenya Power is monopolistic. As a developing country, we cannot afford to have a monopolistic supplier of power; monopoly has led to a high cost of production in this country as a result of the high cost of electricity.

Hon. Temporary Deputy Speaker, this country is now headed to industrialization and for us to get industrialized we need to have more supply of power and more companies to supply power. For us to achieve our vision 2030, we also need to have more supply of power. We cannot expect to achieve our vision under the current circumstances.

As a result of power surges, many households' accessories get destroyed and houses are burnt, yet there is no compensation from Kenya Power. I think that is because of its monopolistic nature.

Hon. Temporary Deputy Speaker, Sir, this country has a dream of going digital. For us to achieve our dream, we need to have reliable power supply. Electricity is not luxury but a necessity in this country. As a result of Kenya Power not being able to meet the demand for power supply in this country, there is need for other suppliers of power.

Hon. Temporary Deputy Speaker, this country is endowed with a lot of green energy. We have a lot of rain and solar energy. With the liberalization of the supply of power, we will be able to harness green energy in order to have more supply of power, especially in the rural areas.

With those few remarks, I support the Motion.

The Temporary Deputy Speaker (Hon. Kajwang''): I wish everyone was like that hon. Member. Within three minutes, he has covered the subject.

Hon. Gikaria: Thank you, hon. Temporary Deputy Speaker, Sir, for the opportunity. Let me, first of all, take this chance to thank the hon. Bowen for bringing this very timely Motion.

First, the issue that he has raised is whether we can bring in new players into power distribution by liberalizing the power industry, and at the same time look into ways of compensation for damage and loss of property; for example, at times there is damage of electrical items and burning of business premises as a result of problems in power supply.

Hon. Temporary Deputy Speaker, Sir, I want to say that as Mover has already amplified in moving his Motion, we see that Kenya Power, since inception--- Of course capital injection for one to start this industry is quite high, and the Government had to come in and make Kenya Power a monopoly. But 50 years after Independence is time for us to start exploring new ways of bringing down the cost of power. Most of the damage is as a result of perennial blackouts that are occasioned by the inefficiency of the Kenya Power. I want to support this Motion by saying that yes, it is time we did away with monopolistic power supply.

Recently, when we had an opportunity to approve nominees for both Cabinet and Principal Secretary's positions, I noted some of the issues that Eng. Njoroge came up with. Of course, at some point in this House, the Chairman of the Energy, Communications and Information Committee was taken to task to explain why it had taken long to bring down the cost of electric power. During the period when Eng. Njoroge has been in office, the cost of it has kept on escalating. Recently, we saw a case where the Deputy President had to intervene to stop Kenya Power from increasing the tariffs that were, again, to affect the common *mwananchi*.

I want to say that time has come for us to bring in other players, so that we can be effective, efficient and reduce the costs. In my area, most industries went down; they are no longer in operation. One of the factors was because of very high cost of production because of high electricity bills.

Secondly, most water within my constituency is pumped from Subukia. The water company pays very high bills to bring water down the highlands; that has in turn affected the cost of water to an extent where light industries within my constituency have been

forced to shut down. This has been because of either the high cost of power, or the high water charges arising from the cost of pumping water using electricity.

Hon. Temporary Deputy Speaker, I want to agree that despite the heavy injection of money that is required into the energy sector to produce adequate electricity--- I want to agree that recently we had an opportunity of visiting a geothermal power project. They are actually thinking of liberalizing by allowing the independent power producers to join the industry. We are asking the Government to assist the medium enterprises of people who want some money to buy heads at steam wells, so that they are able to generate power and distribute to the local areas.

I want to agree that the effect of geothermal power itself will bring in new players. They are actually asking most of the counties to join in. In my county of Nakuru, they have been in touch with the Governor trying to discuss how best the county can participate in bringing in investors. This is why we want to encourage the Government to help local investors, instead of going out and bringing in foreign investors to invest in the energy sector. Of course, as my brother has just said, as a country we need to think of the use of the green energy.

Recently, we had small talk in Nakuru and said that we do not need to continue relying on the water energy, or the steam from the geothermal projects. The wind energy is also something that we can use and get very cheap energy for our use.

Hon. Temporary Deputy Speaker, Sir, much as we are talking about the high cost of energy, we, as consumers of energy, need to be cost-effective in our use of it. You find that most of the time you leave your lights on in areas, or your house, which you are not using. The use of energy saving bulbs and other energy saving appliances will go a long way in reducing the cost of power.

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

Hon. Sitati: Hon. Temporary Deputy Speaker, I rise to support this Motion with a lot of passion. Liberalization of production and distribution of electricity in this country is long overdue. This is because Kenya Power has totally taken its customers for granted. Its service to customers is very unsatisfactory. I want to believe that the attitude of the staff at Kenya Power is totally wrong, particularly in this era.

I think that Kenya Power has not learnt from what happened to Telkom Kenya. In the days when Telkom Kenya was a monopoly in this country its services were very poor, and you could only get a line after bribing the staff. In this situation, if supply of electricity is liberalized by allowing other players to supply it, customers will get value for their money. Therefore, I want to encourage the hon. Member who brought this Motion not to stop here. Let us bring a Bill to this House and actually liberalize electricity supply, so that we can also achieve Vision 2030. Without electricity, we will not achieve it.

Even though services by Kenya Power are unsatisfactory, they continue to be expensive and supply of power is frequently disrupted, especially where I come from. Our hospitals use electricity, but blackouts are rampant. Therefore, services that require electricity are never rendered. In the process, patients lose lives. It is important that we go another route. Let us give other players a chance to come in. That is the only time Kenya Power will wake up.

I beg to support this Motion.

Hon. Ekomwa: Thank you, hon. Temporary Deputy Speaker. I want to thank the Mover of this Motion. I come from an area that is arid. Turkana County has 77,000 square kilometres. You can imagine that out of the whole of this area only five per cent of its area has electricity, yet the people living in this region are Kenyans who deserve services. When will those Kenyans get the same privileges that other Kenyans get?

This Motion has come at the right time. We require this liberalization of power distribution immediately. Oil has been discovered in Turkana County. There are big machines that have been moved there. Do you know that all those machines are run by generators that use diesel? Those machines are supposed to use electricity.

We are not even fair to our own children. Out of 100 schools which have registered students for examinations, only two schools have electricity. Do you really expect the students there to compete with others in the country? It is really unfair.

As if that is not enough, the area that I come from is the most insecure. If there was electricity distributed there, this would actually reduce insecurity. When our people see power, they will know that what they are doing can be seen. So, distribution of power in those areas will help curb insecurity.

I have seen a situation where there is a surgery taking place in a hospital. There was power interruption and so a patient had to lose life. People in arid areas have suffered as a result of lack of power. This is the time when we need supply of power to be liberalized just the way the communication has been liberalized. It is only in this way that the arid areas will access electricity.

I can tell you of a scenario that is so pathetic. Turkwell Gorge Hydroelectric Power Station exists. There is a village next to it that has no electric power. I have not known the reason up to now. The issue of monopoly is political. The moment we liberalize power distribution we will be fair to all Kenyans. Power distribution should not be a preserve of one organization.

Hon. Temporary Deputy Speaker, I want to give you another scenario to confirm that we really deserve those services. Where I come from, Turkana County--- I emphasize that because it is the most disadvantaged area in this nation. Since we now have devolution, I think we also need to devolve power to ensure that we are devolution-compliant. There is no way we can achieve devolution if we have not devolved power. Power comes from Turkana. Now instead of that power benefitting the people who are there, it goes to benefit people who live 100 kilometres away. That is unfair.

We have now discovered that wind power, geothermal power and oil come from arid areas. One way in which we can acknowledge those areas is by ensuring that we provide services to them. Power is generated by KenGen in Turkana County, but people in Nairobi get that power before the people who are where it is generated enjoy it. It is unfair. With liberalization, we will be assured that even the remotest village in this nation will get power.

I know people from arid areas are very poor and they cannot afford this power. I think this liberalization will actually make them afford the power. A person from a poor village cannot raise Kshs35,000. We wanted it to be such that if one gave out a goat or a camel then they are given power. This is because that is what we have.

I beg to support.

The Temporary Deputy Speaker (Hon. Kajwang''): Hon. Members, before you rise to speak, what is your wish? I have more than 12 requests and we have about 40

minutes to debate this Motion this morning, unless you want to debate it in the afternoon. So, what is your wish?

Hon. Members: Three minutes.

The Temporary Deputy Speaker (Hon. Kajwang''): I do not think three minutes is good enough. Five minutes looks like it. What do you think? Let me put the Question that hon. Members take five minutes each.

The Temporary Deputy Speaker (Hon. Kajwang''): Hon. Aden, five minutes; we will start with you.

Hon. Aden: Thank you, hon. Temporary Deputy Speaker, for giving me the opportunity. I also wish to thank the Member who brought this Motion before the House. Liberalization of power generation and supply is long overdue in this country. Like my colleague from Turkana who spoke before me, I also represent a constituency that does not have electricity in any part. We have children in primary and secondary schools, who are expected to compete with children in other parts of this country, yet they use candles and other poor forms of lighting to study in the evenings.

There exist various models of liberalization of power generation and distribution across the world. If we adopt this Motion and draft a Bill to be brought before this House, and enact a law that allows power generation and distribution by independent bodies other than Kenya Power, many parts of this country will be lit as power will be plentiful. In Garissa County, particularly in Balambala Constituency, we are blessed with abundance of the ability to generate renewable energy such as solar and wind. Unfortunately, because power supply has been monopolized by the Kenya Power and KenGen, we cannot tap those resources. Therefore, liberalizing power generation and distribution will enable us to bring in investors who will generate power using those renewable energy sources and distribute it at an affordable price to the residents of my part of the country and, indeed, to many other parts of the country where we have problems similar to those in Turkana.

I support this Motion. The monopoly being enjoyed by the Kenya Power in energy distribution and by KenGen in energy generation is not sustainable and will hold our country back for many years. Indeed, we need to break that cartel and monopoly and allow independent power suppliers and generators into the market, so that the whole of Kenya can be lit. As my colleague from Turkana has said, security can be maintained in many parts of this country. The district headquarters in Balambala Constituency, which is Balambala Town, is not lit at all. The administration and communications facilities in that district are at a standstill because of lack of power. Power generation and distribution should be taken away from the monopoly of the Kenya Power and independent power generators and other distributors should be allowed into the market.

I support the Motion.

Hon. Murungi: Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this crucial Motion by hon. Bowen. Many colleagues have expressed their concerns about the Kenya Power. I take this great opportunity to express my concern because since the onset of the short rains in October last year, my constituency and the Meru County at large, has suffered a lot of power blackouts, which even the regional management of the Kenya Power could not prevent. Sometimes they were saying that trees were falling on the lines and at other times they could not explain

the blackouts. It is high time some of those services were liberalized, so that we can break monopoly in the supply of those services in the country.

The Youth Fund will be distributed in the next one month or so, and most of the projects that the youth engage in need power. Those are projects like *kinyozis*, salons and *jua kali* work. If we continue experiencing the same problems from Kenya Power, then there is no logic in starting those projects; the youth will continue to swim in poverty. The Government should look into this. Besides issuing children with laptops under the laptops project, the project will bring connection of power to all the primary schools. If all the primary schools will be connected to power, then the Jubilee Government has a noble idea because even dispensaries, which hon. Wakhungu has talked about, will be connected to power. Villages will also get connected to power. This is one of the noble ideas that will come with the laptops project. As we look into the issue of laptops, we should also consider the other aspects that will come along with it.

In my constituency, there are very many rivers. The river between Meru Town and Chuka can only be compared with the Amazon River in the Brazil. We have many waterfalls and one of our tea factories generates hydro-power. However, the factory is not allowed to distribute the extra 56 megawatts to the local community; instead it is connected to the national grid.

So, if power generation is liberalized, some counties will have their own hydroelectric power stations. Due to power outages, in my constituency alone, in the last five months, three schools have caught fire and their dormitories and administration blocks have been burnt down. Investigators of the fires come from Kenya Power, but they did not want to take responsibility. In their reports, they said that those were acts of arson; this was so that they did not have to compensate the schools. No report from the Kenya Power has ever indicated that the fire was due to power outage. Schools like Igoki Boys High School, Mitunguu Secondary School and Miruriiri Girls High Schools have suffered fires caused by power outages.

I support this Motion. Its implementation should be fast-tracked and a Bill brought to this House as soon as possible; I can see that we are all committed to this course. We need to put things right.

The Temporary Deputy Speaker (Hon. Kajwang'): Hon. Vincent Musau

Hon. Musau: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support the Motion that we, indeed, need to liberalise the power distribution market; at the same time we should also hold Kenya Power accountable for carelessness in doing their business. Some of those issues are not new to us. In addition to the catastrophes that are caused by power failures and outages, there is also the cost of doing business. There are also the inconveniences that are caused to users of electricity by this body. In the name of some clauses in its documents it can actually shut down power. It can deny you access to power for a whole day. We need to look at this issue holistically.

I think this Motion raises so many fundamental issues that it cannot actually be amended to tackle all the pertinent issues without really changing its initial goal.

Hon. Temporary Deputy Speaker, Sir, let me tell you that I sit on the Departmental Committee on Energy, Communications and Information, and this Motion really seeks to liberalise power distribution. The causes of the high cost of electricity are many. There is generation, transmission and distribution. As things are right now, we can say that power generation is not really a preserve of Kenya Power, because there are so

many players in the market. On transmission of power, we have Kenya Electricity Transmission Company Limited and the Kenya Power. I think we should think about liberalising this market fully in generation, transmission and distribution as opposed to just distribution.

For achievement of Vision 2030 we are talking of 5,000 megawatts. Right now, we are only generating 1.7 gigawatts; some of those estimates keep on actually being revised because demand goes on rising. The truth is that we need more than 15 gigawatts of power to meet our goals. With the kind of steps and lack of commitment that we have been able to see, it is not going to be easy for us to hit 6 megawatts leave alone these 6 gigawatts we are talking about.

Hon. Temporary Deputy Speaker, Sir, let me say that the cost of electricity is not high because of non-liberalisation of the distribution of power. Today, we have 1.7 gigawatts of power against the 400 megawatts actually generated by IPPs; this is really categorised as emergency power or thermal power. Those 400 megawatts are actually more expensive than the 1.7 gigawatts, and it is just because of cartels. Today, for the electricity that is generated by KenGen, 1 kilowatt hour is going for Kshs3.6, yet we have independent power producers who have been given deals to supply 1 kilowatt hour at Kshs37. So, when you look at Kshs3.6 against Kshs37, it does not make sense and it is not going to take us anywhere. This is one of the things that have actually caused slow growth in our exploitation of our geothermal resources. By converting the steam that we have at KenGen right now, we can easily get more than 400 megawatts, which is actually the thermal power that we have been getting from the IPPs that make our power very expensive.

So, why has the Government allowed itself to be exploited? Even beyond that, we are paying for hydro capacity. If those IPPs---

The Temporary Deputy Speaker (Hon. Kajwang’): I wish I had more time to give you. You are very technical. Hon. Sakwa Bunyasi.

Hon. Bunyasi: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion. I have sentiments which are very similar to those of the hon. Member who has just spoken; this is a well intended Motion. It is targeting things in the right areas of concern.

Energy production is crucial to overall development and achievement of our Vision 2030 goals. However, the way it is crafted it will leave out a lot that can contribute to the lowering of costs finally. However, I would like to say that, indeed, if we take it bit by bit, anything that will be done to enable Kenya Power, or similar end of the spectrum entity to operate more cheaply, will be very welcome. Breaking the monopoly of Kenya Power is one way of lowering cost. We realize that Kenya Power is one of many other bodies that require very significant reforms.

The last speaker touched on the issue of cartels and this is a major area. As you know, what has happened to Kipevu I and Kipevu II has been in the Press and it has been as a result of misgovernance. There were huge costs attached to those projects that we are still paying today, but that we did not need to have paid. I think that the Mover will infuse into his proposal the point that he mentioned in his deliberations with the Departmental Committee on Energy, Communications and Information, of which he is a member. This is so that we can begin to deal very forthrightly and decisively with the power sector. The

power sector is like banking in a nation. It is a lot more important than other sectors. It is extremely crucial.

Hon. Temporary Deputy Speaker, secondly, much as we might wish to compare similar things, I think that power supply can be a motivation for digitization of equipment, including our laptops but not the other way round. I expect to see the Government come out with a much more comprehensive power sector reform strategy that is going to be able to guide us towards achieving Vision 2030. Some of the advantages of the offshoots of successful power supply would be the digitization that we are talking about. If you look at the quantum of costs, you cannot start with the little benefit and think that it will attack the bigger one. This is not a sector where public sector financing will work. A loan will carry us very far. There has to be very creative financing of this. It is going to be the domain of the corporate private sector; it is really an important area.

Now, this Motion gets interesting in relation to what is happening at the Kenya Power; it only proposes a little window to a very big area that I hope this House will progressively unveil and begin to deal with until we are in a position where our power supply is, indeed, comparable to what our competitors in the East African region are producing. Of course, you take the option that you can import power from South Africa to here at a cost that is much lower than our own cost of power. You are just stuck with one reason, that is the presence of cartels and cartels restrict competition. That is one reason why costs go up; in areas where you do not have much transparency, they thrive. They have thrived for a long time in our power sector and I am glad that we will begin to throw the spotlight on them.

Hon. Temporary Deputy Speaker, Sir, we in Nambale are completely disadvantaged in terms of power supply and part of the reason for this is the grid system. This system exists in various parts of my constituency but the expansion of the power distribution is a real problem. It is partly because you just cannot send in an application and sit down. You must go there and do many other things that seem to be currency in this country to get power supplied to you.

I think this is a very important Motion. I urge my colleagues in the Departmental Committee on Energy, Information and Communication to really look at it much more broadly so as be able to apply it right from generation through distribution and connection to the consumer.

Thank you very much and with those few remarks, I support.

The Temporary Deputy Speaker (Hon. Kajwang’): Yes, Hon. Lentoimaga.

Hon. Lentoimaga: Thank you very much, Hon. Temporary Deputy Speaker, Sir. I rise to support this Motion and thank---

Hon. Sumra: On a point of order, Hon. Temporary Deputy Speaker, Sir. I think you are looking at the right-hand side only. Although you have the discretion, the four speakers who have spoken have come from the right-hand side. We are digital and this is the holy month of *Ramadhan*. I wish you a holy month of *Ramadhan*, but please---

The Temporary Deputy Speaker (Hon. Kajwang’): I hear you and wish you a holy month of *Ramadhan* too.

Hon. Sumra: Thank you, hon. Temporary Deputy Speaker. You are looking at one side.

The Temporary Deputy Speaker (Hon. Kajwang’): You want to assume the role of the Speaker, Hon. Sumra? Just enjoy your *Ramadhan*.

Hon. Lentoimaga, you can proceed.

Hon. Lentoimaga: Thank you, Hon. Temporary Deputy Speaker, Sir. I rise to support this Motion and thank its Mover. I do not know whether we are really fast-tracking the Motions which are passed by this House. I am saying this because this is a very important Motion. It will help us move this country forward if it is implemented. I also think that if a Bill is brought to this House and passed it can help in the liberalization of the power sector.

I want to support this Motion with passion. This is because liberalization is in our hearts. If you compare Kenya Power and the defunct Kenya Posts and Telecommunication Corporation (KPTC), you will see the reason why we should support this Motion. There was a time when the then KPTC was given an opportunity to liberalize, move forward and generate more income from the market. However, that corporation lost the opportunity between 2000 and 2001. This was the case, yet it controlled the airwaves. Safaricom Limited and other mobile phone operators overtook the KPTC and as a result very many Kenyans lost their jobs because they were retrenched.

I propose that this Motion should be fast-tracked, so that the Kenya Power does not behave the same way the defunct KPTC did. There are very many sources of power in this country. In northern Kenya, we have geothermal, wind, solar and even nuclear energy. This is the case yet the Government has not ventured into those other sources of energy. We will be able to exploit the other sources of power if we liberalize power generation and distribution. So, this Motion has come at the right time.

Hon. Temporary Deputy Speaker, Sir, it is a big problem travelling to northern Kenya, especially where I come from. This is more so in Samburu North. Kenya Power has installed only one generator in Baragoi, which can hardly supply power to 100 consumers. There is always power failure during the evening hours; in fact, there is power surge throughout nights. This is the case yet we have people who have television sets and posho mills. Those people cannot use their equipment because of power failure.

Even students in secondary schools are unable to revise, especially during examination period because of power failure. Even Safaricom Limited, which people hold close to their hearts because of ease of communication, is unable to expand. It is expensive to expand without power. So, this Motion is important and we need to fast-track it, so that we can liberalize power generation and power distribution.

Hon. Temporary Deputy Speaker, Sir, I support the Motion.

The Temporary Deputy Speaker (Hon. Kajwang’): Thank you very much. It is now time to recognize hon. John Olago Aluoch, not because the caucus around him has spoken for him, but because according to the order of requests, he is the next speaker.

Hon. Aluoch: Thank you, hon. Temporary Deputy Speaker, Sir. One of the reasons why the manufacturing sector in Kenya has stunted is because of the cost of power. In Kenya, power is 10 times more expensive than in the rest of the countries in the East African Community (EAC). That is because of the cartels and corrupt practices that we have been talking about in this House. Those cartels and practices have made the cost of power go so high that investors avoid Kenya. As we look for ways of getting out of

this mess, it is important to understand that lack of competition can bring failure just the same way if success is not managed well it can also bring failure.

Kenya Power has been operating for the last 50 years in a totally monopolistic atmosphere, and they do not know what change means. Recently, they spent millions of shillings rebranding themselves by changing the colour of motor vehicles, the logo and the name from Kenya Power and Lighting Company to Kenya Power. What have they gained out of that? That has not resulted in what Kenyans want, which is the reduction in the cost of power.

So, as we look at how we can liberate the energy sector, we must go beyond the ordinary and look at what is available to Kenyans. What is naturally available to Kenyans is geothermal, hydro, solar and other sources of energy. Kisumu West, which I represent, the lower part, that is from Kisumu Airport to the place they call Ogal, to the upper part of Maseno has abundant supply of wind. I am sure the cost of power will go down considerably if we are able to supply power using wind from Lake Victoria. However, look at what is happening in the energy sector.

One of the most successful authorities that we have is the Kenya Rural Electrification Authority. For the last five years, it has contributed extremely well to connection of Kenyans to power, particularly in the far-flung areas. But now the management is being sifted through simply because of corrupt transactions. I think it is important for us, as Kenyans, to go beyond this Motion.

I congratulate hon. Bowen for what he has done, but it has been said that a Motion simply remains a Motion under the new dispensation. All we can do is to express our views and urge the Government. But since the Government is not here with us nothing happens. So, I want to urge the Jubilee Government that if they are serious about changing this sector, they should get down to work, look at the regulatory mechanisms, look at legislation, change the Act and allow Kenyans to get what they want. If they do that Kenyans will see that the Jubilee Government loves them. However, if they leave it at the level of a Motion, then they will not be doing anything except public engaging in a relations exercise.

Hon. Temporary Deputy Speaker, Sir, lastly, I want to say that even if that is done, Kenya Power must wake up and look at the way it operates, so that Kenyans can access power at a cost that is within their means. I am glad that the CORD side of this House is supporting this Motion; I believe that the point has been point.

Thank you, Hon. Temporary Deputy Speaker, Sir.

Hon. Sumra: Thank you very much. On behalf of the Muslims, I would like to wish all the hon. Members of Parliament a happy *Ramadhani*. This is a holy month, and you can swear if you are telling the truth.

One thing that I would like to draw the attention of this House to is that the tariffs of Kenya Power to the industrial sector of the economy are very high. I am involved in steel mills business and we pay a monthly electricity bill of Kshs20 million, Kshs30 million or kshs15 million. The Kenya Power tariffs are very high. So, it is high time we brought in other power suppliers by liberalizing the energy sector. Of course, Kenya Power is doing a good job; let us not hit at them, but we request that they give the power gridlines to the private sector instead everybody creating infrastructure which may pose problems.

Hon. Temporary Deputy Speaker, Sir, my concern is the industrial sector. If we want to industrialize this country, the tariff that Kenya Power is charging are very high. I am a scrap metal dealer, and Kenya Power just throws to us vandalism figures. The best thing to do is if they want to say that they have made a loss, they will say that scrap metal dealers have stolen the transformers and other things. When we sit down with them, they do not give us figures.

Hon. Temporary Deputy Speaker, Sir, there was a tender last year--- We do buy tenders from Kenya Power. As the Secretary General, I know about Kenya Power. Thirty tonnes of copper scrap were stolen from Likoni Road and it was under tender. This was done by the Kenya Power people. I had exhibits at Kenya Power, which I released to them in 2008 and it has been stolen from them. So, there are vandals in Kenya Power, but when anything is stolen, they blame it on the scrap metal industry. We have taken steps together with the Government, because we are stakeholders. When we export, Kenya Power officers and Telkom people usually witness us doing so. What I am saying is that, they should stop saying their things have been vandalized but they do not want to sit down with the scrap metal industry people.

Thank very much, and I support this Motion.

The Temporary Deputy Speaker (Hon. Kajwang''): Hon. Kenneth Odhiambo Okoth, is there power in Kibra?

Hon. Okoth: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion. Let me begin by wishing our Muslim brothers and sisters in this august House and across the Republic of Kenya a happy *Ramadhani*, a holy month, as they get into fasting.

I also want to contribute to this Motion and say that without electrification and powering up all corners of our country, we will never achieve Vision 2030. Electricity and access to cheap, affordable and reliable power is what will attract direct foreign investments. That is what will make sure that even local investments are successful. When we look at direct foreign investment into our country, the cost of power and lack of reliable power in our country make our country a very low priority destination for investment, yet our human resource base is just fantastic. We have highly educated people; we are one of the top five most literate nations in Africa. We have many smart and well-educated people who are even better than South Africans, yet we cannot bring industries and investors in Kenya because the cost of doing business is very high; that is hurting us. The direct part of that is this lack of reliable and affordable power. I think this is also killing our regional dominance and success in the East and Central Africa region.

Hon. Temporary Deputy Speaker, Sir, the Kenyan economy is the engine for this region. We export a lot of products to South Sudan, Uganda, Rwanda, Burundi and Tanzania, yet our industries could be doing much more and creating even many more jobs for our young people who need those jobs, if they have reliable power. I would like to support this Motion and say that we need to take very critical steps.

First, we should make sure that we have power that is for corporate and industrial use that is affordable and usable in a manner that attracts foreign investments to settle and create jobs here, and help us to stretch our influence in the market in this region. We are already the leaders in this region, but we must not be comfortable just because we are running in a race against dwarfs. We must really be the economic giant of this region comparable to other economic giants.

A good example of this is a country like Argentina whose population size, agricultural profile, mineral resource base and everything are precisely the same as Kenya's, yet the quality of life, per capita income and status in the world of Argentina are much higher than ours. The key ingredient and secret of the success of Argentina versus the success of Kenya is simply because the Argentinean Government has invested in cheap power production, distributed it and is accessible to all Argentines. That really changes things.

The second thing is I would like to say that we really must push for local available sources of power as has been mentioned; those are geothermal and solar power. Let us break down monopolies and cartels that exist right now in the production and distribution of power. Let us move to a more open market, where solar production in our different counties--- It can be in Homa Bay County from Lake Victoria or Lake Turkana, from the deserts and the winds of northern Kenya or other places like that. Let us make sure that those counties have incentives to produce power. I am sure with good partnerships, good legal framework and Government policy fallback, this is something we can all unite and-- - Let us lift our country to realize the 2030 before 2030.

Last but not least, when I think of people like the young people of Mathare, Korogocho, Kibera and other places, power is what is going to empower them in a big way. All people who consume power at a low level like business people--- I would really like to tell our colleagues across the House that we are the Government; let us not look at another government out there. We have a branch of the Government with the powers to legislate, and that is a profound thing we can do here. Let us work and make sure we come up with the right policies, so that when we talk about Value Added Tax, power consumption at a very low level by the mother in Kibera, who is selling her goods in the evening using paraffin and candle lights, let us make sure that she can get access to power. Since she is a small consumer of power, she will be opening her business until 10.00 p.m. or 11.00 p.m. at night; that can change the quality of life for her family. The young people in Kibera who need to do art crafts and curving consume a very small amount of reliable power due to use of small machines, but make items that have world class quality.

The Temporary Deputy Speaker (Hon. Kajwang''): Thank you, hon. Member from Kibra. Since the debate on this Motion began, we have not heard a female voice. So, let us have hon. Jessica Mbalu. I think you will be the last contributor this morning.

Hon. (Ms.) Mbalu: Thank you hon. Temporary Deputy Speaker, for giving me this opportunity to contribute on the Motion. I want to congratulate hon. David Kangogo Bowen for bringing this Motion to this House; it is so timely. When we were discussing and brain storming on the Motion, I was very close to him. One of the counties we had in mind was Makueni County. I represent Kibwezi East Constituency which is in Makueni County. In the whole country we are number three from the bottom in the supply of electricity.

We want to appreciate Kenya Power for the distribution and supply of electricity. We want to appreciate the work that was done by hon. Mwai Kibaki, the former President and the hon. Raila Amolo Odinga, the former Prime Minister. We saw a lot of improvement in this sector. Just to quote statistics, in 2003, we had 686,196 connected customers, but in 2012 we had 2,112,742 connected customers. However, we need to have some improvement.

I want to support this Motion for liberalization and also compensation. I want to believe that if we had competition, we could not be lacking power in my own constituency. We could be in a better place. I think that is one of the reasons why I am in this House representing that constituency.

I want to believe that if we bring the Bill here--- We are tired of urging the Government. I want to tell the Jubilee side that they are not in Government alone; we are here as representatives, legislators and we are here to push all the Motions that will bring change in this country. I am here as a legislator and a representative of a whole constituency. I want to imagine the day when we will have power in my constituency, county and the whole country.

Hon. Temporary Deputy Speaker, Sir, there is no street lighting and we have come up with different ways of ensuring that there is power in this country. I want to congratulate the Nairobi City Government because it is using solar to light streets. I want to ensure that in my five or 10 year's service to my constituency, we will have street lights.

I want to promise my people of Kibwezi East that we are going to work with the Government, regardless of whether it is by Jubilee Coalition. I was surprised yesterday here when one of the hon. Members talked about when they go to State House, they come out with different versions in mind. I hope we are independent and we should have good advisors. We should be people to give advice. It does not matter where we sit. There is no government in this House at all; we are legislators.

Hon. Temporary Deputy Speaker, Sir, when there is monopoly by parastatals and Government institutions prices become very high. For example, the cost of power connection is around Kshs70, 000, thanks to the rural electrification programme. The people of Kenya cannot afford this amount, given their purchasing power and the state of the economy and high unemployment level for the youth. Where will we ever say we are moving to if we are not able to distribute power? The main aim of this Motion is to increase access to electricity in urban, peri-urban and rural areas. We want to improve efficiency, reliability and the quality of service.

Hon. Temporary Deputy Speaker, Sir, the President talked about laptops; we are talking about giving computers. I wonder how schools will access power in my own constituency. As much as we advise, it is also important for the Government to provide the basics. Before you go to number 10, you have to start from number one. I am sure this is one of the ways of ensuring that even before we give computers to schools, we start providing them with power.

I want to look forward to the day when we will have distribution of power.

Thank you.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Kajwang''): Hon. Members, we still have about one hour to debate this Motion. But for now, we will rise to adjourn.

This House, therefore, stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.30 p.m.

