

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 23rd, July, 1997

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

## PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No.162*

### ATTACK BY ADMINISTRATION POLICEMEN

**Mr. Obwocha** asked the Minister of State, Office of the President:-

- (a) whether he is aware that Mr. John Momanyi Mogere was attacked by administration policemen (APs) on 30th June, 1993, at Nyamira and injured in the process;
- (b) whether he is further aware that the said person was hospitalised for three months at Nyamira District Hospital and is now unable to support his children; and,
- (c) if the answers to "a" and "b" above are in the affirmative, what steps is the Government taking to redress this problem/issue.

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

- (a) No, I am not aware.
- (b) I am not aware either.
- (c) Under the circumstances stated above, the answer to part "c" is the same; that there is very little that we can do for the man.

**Mr. Obwocha:** Mr. Speaker, Sir, this is unfortunate because it shows that the Assistant Minister did not do his homework. It is also unfortunate because I got this Order Paper only this morning; I should have brought the documents showing that John Momanyi Mogere was hospitalised at Nyamira District Hospital. Could the Assistant Minister tell this House, first of all, who these two administration policemen were and whether the hospital bill, amounting approximately to Kshs20,000, that was incurred at Nyamira District Hospital could be paid by the Government on behalf of this person?

**Mr. Awori:** Mr. Speaker, Sir, I do not know who these two APs are. As I have stated, I am not aware that this man was injured by these two administration policemen. I remember when the information unofficially reached the District Commissioner, he interviewed the man who denied that he had been assaulted by administration policemen. Under the circumstances, I cannot see any the liability payment of Kshs20,000 being passed over to the Government.

**Mr. Nthenga:** Mr. Speaker, Sir, does the Assistant Minister not realise that this man who had been hospitalised for so long was fearing that if he uttered words which did not please the administration, they would kill him and hence he could not tell the truth?

**Mr. Awori:** Mr. Speaker, Sir, that is possible. The fear can always be there, but nevertheless, he was interviewed in confidence and told that his information would not be revealed and, therefore, he could tell the truth. That is why he said he was not assaulted by the APs.

**Mr. Obwocha:** Mr. Speaker, Sir, if I get this person, John Momanyi Mogere, to give this information to the Assistant Minister about the two administration policemen who assaulted him, could he take action against them?

**Mr. Awori:** Mr. Speaker, Sir, the promise that I can give is that considerable investigations will be carried out and action will be taken according to the findings.

*Question No.452*

### PROMOTION OF MR. NYONGESA

**Mr. Munyasia** asked the Minister for Education:-

- (a) whether he is aware that Mr. Protus Nyongesa Wafula, TSC No.50068, was appointed Senior Graduate/Approved Teacher, Job Group "M" with effect from 1st September, 1994, following application and subsequent interview;
- (b) whether he is further aware that the Government issued a directive during a secondary schools Heads' Association Conference held at Nakuru on 21st June, 1996, for all Secondary School heads to be promoted to the next grade; and,
- (c) why was the said Mr. Protus Nyongesa Wafula denied this particular promotion.

**Mr. Speaker:** We will leave the Question until the end. Next Question!

*Question No.198*

PROVISION OF PUBLIC TOILETS IN DAGORETTI

**Mr. Kamuyu** asked the Minister for Local Government:-

- (a) whether is he aware that the City Council of Nairobi has not provided any public toilets in the whole of Dagoretti Constituency; and,
- (b) when will this important facility be provided.

**Mr. Speaker:** Is anyone here from the Ministry of Local Government? We will leave the Question until the end. Next Question!

*Question No.400*

RESTORATION OF STREET LIGHTS

**Mr. Speaker:** Is Mr. Ndicho not here? We will leave the Question until the end. Next Question!

*Question No.260*

ISSUANCE OF TITTLE DEEDS IN NDHIWA

**Mr. Speaker:** Is Mr. Ojode not here? We will leave the Question until the end. Next Question.

*Question No. 039*

INSTALLATION OF STD FACILITY AT KAGWE

**Mr. Speaker:** Is Mr. Gitonga not here? We will leave the Question until the end. Next Question!

*Question No.155*

COLLECTION OF FEES BY DIRECTORATE  
OF CIVIL AVIATION

**Mr. Gatabaki** asked the Minister for Transport and Communications:-

- (a) how much money did the Directorate of Civil Aviation earn in fees from the airports in 1996; and,
- (b) how much of the revenue was re-invested on the improvement of the airports' facilities.

**The Assistant Minister for Transport and Communications** (Mr. Morogo): Mr. Speaker, Sir, I beg to reply.

(a) The Directorate of Civil Aviation collected Kshs357,830,385 in air navigation charges during the period January to December, 1996.

(b) All this revenue was surrendered to the Treasury and the Department did not retain any money out of it for re-investment into the improvement of the airports' facilities.

**Mr. Gatabaki:** Mr. Speaker, Sir, the real purpose of asking this Question is the condition we find our airports in especially the appalling conditions of the present Jomo Kenyatta International Airport (JKIA). This is the

hub of air transportation in East and Central. There are no toilet papers and so on. Is the Directorate of Civil Aviation a collecting body or is it collecting over Kshs500,000 million and taking it back to the Treasury without putting some money aside for the improvement of the airport? What is the purpose of collecting this money? Is it for the purpose of enriching the Treasury or improvement of our airports?

**Mr. Morogo:** Mr. Speaker, Sir, that question is ridiculous, especially when it comes from the hon. Member. I have just said the money collected---

**Dr. Lwali-Oyondi:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to use that word "ridiculous"?

**Mr. Speaker:** What does the word "ridiculous" mean?

**Dr. Lwali-Oyondi:** Stupid!

**Mr. Speaker:** No, proceed, Mr. Morogo.

**Mr. Morogo:** Mr. Speaker, Sir, I am glad, at least, some hon. Members at one time can be told that they are not always right.

I said so because, first, it is not the responsibility of the Directorate of Civil Aviation to do what the hon. Member has just said. It is under another department. Two, the revenue collected and sent to the Treasury is certainly used for the development of the country in all other aspects to meet the needs of the people.

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, arising from the Assistant Minister's answer to hon. Gatabaki's supplementary question, could the Assistant Minister explain to this House how much money the Directorate of Civil Aviation pays to the Kenya Airports Authority for the maintenance and improvement of the airports?

**Mr. Morogo:** Mr. Speaker, Sir, that is a different question.

**Mr. Kamuyu:** Mr. Speaker, Sir, could the Assistant Minister undertake to use part of the revenue so collected to improve the toilets at JKIA because they are in an appalling situation at the moment? We cannot use those toilets at all.

**Mr. Morogo:** Mr. Speaker, Sir, if this House authorises me to do so, I can do so. But at the moment, I am only authorised to collect this money and send it to the Treasury.

**Mr. Speaker:** Final question, Mr. Gatabaki.

**Mr. Gatabaki:** Mr. Speaker, Sir, I am really disappointed by this Assistant Minister. We have three international airports, namely, Nairobi, Mombasa Moi International Airport, and Eldoret Airport which we did not authorise, but they are all in appalling condition. Tourism is number one revenue earner and here we have airports that do not function. The Assistant Minister is answering the Question as if he is talking to children. What is he doing about making our airports attract tourists to collect this amount of money?

**Mr. Morogo:** Mr. Speaker, Sir, you realise that even when I have tried to explain to hon. Gatabaki that that responsibility is not within my Ministry, he still insists that I could do what I am unable to do. In any case, I do not know what he thinks, but Eldoret is a very new airport and has not been used much, yet he is saying that it is part of those ones which are appalling. You can see why I said it is a ridiculous question.

**Mr. Speaker:** Next Question, Dr. Otieno-Kopiyo.

#### *Question No.163*

#### TARMACKING OF KENDU-HOMA BAY ROAD

**Prof. Ouma:** Mr. Speaker, Sir, I did not have authority from hon. Dr. Otieno-Kopiyo to ask this Question, but it is so important because it touches two badly served constituencies. In case he does not come when you call for it the second round, could you, please, defer it?

**Mr. Speaker:** Very well. We will wait. If he does not come we will consider deferring it.  
Next Question, Dr. Lwali-Oyondi.

#### *Question No.171*

#### ALLOCATION OF PLOT TO MR. KAMAU

**Dr. Lwali-Oyondi** asked the Minister for Co-operative Development when Mr. Johana Kariuki Kamau, Share Certificate No.200, will be allocated his plot in Kikapu Farmers Co-operative Society Limited.

**Mr. Speaker:** Is anyone here from the Ministry of Co-operative Development? We will leave that

Question until the end then.

Next Question, Mr. Mulusya.

*Question No.294*

FENCING OF DONYO SABUK GAME RESERVE

**Mr. Speaker:** Mr. Nthenge, would you like me to do what I did last time?

**Mr. Nthenge:** No, Mr. Speaker, Sir.

**Mr. Speaker:** Very well. For the second time, Mr. Munyasia.

*Question No.452*

PROMOTION OF MR. NYONGESA

**Mr. Munyasia** asked the Minister for Education:-

(a) if he is aware that Mr. Protus Nyongesa Wafula, TSC No.50068, was appointed Senior Graduate/Approved Teacher, Job Group "M" with effect from 1st September, 1994 following application and subsequent interview;

(b) if he is further aware that the Government issued a directive during the Secondary Schools Heads' Association Conference held at Nakuru on 21st June, 1996, for all secondary school heads to be promoted to the next grade; and,

(c) why was the said Mr. Protus Nyongesa Wafula, denied this particular promotion.

**Mr. Speaker:** Is anyone here from the Ministry of Education? We will leave the Question until the end. For the Second time, Mr. Kamuyu's Question.

*Question No.198*

PROVISION OF PUBLIC TOILETS IN DAGORETTI

**Mr. Kamuyu** asked the Minister for Local Government:-

(a) if is he aware that the City Council of Nairobi has not provided any public toilets in the whole of Dagoretti Constituency; and,

(b) when this important facility will be provided.

**Mr. Speaker:** Is anyone here from the Ministry of Local Government? Question deferred.

*(Question deferred)*

**Mr. Speaker:** For the second time, Mr. Ndicho's Question.

*Question No.400*

RESTORATION OF STREET LIGHTS

**Mr. Speaker:** Is Mr. Ndicho still not here? Question dropped.

*(Question dropped)*

For the second time, Mr. Ojode's Question.

**Mr. Ojode:** Mr. Speaker, Sir, I wish to apologise for coming late. However, may I ask Question No.260.

*Question No.260*

ISSUANCE OF TITLE DEEDS IN NDHIWA

**Mr. Ojode** asked the Minister for Lands and Settlement:-

(a) what has delayed the issuance of title deeds in areas that have already been adjudicated in Ndhiwa constituency; and,

(b) when the Ministry will complete the survey work in areas which have been surveyed.

**The Assistant Minister for Lands and Settlement** (Mr. Sumbeiywo): Mr. Speaker, Sir, I beg to reply.

(a) The delay in issuance of title deeds in areas that have already been adjudicated in Ndhiwa constituency is due to budgetary constraints which have affected the purchase of the necessary materials needed for the publication of the maps.

(b) There are 21 adjudication sections in Ndhiwa constituency at different stages of adjudication and the Ministry will complete the work and register the section as soon as the adjudication cases and maps are finalised.

**Mr. Ojode:** Mr. Speaker, Sir, the issuance of title deeds exercise was started in 1985 in the entire Ndhiwa Constituency. My people are unable to secure loans as a result of non-availability of these title deeds. Could the Minister tell this House how much money is involved in the purchase of the necessary materials, which are needed for the publication of these maps?

**Mr. Sumbeiywo:** Mr. Speaker, Sir, the adjudication work has been completed in some areas, which are now waiting publication of maps. The printing materials required for the map will cost about Kshs300,000, which is not currently available, but the Ministry will print the same next financial year as soon as the Vote of the Ministry is approved.

**Mr. Mbeo:** Mr. Speaker, Sir, this question of title deeds is getting a little bit out of hand, especially in Nyanza Province. Right now, in Homa Bay town, the suburbs of Homa Bay town have been adjudicated and the only thing that is lacking is title deeds to be issued to the owners. This is a busy industrial town. Could the Assistant Minister tell this House why title deeds have not been issued, even to the people around Homa Bay town?

**Mr. Sumbeiywo:** I would like to put the record correct, that it is not only in Nyanza that title deeds have not been issued. That problem is experienced everywhere in the country where adjudication work has been completed, and that is due to budgetary constraints. If the hon. Member---

**Mr. Gatabaki:** On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to mislead this House that it takes a long time to process title deeds when land grabbers are given title deeds within a very short time?

**Mr. Sumbeiywo:** Mr. Speaker, Sir, I will ignore that one because it is not a relevant question. What I was saying here is that, if the hon. Member can assist us by giving us the names of those people who have not been issued with title deeds in Homa Bay, we will take action immediately. For the information of hon. Ojode, the Ministry has registered the areas indicated below and title deeds are ready for collection. The areas are: KK Karita, Wachawa, Kodita Owuor, KK Komungo and, lastly, Kabonyo Kwandiku. The title deeds are ready and the owners can collect them any time. Finally, there is no area in Ndhiwa Constituency currently which has not yet been declared an adjudication area.

**Mr. Rotino:** Mr. Speaker, Sir, the issuance of title deeds is a problem countrywide. When individuals go to the Ministry of Lands and Settlement to get title deeds, they get them within one week while wananchi in the rural areas do not get title deeds quickly. What criteria does the Ministry use when issuing title deeds, especially to wananchi in the rural areas? It should not be haphazard! There should be a system which they follow. In West Pokot District, Chepareria and Chepkona sections were adjudicated in 1983-1985, but up to now, no title deeds have been issued. What criteria is used in issuing title deeds to people in rural areas?

**Mr. Sumbeiywo:** Mr. Speaker, Sir, for the outlying districts, there are district lands adjudication officers and land registrars who are supposed to issue these title deeds. But in urban areas like Nairobi, they are issued in the Ministry's headquarters. So, the owners of land in the rural areas are supposed to collect them from the district headquarters.

**Mr. Kamuyu:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to say that title deeds can be collected locally when we know that it is only Mr. Gachanja who is allowed to sign title deeds? Can he explain whether that is going to be de-centralised, or is he implying that the issuance of title deeds has been de-centralised.

**Mr. Sumbeiywo:** Mr. Speaker, Sir, what happens is that documents are sent to the Commissioner of Lands, who then issues title deeds to the district registrars who, in turn, issue them out to the local people.

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

**Mr. Speaker:** Order, Mr. Mulusya! Prof. Ouma!

**Prof. Ouma:** Mr. Speaker, Sir, the question of title deeds especially in Homa Bay, Rachuonyo and Suba districts is a very serious matter. In Homa Bay District, for example in Rangwe Constituency, there have been people

who have been waiting in Homa Bay Town and Homa Bay Location for the last 18 years since the adjudication was done. I am one of the victims! I have been waiting for the last 18 years and I think I will die without getting the title deed. In Suba District, there are people who have been waiting for the last 20 years, in Kasingiri locations both West and East and Gwasi Location. There are people who cannot develop their land because there is no security. What can the Assistant Minister tell us to do about this? Even if it means conducting Harambee, we will do so, so that we may get these title deeds. I would like to know what I can do so that I can get my title deed after waiting for 18 years in vain?

**Mr. Sumbeiywo:** Mr. Speaker, Sir, the Ministry is trying to decentralise the issuance of title deeds. In the case of Prof. Ouma, I would like him to come and see me, so that we can sort out the issue of title deeds for Homa Bay.

**Mr. Ojode:** On a point of order, Mr. Speaker, Sir. I think I deserve to be given the last chance to ask a supplementary question.

**Mr. Speaker:** Order! Order, hon. Members. I think that is correct. Mr. Ojode should ask the last supplementary question.

**Mr. Ojode:** Could the Assistant Minister tell this House why they did not budget for the Kshs300,000 for this work to be completed in Homa Bay District? Why did you not budget for the issuance of title deeds, which requires only about Kshs300,000 during this financial year?

**Mr. Sumbeiywo:** I have said that as soon as the Ministry's Vote is approved, we will issue the title deeds.

**Mr. Farah:** On a point of order, Mr. Speaker, Sir. If you remember very well, the supplementary question by hon. Rotino was: When will these outlying districts, the northern frontier districts of Kapenguria, Turkana and so on, which have not been adjudicated up to now, be considered? What plans does he have to make sure all the divisions, locations and sub-locations in those areas are adjudicated and how soon will they give the title deeds for all those areas?

**Mr. Sumbeiywo:** Mr. Speaker, Sir, I think there are no more closed districts. I would like to correct hon. Farah on that. They are outlying districts as I said earlier on. The Ministry is doing its best. We have sent officers for training to come and carry out that work. In fact, in my constituency there are places which have not been adjudicated and we are trying to get more officers trained, so that we can post them to the outlying districts and as soon as the adjudication work is completed in every district, the title deeds will be issued and for your information, as I said earlier on, the district registrars have got authority to sign title deeds for the local people.

**Mr. Rotino:** On a point of order, Mr. Speaker, Sir. The issue of title deeds is very important. He was told that those districts were closed and they are still closed up to now. The Assistant Minister is evading the question. He has been asked when surveyors will be sent to survey those closed districts, so that title deeds are given and what criteria do you follow. Hapana fanya kazi hiyo katika Kiambu peke yake!

**Mr. Sumbeiywo:** Mr. Speaker, Sir, I still deny that there are closed districts in this country today. My home district was also a closed district, but it is no longer a closed district just like hon. Farah's district and hon. Rotino's district are no longer closed. The criteria used is that we are recruiting officers to go and carry out adjudication in every outlying district and as soon as the work is completed, issuance of title deeds will be easy.

**Mr. Speaker:** Next Question, Mr. Gitonga.

**Mr. Gitonga:** Mr. Speaker, Sir, I wish to apologise for coming late, and beg to ask Question No. 039.

*Question No. 039*

INSTALLATION OF STD FACILITY AT KAGWE

**Mr. Gitonga** asked the Minister for Transport and Communications:-

- (a) what has delayed the issuance of title deeds to areas that have already been adjudicated in Ndihiwa Constituency; and,
- (b) when the Ministry will complete the survey work in the areas which have been surveyed.

**The Assistant Minister for Transport and Communications (Mr. Morogo):** Mr. Speaker, Sir, I regret that I cannot answer this Question today because the answer I got was not satisfactory. I intend to answer it fully to the satisfaction of the hon. Member, if I can be allowed to do so, by Tuesday next week.

**Mr. Gitonga:** I accept that, Mr. Speaker, Sir.

**Mr. Speaker:** For the second time, Dr. Otieno-Kopiyo's Question.

*Question No. 163*

## TARMACKING OF KENDU-HOMA BAY ROAD

Since Dr. Otieno-Kopiyo is not here, his Question is deferred.

*(Question deferred)*

Next Question, Dr. Lwali-Oyondi.

*Question No. 171*

ALLOCATION OF PLOT TO MR. KAMAU

**Dr. Lwali-Oyondi** asked the Minister for Co-operative Development when Mr. Johana Kariuki Kamau, Share Certificate No.200, will be allocated his plot in Kikapu Farmers Co-operative Society Limited.

**Mr. Speaker:** Is there anybody from the Ministry of Co-operative Development here?

**Dr. Lwali-Oyondi:** On a point of order, Mr. Speaker, Sir. We have had several complaints about this Minister. I think since you have allowed us to use the word "ridiculous", we can call him a "ridiculous Minister" who cannot hear the complaints of the Chair and the House in general. Can he be named because of this persistent refusal to answer Questions?

**Mr. Ojode:** On a point of order, Mr. Speaker, Sir. The Assistant Minister for Co-operative Development is here in the Chamber. Why can he not answer that Question?

**An hon. Member:** He is sitting in the "Kisii Corner".

**Mr. Speaker:** Mr. Paul Titi, why are you sitting down when we are calling the Ministry?

**The Assistant Minister for Co-operative Development (Mr. Titi):** Mr. Speaker, Sir, I am not responsible for this Question. The Minister is the one who is supposed to answer it, not me.

**Mr. Speaker:** Order! Order! As far as the Chair is concerned, I do not bother what you do in your offices as to who will attend to Parliamentary Questions. What we need is the Questions to be answered in the House, and when the Ministry of Co-operative Development is called, at least you must have the courtesy of telling the Chair that you do not have an answer!

**The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo):** On a point of order, Mr. Speaker, Sir. Did you hear hon. Munyasia saying that hon. Titi is seated in the "Kisii Corner"? Since I came to this House, I have not known that there are corners for different tribes. Can you clarify this?

**Mr. Speaker:** Order! Order! As you know, I do not sit anywhere there, so I do not know who sits where!

*(Laughter)*

**Mr. Farah:** On a point of order, Mr. Speaker, Sir. I think it is unfair for hon. Titi to be taken to task on this Question because these Assistant Ministers are just like clerks. They only assist the Minister when he needs their assistance. When he does not need their assistance, then they have nothing to do. So, the Assistant Minister cannot deputise for the Minister. Can we have a situation now in which we name the Minister because he has had a record and history in this House that calls for naming?

**Mr. Speaker:** Hon. Farah, you cannot charge somebody without hearing him. You never know whether he is sick or out of the country!

**Dr. Kituyi:** Mr. Speaker, Sir, I wish to remind the Chair that it has been generous in the recent past to remind the House that this particular Minister in question suffers from a certain endemic inability. Do you not think that you could use that to explain his inability to perform?

**Mr. Speaker:** That is your opinion.

**Dr. Kituyi:** That is the opinion of the Chair, not mine.

**Mr. Speaker:** Well, Mr. Speaker does not need to be reminded. This Question is deferred.

*(Question deferred)*

**Mr. Speaker:** Next Question, Mr. Mulusya.

**Mr. Mulusya:** Mr. Speaker, Sir, I apologise for coming late.

*Question No. 294*

## FENCING OF DONYO SABUK GAME RESERVE

**Mr. Mulusya** asked the Minister for Tourism and Wildlife:-

(a) what immediate plans there are to put an electric fence around Donyo Sabuk Game Reserve to protect crops and human life from wild animals, especially wild pigs; and,

(b) what action the Ministry is taking to ensure that those people who have had their crops destroyed in the past or those who have lost their lives or injured following attacks by wild animals are adequately compensated.

**The Assistant Minister for Tourism and Wildlife** (Mr. Kisiero): Mr. Speaker, Sir, I beg to reply.

(a) There are plans to fence Donyo Sabuk Game Reserve depending on the availability of funds in the 1997/98 financial year.

(b) As the hon. Members may be aware, the Government does not compensate for crops destroyed by wildlife since the commencement of the Wildlife Conservation and Management (Amendment) Act of 1989. However, compensation for people killed or injured by wildlife continues to be received and paid by the Ministry.

**Mr. Mulusya:** Mr. Speaker, Sir, since the recent rains started, crops worth Kshs13.2 millions have been destroyed in that area of Ol Donyo Sabuk, 28 people have been maimed by wildlife and six others have been killed by wildlife, that makes it 34 people. Why should the Government bring up an amendment which is going to be detrimental to the welfare of the people and yet it does not come up with alternative means of compensating the victims? We have just come from a very big famine and here, we are losing crops worth Kshs 13.2 million. Does the Assistant Minister insist that Kambas from that area should simply die and disappear from this world because the Government cannot compensate them, and it is not bringing the relief food which they have made us to depend on?

When is the Ministry going to consider compensating farmers who have had their crops destroyed by wildlife? What has happened to the 34 people who have already been either maimed or killed?

**Mr. Kisiero:** Mr. Speaker, Sir, it is not true that the Government does not wish to assist the Kamba people because the Act applies to the whole country. As to those who have been either maimed or killed, the Government is always willing to compensate them. In fact, there are already 19 cases for compensation pending, and as soon as we receive funds from the Treasury, we will pay compensation to the relatives.

**Mr. Farah:** Mr. Speaker, Sir, the third line of Part (b) of the Question says, "those injured following attacks by wild animals are adequately compensated". The current compensation is Kshs30,000, which is less than what the Assistant Minister gets per week for mileage and other allowances--

**The Assistant Minister for Home Affairs and National Heritage** (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. The hon. Farah is addressing the hon. Member directly.

**Mr. Speaker:** Order, hon. Members! Mr. Farah, are you scared of my face? Address me!

**Mr. Farah:** Mr. Speaker, Sir, I am addressing the Chair. I do not know why the hon. Member is scared of me because I am not carrying a simi!

*(Laughter)*

It is by far less than what a Cabinet Minister gets on a weekly basis as an allowance, not even as a salary. When will they be adequately compensated? Can the Assistant Minister, through the Chair, tell us when Kenyans are going to become human beings by offering them adequate compensation for lives lost? When will the Assistant Minister bring an amendment in the House to give adequate compensation for victims killed by wild animals that runs from Kshs100,000 to Kshs 2 million?

**Mr. Kisiero:** Mr. Speaker, Sir, I do agree that the current rate of compensation at Kshs30,000 for loss of human life is not adequate. But the Government is looking into the situation and when the amount is increased, we shall be very happy to pay.

**Mr. Manoti:** Mr. Speaker, Sir, this is a serious matter which involves the lives of people. Since the Government is unable to fence these areas, can they allow the Kambas who are affected to kill those wild animals?

*(Applause)*

**Mr. Kisiero:** Mr. Speaker, Sir, I said that the area will be fenced very soon. As a matter of fact, we know



that during this financial year, a 10-kilometre stretch will be fenced out of the 22 kilometres that should be fenced. We are going to use re-enforced chain-link and not electric fence because we do not have elephants in the area. Between January and June, this year, we have killed eight hypos, nine crocodiles, two buffalos, 26 baboons and 2 pythons. So, you can see that we are very concerned about human life.

**Dr. Lwali-Oyondi:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House by saying that it is only elephants which can break chain-link fences when we know that buffalos too can do the same?

**Mr. Kisiero:** Mr. Speaker, Sir, our experts are satisfied that a well reinforced chain-link fence will be sufficient to keep away all the animals.

**Prof. Ouma:** Mr. Speaker, Sir, may I comment that the reorganization of Kenya Wildlife Service in the last three years is one of the most revolutionary in Africa and it is going very well. In the light of that, and especially in the light of the proposed new management system of partnership, can we have a clear statement and an appropriate consideration of wananchi so that those who lose crops, livestock, are injured or killed are properly compensated? In the past we have had conflicting answers on this issue. Sometimes we are told there is no compensation and at other times there is compensation. Let us have a clear statement on that so that wananchi can co-operate in managing wildlife for themselves and for the nation.

**Mr. Kisiero:** Mr. Speaker, Sir, the question of compensation for crops is also under Government consideration. When the issue has been resolved, we will compensate for crops.

**Mr. Sambu:** Mr. Speaker, Sir, the Ministry has been on record as saying they will institute an insurance policy for compensating people whose crops or lives have been damaged by wildlife. When will the Ministry implement this insurance policy because that is better than paying a fixed sum of Kshs30,000 which is never paid?

**Mr. Kisiero:** Mr. Speaker, Sir, I said that the Government is looking into the whole question of compensating for life and crops. So, when the matter has been looked into, we shall come out with a solution.

**Mr. Achieng-Oneko:** Mr. Speaker, Sir, could the Assistant Minister tell us whether it is a criminal offence for one to kill an animal in defence?

**Mr. Kisiero:** Mr. Speaker, Sir, if an animal attacks a person he has a right to defend himself. Human life is more important than the life of a wildlife.

**Mr. Muluya:** Mr. Speaker, Sir, either the Assistant Minister is misleading the house deliberately or he does not want to listen to the wishes of Wakamba who are also taxpayers in this country. There are smaller areas where we do not have rhinos and buffalos and where electric fencing has been done. The Kenya Wildlife Service has a lot of money in form of donor funds. Why is the Assistant Minister planning to have a re-enforced chain-link fence in that area and not an electric fence? The Kenya Wildlife Service has a lot of money, but the problem is that there is a sour relationship between the donors and the Government. **Mr. Kisiero:** Mr. Speaker, Sir, the Kenya Wildlife Service is already negotiating for funds from various donors and we are convinced that we shall get part of this money. We are quite sure that we shall complete fencing this area in due course.

## MINISTERIAL STATEMENT

### INSPECTION OF PAN AFRICAN PAPER MILLS

**The Assistant Minister for Labour and Manpower Development (Mr. Ali):** Mr. Speaker, Sir, arising from Question No. 160 by hon. Busolo, the House demanded a safety inspection report on the Pan African Paper Mills Limited.

It is a statutory requirement that all industrial plants in use at any work place be subjected to regular inspection in accordance with the provisions of the Factories Act, Cap.514. The Ministry has accorded serious attention to the promotion of safety standards in all work places in order to minimize occupation hazards that are detrimental to workers' health and safety. From time to time, the Ministry has undertaken regular inspection as a routine measure. An elaborate inspection of Pan African Paper Mills Limited was carried out in March, this year, and it covered all aspects of plant safety in the entire factory. It is pertinent to point out that this comprehensive inspection report was executed well before the hon. Member asked parliamentary Question No.160.

The Ministry further carried out a follow-up progress inspection at the factory in June, 1997. The primary objective of this follow-up inspection was to ensure that the various recommendations made on improvement of safety measures have been adhered to and implemented.

The findings indicate that the management has complied and made good progress in effecting their recommendations on remedial safety measures. The Ministry wishes to assure the House that the safety of the

working environment at the Pan African Paper Mills Limited has improved tremendously. Plans for more periodical and safety inspections at the factory are already in place. Details pertaining to the safety inspection report of March, 1997 and the follow-up progress report of June, 1997 marked Appendix I and Appendix II respectively are available and I wish to table them before the House

*(Mr. Ali laid the documents on the Table)*

**Mr. Busolo:** Mr. Speaker, Sir, in an answer to a Question I asked the Assistant Minister regarding fire outbreak at the factory last year, the Minister said that at the material time when the fire broke out, the fire fighting equipment was in a godown and it could not be accessed. Now in this answer he says that the safety inspection measures have been on schedule and have been very good. Be that as it may, there is a full-fledged chemical factory within the Pan African Paper Mills and that is where my concern is because this report is in response to the Question I asked where I demanded to know how many people had died out of natural causes. I had also asked for the postmortem results and their medical history. In the answer, there was nothing of that kind. Then I said the reason why there was no answer about the postmortem results was because the factory was hiding something. The truth of the matter is that the chemicals used in Pan African Paper Mills are hazardous to human life. The plant uses chlorine--

**Mr. Speaker:** Are you giving another story or you want clarification?

**Mr. Busolo:** I want clarification. This factory uses chlorine to bleach paper and Chrintis (?), which is a renown environmental group, came out with findings in 1991 that chlorine bleaching causes cancer and chromosome damage to human beings it damages the immune system and the reproductive system. It causes damage to the lungs and liver. It causes problems for women during pregnancy. Is the Assistant Minister satisfied that his inspectors have done a thorough job regarding those kinds of various problems that arise from the paper factory?

**The Assistant Minister for Labour and Manpower Development (Mr. Ali):** Mr. Speaker, Sir, I am pleased by the informative report from the hon. Member. But this inspection report will give proper information regarding all areas affecting the human life. The follow-up inspection report also indicates that more than 50 per cent of the problems have been rectified. So, what I am saying is that if the hon. Member is not satisfied with the report, he can come up with another question to tell us that he is not satisfied.

## MOTIONS

### SETTLEMENT OF SQUATTERS IN EMBAKASI

**Mr. Ruhii:** Mr. Speaker, Sir, I wish to seek your leave to move the following Motion:-

THAT, in view of the Government's policy of settling the landless, and considering the large numbers of squatters in Mukuru wa Njenga, Mukuru wa Reuben, Maili Saba and other villages in Embakasi constituency, this House calls upon the Government to identify some suitable land for settlement of over 9,000 squatters in these villages, or alternatively, settle them on the land they currently occupy, and compensate the private land owners with other land elsewhere.

Mr. Speaker, Sir, the city of Nairobi is estimated to have about 3 million inhabitants. A large portion of this population lives in squatter settlements. It has been estimated by a survey carried out by the Daystar University, and here I quote the survey that: "The population of Nairobi doubles every ten years. It is focused that by the year 2025, Nairobi city will have a population of 18.9 million people, making it the 17th largest city of the world". Almost all the squatters who live in slum areas do not have access to clean water, sanitation and community land. Such facilities are absent because, generally, the squatters constitute the poorest section of our community in the city. The poor living conditions contribute immensely to the ill-health of the squatter population, and the social problems that are aggravated by the influx of the population from the rural areas to the urban areas.

Mr. Speaker, Sir, if I may quote one of the specialists in habitat settlement, and I quote: "If you do not have shelter, then you most probably do not have education, food or good health". The majority of the residents of the city of Nairobi live in these informal settlements without any decent infrastructure. There is no sanitation, health facilities, access to clean water and at the same time, there is no access to proper education in these informal settlement areas.

Mr. Speaker, Sir, this Motion calls upon the Government to identify some land within the city boundaries, where this large settlement of squatters can be re-settled. The population of Nairobi is growing at an alarming rate, while the infrastructure seems to be static. At the same time, the housing policies also seem to be slow to change. This country needs to adopt policies for urban development and housing, which should mobilise internal resources in view of the high cost of houses, and the low african income.

Mr. Speaker, Sir, there is a great need for the Government to create an enabling environment for intervention, and how to cope with the problem of squatters who live in slum areas. It is true that in Embakasi constituency, we

have over 9,000 squatters, who have occupied land that belongs to private developers. Some of these squatters have lived there for the last 40 years. It is my view that these squatters, as citizens of this country, need to be settled in decent homes. I am, therefore, proposing that the squatters in these areas must either be re-settled elsewhere, or the land that they currently occupy should be allocated to them. Those who own the private land should be compensated by the Government with other land elsewhere.

The Government policy of settling squatters is well known. It is a fact that this Government agrees with me that after 33 years of Independence, we should not be talking about squatters. We have enough land to settle our people. In this country, some people own thousands and thousands of acres of land.

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): But you also own land!

**Mr. Ruhiu:** Hon. Nassir, who comes from the Coast, is telling me that I own land. I do not own even one acre of land anywhere.

It is a fact that this country needs a land policy which is constant, consistent, and which is for the welfare of the people. This may sound rather strange, but areas like Mbagathi, Carton city, Mukuru wa Njenga and Mitumba villages were victims of a vicious wave of slum demolition, which was carried out at dawn in various informal settlements, by the Provincial Administration in 1996. At the height of those demolitions, the squatter problem was aggravated as these squatters were rendered homeless and at the moment, it is a well known fact that in Nairobi, these squatters are subject to evictions at any time by the Provincial Administration. We refer to them as the endangered population of the City of Nairobi.

Mr. Speaker, Sir, I am, therefore, proposing that the Government should not only do something about the squatter problem in Embakasi, but also the entire Nairobi to ensure that they are settled in decent areas with decent infrastructure, with access to good health, running water and environment.

Mr. Speaker, Sir, with those few words, I beg to move and request hon. Mbeo, Member of Parliament for "Kasarani", to second the Motion.

**Mr. Speaker:** I have no such Member in the House.

**Mr. Ruhiu:** The Member of Parliament for Mathare Constituency.

**Mr. Speaker:** Very well!

**Mr. Mbeo:** Thank you, Mr. Speaker, Sir. I am deeply honoured to second this important Motion today. It is true that Kenya is a signatory to Habitat Agenda which covers everything he has said here today. Slum dwelling is increasing as well as rural-urban migration. It is also true that Kenya is also a signatory to the Agenda 21 which means, the local authorities are empowered to also take charge and be involved in the implementation of shelter.

Mr. Speaker, Sir, Nairobi, Mombasa and other major towns have many squatters and slum dwellers. The reasons are very obvious. Right now the income of our people is dwindling. Which means, we will still see a lot of people in the slum areas. This is wrong. The Government should have a policy on handling this situation.

Mr. Speaker, Sir, I want to narrate a very precise activity that is taking place in Nairobi today, which not many people know about, precisely in my constituency. Through the German Government, a non-governmental organization called, KFW has embarked on a fantastic project in Mathare 4A. Here, we have acquired land belonging to private developers, we are now, building schools, the water system is there, sanitation is there, electricity is there and right now as I am speaking to you, it is a shining example of what we expect Nairobi to be in the slum areas. As much as we call it a slum, it is not a slum.

Mr. Speaker, Sir, it is very important today, to note that whereas we have many slums in Nairobi, this land is acquired and owned by private developers. These private developers got this land virtually free of charge during the 1960's. We recommend and request the Government to take note that all these squatters who live on private developers' land need to revert the land back to the Government to be able to enact the kind of programmes we are looking at.

Mr. Speaker, Sir, we continue to have land grabbed from every corner of the City. In Kariobangi, for example, we have land that was meant for squatters and a slum dwelling place which was, and it is very sad to tell this House, grabbed by a Minister of this Government and fenced. This land also needs to be given back to these squatters. The Government needs---

**Mr. Kamuyu:** On a point of order, Mr. Speaker, Sir. I heard the hon. Member say that some land in his constituency was grabbed by a Minister in this House. If, indeed, that is true, can he mention the Minister's name?

**Mr. Speaker:** Which constituency did he say?

**Mr. Kamuyu:** He said a Minister has grabbed land in his own constituency and that is a serious allegation. Can he substantiate?

**Mr. Mbeo:** Mr. Speaker, Sir, if I have to substantiate--- I thought I should not name names, but if I am forced to do so, I will have to do so.

**Hon. Members:** Go ahead!

**Mr. Speaker:** Order! Order, Members! Mr. Mbeo, go ahead with your contribution, mindful of the Standing Order that bars you from discussing characters. Proceed!

**Mr. Mbeo:** Mr. Speaker, Sir, for substantiation purposes, because this is a very serious matter affecting squatters in Nairobi and the slum dwellers, it is important that the Government knows who the grabber is and finds out what action is to be taken to bring this land back to the squatters and keep them there.

Mr. Speaker, Sir, the land was grabbed---

**Mr. Speaker:** I have already made a ruling on that.

**Mr. Mbeo:** Mr. Speaker, Sir, along the lines of grabbing, we even have another land grabbed right at Kariobangi Social Hall, where it has been again allocated to a private developer. The total Social Hall area which I am told has been bought by a church for Kshs60 million. The Government should have a policy on all parcels of land that are being grabbed in the whole of Nairobi. We insist that the Government should have a policy to take back all the so-called private land and buy it if need be, so that we can start development.

Mr. Speaker, Sir, we are all very concerned as Members of Parliament of Nairobi---

**Mr. Achieng-Oneko:** On a point of order, Mr. Speaker, Sir. Is it not unfair for the Government just to keep quite and sit comfortably when the name of the Government is being soiled? This question of grabbing is a very serious matter because we do not want anybody to grab. If there is a Minister who is involved in this or somebody powerful, then his name should be revealed, so that the whole country and the Chair is satisfied that there is fairness in all that we are saying.

**Mr. Speaker:** Mr. Achieng-Oneko, I am not a judge of political fairness or otherwise.

Proceed!

**Mr. Mbeo:** Mr. Speaker, Sir, I will get back to Mathare 4A because it is the main focus of our attention here. What we are doing in Mathare 4A is what we need to be done in the whole of Nairobi.

Mr. Speaker, Sir, donors are dying out there, they are crying to help us. I have identified one donor that I have already mentioned, doing a project in Mathare. The Government needs to take charge, get the whole of this land and look for donors. Because, there is no point as hon. Ruhiu said, having no roof over your head. Even if you have a slum over your head, obviously, there will be no water, sanitation, toilet and security and we will still keep on breeding thugs. I therefore, would like to conclude my remarks by supporting the Motion hon. Ruhiu has brought here. I would also like to state that hon. Kirima should remember that the land which has been grabbed from Kariobangi is public land and he should return it back to the Public.

*(Question proposed)*

**The Assistant Minister for Education** (Mrs. Ndeti): Thank you, Mr. Speaker, Sir, for giving me this opportunity. I rise to support this Motion because it touches on landless Kenyans.

Mr. Speaker, Sir, we have very many landless Kenyans in various parts of the country, including my own constituency, but what is most worrying is that there are situations which have been created to make people landless in this country. On 11th July, 1997, the administration and the immediate former Managing Director of TARDA led some APs and officials from TARDA to go and burn homes of people in my constituency. In fact, clashes have now started in Kibwezi. Those people are landless; just like these Mukuru people, their children are sleeping under trees, dying of malaria because their food was burnt down when in the granaries and all this was done illegally for there was no court order given to evict these people. They have now been made landless in that fracas. It is purported that some two people were killed and, at least, one died instantly and no one is taking responsibility.

I am saying this because my constituency is one the constituencies with the highest number of landless people in this country since 1984; when people were evicted Kyulu Hills. It is very important that the Government should move with speed to settle the landless Kenyans. This is an independent country and we have our own Government which should ensure that all Kenyans own land instead of a few people owning huge tracts of land. Those shambas which were available to the ADC farm and many other plots--- The Government should look into the matter and ensure that all Kenyans are given land because one cannot belong to a country unless he owns something in it. Kenyans must own Kenya. So, the landless Kenyans should be given land. I am urging the Government to ensure that the 10,000 acres of land which have now been released by the Government given to the landless people in Kibwezi. The allocation of this land should be made transparent so that all the leaders from Kibwezi, and other parts of Makuani District, are involved in the settlement of these landless people.

We used to have Nguu Ranch being administered by the District Commissioner from Makuani and, the leaders from Makuani did not know what was happening and as a result, 500 people who were the members of Nguu Ranch since 1950s have not been allocated their share of the land and yet people from every part of the country have been allocated that land through dubious ways.

**Mr. Speaker:** Very well. Could you now come to Embakasi?

**The Assistant Minister for Education** (Mr. Ndeti): Mr. Speaker, Sir, on Embakasi, it is the same issue of landless Kenyans. It is the same issue as that of Kibwezi in Makueni District. The Government should identify land to settle the landless Kenyans. It cannot be different, these Embakasi squatters must be given land. They are Kenyans from Mukuru in Kenya, but Mukuru is a new village in this country. We do not know whether these people have come from Kiambu, Makueni, Kibwezi or Kakamega and some of these people have lost roots from where they came from. Some of them were born there and they have families. So they deserve to be given their rightful ownership of land in Kenya.

Mr. Speaker, Sir, I must go back to the area which I represent because this is very relevant. Mukuru people are Kenyans and Kibwezi people, in Makueni District, are also Kenyans. These will be very pertinent issues during the coming election campaigns. The Government must look into this issue very seriously. These are very thorny issues in Makueni and which are inviting the Opposition directly in Makueni. Landlessness and the mis-allocation of land in Makueni District is becoming a very painful issue. It has been addressed to very squarely.

Mr. Speaker, Sir, in Mukuru, people have suffered from floods, fires and other calamities. The majority of these are not only landless, but they are jobless. They are the people who are eking a living daily by either selling vegetables here and there and doing other odd jobs to educate their children. These people deserve to be settled and the Government should go ahead to develop infrastructure including cheap schools where these people are going to settle so that the children can comfortably go to school. This should include developing adequate medical facilities within the settlement area so that these people can be catered for health-wise. Also, jobs should be created where possible, to ensure that these people get jobs. There are a lot of employable Kenyans who do not have jobs and this is what is causing most of the problems in this country. These people are a time bomb. If the Government does not create employment opportunities, we are sitting on a time bomb in this country because these people must eat, bring up their families, and live comfortable lives like all of us.

It is worrying to see squatters in Mukuru, Mathare and elsewhere being evicted and their land given to some big people somewhere. For the first time, let us appreciate efforts by some Members Parliament who have demolished fences because plots belonging to very poor Kenyans are being taken by the "big fish". People have been going round grabbing land. They suffer from "grabbiosis" and grab-mania of land in Kenya. This has been a disease and it must be controlled. If we cannot have a clear land policy, where all Kenyans are entitled to land, where they are made to own land--- The Government should make sure that Kenyans own land. I think, this is going to create problems in the future. We are sitting on a time bomb and we must address this issue very clearly to ensure that we do not create more landlessness in this country. An African must own land because that is the most essential asset he has to handover to his children. So, it is important to ensure that land is made available to be given to these people who are landless, poor, jobless with no salaries and who do not have even enough food to eat. You will be surprised to see the amount food eaten by some of these families. A family can live on one packet of maize meal per week because they know that they cannot survive better than that. So, the Government should address itself to the needs of the poor in this country.

Mr. Speaker, Sir, if today the poverty level is over 46 per cent, then we should look back and find out what has gone wrong. When poverty levels are going up and more Kenyans are made landless, then we must ask ourselves what is happening. We cannot sit back and continue to avoid what we must address ourselves to very squarely. On this issue of landlessness, I want to urge the Government, as I said earlier, that the allocation of land must be made the most transparent activity in this country.

I have a case from the Ministry of Lands and Settlement where an officer working in that Ministry went to a settlement scheme in my constituency and, instead of giving 10 acres to everybody, gave himself 100 acres, which is still there up to today. That is the home of all the wild animals which are troubling the squatters who have been given the scheme. Officers from the Ministry of Lands and Settlement must not be allowed to own any piece of land in the settlement schemes because they are designed for specific groups of people and those officers in the Ministry of Lands and Settlement are not part of those people. They have become corrupt but the Government has closed its eyes to those facts, it must open them up now. In fact, very soon, I am going to lead wananchi and give them that land to settle.

Even if that amounts to incitement, I am going to give it to the landless, because they are there. This officer is sitting in the Ministry of Lands and Settlement and he gave himself that land in 1992 and, upto now, he has not come to the land. We know that, that land is there and nobody questions. But, now, I am saying that it must be given to the needy people of this country.

**An hon. Member:** Who is that?

**The Assistant Minister for Education** (Mrs. Ndeti): We must move with courage, as leaders, to ensure that this corruption is eradicated from Government offices so that it does not continue at the expense of the needy landless.

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

**Mr. Mwiraria:** Thank you, Mr. Speaker, Sir. I rise to support this Motion and to say that the problem of the landlessness in Nairobi is a problem that is prevalent throughout this country.

On many occasions, I have spoken in this House about the thousands of landless people who are squatting within the Mount Kenya forest in an area called Karuri, where there are more than 4,000 squatters today. I have appealed to the Minister for Environment and Natural Resources, together with the Minister for Lands and Settlement, to look for alternative land to settle those squatters. Alternatively, the Government should excise some of the land in the forest to settle those squatters. The sad thing about squatters in this country is that while some of us are crying to get the few squatters settled, there are many others who are working to turn people who already own land, into landless people. We have today over 1,000 settlers in Timau area who have been given quit notices by the Ministry of Lands and Settlement. Most of these people have been on that land for more than 15 years and most of them have lived there all that time because they have no other land elsewhere. But because of greed by some of the wealthier Kenyans, these people are being pushed out of their land which is being allocated to wealthy people who can pay Kshs15,000 cash, and this, I think, would be very unfortunate.

I would like to take this opportunity to appeal to the Ministry of Lands and Settlement that they stop the whole question of re-possessing land even though the settlers have not been able to pay for it. In Timau, we have one good year where we have adequate rainfall; where people can have a good harvest in years. One year in five, we expect a good harvest. Therefore, those people can only repay their loans during these good years. The Government should appreciate this fact and, perhaps extend the period of payment for the land by those settlers.

Mr. Speaker, Sir, the other sad aspect is that in 1990, the Government of Kenya passed a law through this House arranging that all land cases will be heard by elders. These elders have been appointed in every district, but today most of the land cases are still being taken to court where they are being heard. These courts take decisions which, in my view, are really surprising. I have earlier referred to a case where someone went and claimed land belonging to 44 settlers in Timau. The court ruled in his favour, he got a court order, the police and a court bailiff to evict those people. According to records these people held, they had been on the land since 1982 and the man claimed the land in 1994. One wonders what facts the Magistrate who decided on this case took into account. If he had bothered to ask those people: "how did you come to be squatters on this land?", they would have told him: "We are not squatters, we are here legally. We got this land from Settlement Fund Trustee through a written contract."

Mr. Speaker, Sir, the question which then arises is: When will the Government implement that decision; that land cases be heard by *wazees* instead of courts? In my view, our courts have become very corrupt. In fact, what surprises me and I am prepared to bring evidence here, is that when somebody wants to take another person's land, he gets his own lawyer and the lawyer of the person he wants to take land from, pays both of them money and they agree. There are a lot of poor old men who are losing their land this way.

Mr. Speaker, Sir, I would like to mention another problem where courts have been used to dispossess people of their land. There are several cases in Meru, but let me mention only one which involves an old man who has owed land for over 30 years. He has a title to it and he has several sons. He wanted to sub-divide it to these sons, but then he found that although survey work was done and completed, he was not getting title deeds for his sons. When I took him to the Lands Officer to check why no work is being done, we were told that the old man had no land at all. He had already sold it to two people whom he did not even know. They had sued him through a court in Nyeri, they had been awarded the land. Ostensibly, he had been asked to surrender his title and since he did not, the matter was published in the Kenya Gazette saying that the owner of this title has lost this title, and if he does not show it within 90 days, another one will be issued. So, his title was cancelled and two new titles were issued through our courts. Today, the old man is living on land which, on paper, does not belong to him. He still has his old title. So I am appealing to the Minister for Lands and Settlement to tighten screws on the administration of land in this country to make sure that land matters are properly handled and to ensure that nobody who legally owns land, even though he may be unable to read or write, can lose his land purely through corrupt practices.

Mr. Speaker, Sir, turning to Nairobi, in this capital City we have a large number of squatters. Perhaps, the largest number of squatters anywhere in this country are in Nairobi. The question of how we will solve this problem is really crying for a solution. Although in this Motion we are talking about specific areas like Mukuru wa Njenga, Mukuru wa Reuben, Maili Saba and other villages in Embakasi Constituency, we cannot forget places like Kibera and Mathare. We would really like to appeal to the Government to give this problem the urgent attention that it deserves, and settle all the squatters throughout the country as soon as possible.

With these few remarks, I beg to support.

**The Assistant Minister for Information and Broadcasting (Mr. Nassir):** Bw. Spika, ningependa kumshukuru Mungu kwa kumwezesha rafiki yangu, mhe. Ruhiu, kuileta Hoja hii juu ya kitu kinachowasumbua Wakenya katika nchi nzima, na wala si katika Embakasi peke yake. Kuweko kwa maskwota kulitokea kwa sababu watu wengine walinyakua ardhi nyingi na kuwafukuza wenzao ambao walihamia Mombasa, Nairobi na kwingineko.

Kama watu hawa hawaangaliwi, kutakuwa na taabu kubwa sana. Nafikiria kwamba mwishowe itakuwa lazima mambo ya ardhi yawekwe katika Katiba ya nchi hii. Ni kitu kikubwa sana kwa mtu kuwa na mahali pa kuishi.

Tangu zamani, haki za watu juu ya ardhi zimekuwa zikichezewa. Inafaa tujue kwamba haki kuhusu ardhi ni hatari sana na zinaleta mambo kama kuuana katika ulimwengu. Leo mhe. Ruhii amejihusisha na jambo litakalowasaidia watu waliompigia kura. Hili si jambo la siasa kwa sababu unapomsaidia mtu kupata mahali pa kuishi na kulima, unamsaidia katika maishi yake yote. Jambo hili ni muhimu kuliko kumwambia mtu siasa kuhusu mabadiliko ya Katiba. Katika nchi nyingine za ulimwengu shughuli za ardhi huwa chini ya Ofisi ya Rais ili zisimamiwe kwa makini. Pia shughuli pamoja na haki za ardhi huandikwa katika Katiba ya nchi ili uongozi wa nchi ukibadilika watu wasipokonywe ardhi zao. Hili ni jambo linaloweza kufanyika hasa kwa makabila yenye watu wachache. Kuna watu ambao hupewa ardhi ambayo hawatumii, ila wanaitoa hati yake kwa benki kama dhamana ya mkopo wa pesa. Mtu kama huyo hurudi alikozaliwa kuendesha shughuli za kilimo na hali watu wa mahali alipopata ardhi wanabaki kuwa maskwota. Hali hii inapatikana huko Likoni. Kama mhe. Mwavumo yuko hapa, atanisaidia kulieleza jambo hili. Hata mhe. Mzee anajua kwamba kule kwake kuna mtu ambaye ana ardhi kubwa ambayo anawakodisha watu. Kazi ya Mbunge ni kuwatetea watu wake na si kuwatukana watu wengine. Mimi naisifu Hoja hii, na nawauliza watu wanaoitetea Katiba wafikirie kumwiga mhe. Ruhii.

Watu wenye pesa wamenunua ardhi nyingi ambako maskwota hujenga nyumba zao. Mtu kama huyu anapoitaka ardhi yake, hawapatii maskwota notisi ya kuondoka. Yeye huja ghafla na kuwaondoa. Inafaa sisi wanasiasa katika Kenya tuwafikirie watu wanaotuchagua badala ya kushughulika na siasa tu. Sisi hatuna viwanda vingi na kwa sababu hii watu wengi wanategemea mashamba. Tuna taabu ya ukosefu wa mashamba kila mahali katika nchi hii, na si katika Embakasi peke yake. Ningetaka Waziri anayehusika ajue kwamba watu wenye ardhi kubwa ambayo hawatumii wanawadhulumu watu maskini. Maskwota hujenga nyumba katika ardhi isiyotumika lakini mwishowe wanapata taabu kwa sababu wanafukuzwa.

Bw. Spika, leo tunaongea juu ya shida ya ardhi katika Embakasi Constituency, lakini inafaa tujue kwamba shida hii iko kila mahali katika Kenya nzima. Inafaa shida hii itatuliwe kila inapotokea hapa nchini. Nawaomba Wabunge ambao ni maprofesa na mawakili, na ambao wanataka mabadiliko kwanza wawasaidie maskini. Haifai kwao kujiona kuwa wakubwa zaidi, kwa sababu ukubwa hauna faida kwa wananchi. Ni wajibu wa Wabunge kuwasaidia watu wenye shida kabla ya kipindi chetu kumalizika. Unajua hata tukifanya nini, kipindi chetu kinaelekea kumalizika na itatulazimu kwenda kuomba kura.

Kwa hivyo, nawaomba Wabunge wenzangu watambue kwamba vyama vya kisiasa vitaendelea kuwoko, lakini kitu muhimu kwetu ni kuwasaidia watu wenye taabu. Nimesema kwamba ikiwa Katiba itabadilishwa, inafaa umilikaji wa ardhi na kila mtu utambuliwe katika Katiba. Huko Pwani shida yetu kubwa ni ukosefu wa ardhi. Singependa maskwota wa Embakasi waletwe kule Pwani kwa sababu Pwani huchukuliwa kuwa na "jamvi kubwa zaidi la kukaliwa na maskwota". Huko Pwani kuna maskwota sawa na wale wa Embakasi na hawatakubali kuletewa maskwota wengine.

Namsifu mhe. Ruhii sana. Yeye amekuwa rafiki yangu kwa miaka mingi ingawa tuko katika vyama tofauti tofauti. Kwa hivyo, ni lazima nimsaidie katika kuwatetea watu wa Embakasi na Wakenya wengine ili wasidhulumuwe.

Bw. Spika, namwambia Waziri Mzaidizi mwenzangu aandike wale wenye mashamba makubwa katika Kenya na ambao hawayatumii ili yagawiwe wale maskwota wanaoishi pale; hasa Likoni, Kisauni na kwingineko. Hayo mambo ya reforms hayataikani tena kwa sababu ni magumu na mazito. Reforms hazifai. Viongozi wenye mashamba makubwa yafaa wawagawie wenzao kitu kidogo kwa sababu wao ni Wakenya. Lakini katika mambo ya mashamba hakuna Ukenya. Kila mtu anataka kuwa na shamba lake. Hata kama ana shamba la hektari milioni moja, hataki kumgawia mwenzake na kumwambia "Nenda huko Pwani au Bonde la Ufa". Hii ni kwa sababu siku moja pahali utokapo patajaa.

Kwa hayo, naunga mkono.

**Mr. Kamuyu:** Thank you, Mr. Speaker, Sir.

I am happy to support this Motion which has been moved by my colleague, hon. Henry Ruhii. It is a very, very important Motion because as you can see over 9,000 squatters are landless and their future is bleak. These private landowners who own this land, where these squatters are temporarily settled, are actually not ready to negotiate. I think the Government should take action forthwith. These landless Kenyans should be allowed to settle there without further negotiations.

Mr. Speaker, Sir, these people are the people who vote. If this Government is serious, then it should take action to close the gap which is widening between the haves and havenots. As you are aware, about 80 per cent of the available votes really come from these people. Consideration should be given to them forthwith. So, I am urging my colleagues on the other side of the House to join us on this side of the House in passing this Motion in unison so that we can appear to be considerate and sympathetic to the unfortunate and poor people of this country.

Mr. Speaker, Sir, as you are aware in 1952, Kenyans took to the forests to fight the colonialists because of

land. That was the essence of declaring the so-called state of emergency in Kenya. They went to the forest because they wanted to fight and eventually have land. Now, when land became available, the wealthy people in this nation grabbed most of the land leaving a great number of Kenyans landless. This situation is deteriorating day after day. As you are aware, each Member of Parliament here has something to say about land grabbing in his own area. In Dagoretti Constituency, for example, you will find that over 2,000 acres of Dagoretti Forest have been grabbed. As we are currently sitting here, the Minister for Lands and Settlement is very busy signing title deeds for the people who have been allocated some of this land. I can see him laughing there although this is not a laughing matter. Most of these 200 acres in Dagoretti Forest have been allocated to various well-connected KANU people. When the second liberation is finally achieved later this year, all these grabbers will be brought to book. They must return this land. A total of 200 acres in Dagoretti have gone. So, this is a very sad and sensitive matter in Dagoretti. This is the same thing that is also happening in Embakasi. So, these are the areas that we have to look at.

*[Mr. Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, if this Government was to go back and think of a man called Dedan Kimathi who led the insurgency in 1952, it would find that his family does not own even one acre of land. Could the Government, therefore, please set aside one acre of land for the late Dedan Kimathi's family or at least procure a 'heroes corner' in Nairobi measuring only one acre so that these heroes of Kenya can at least have a respectable place of rest here in the City? It is about time that this was done. We have been singing this for a long time and this Government must create a situation to show that we are proud of our history. Let us just set aside one acre instead of what has been said here a few minutes ago concerning grabbing hundreds and hundreds of acres of land. We should set aside one acre of land in this City as a heroes corner. We find these 'heroes corners' in Lusaka, Nigeria, and other African countries and, indeed, even in Europe. It is such a shame because this country fought for Independence for so many years and yet that history has been forgotten.

Mr. Temporary Deputy Speaker, Sir, we also have in Dagoretti 60 women groups who own land. They bought this land so that they could settle there and also for commercial purposes but none of these 60 groups have been issued with title deeds over the last 20 years. It is such a shame because title deeds for grabbed land are made available within 13 days. However, it has taken 20 years--- How long are these poor women, who bought these pieces of land through hardship, going to wait to be able to trade and mortgage their land? It is such a shame to note that this Government does not consider the poor people of Kenya. They want their votes, but forget about them immediately thereafter. That is what is happening about these 9,000 Kenyans in Embakasi. They do not know their fate. If anybody buys grabbed land in Dagoretti, he is doing it at his own risk. This is because we are going to uproot beacons and ensure that nobody settles there. We are hunting these grabbers of Dagoretti Forest land and we will make sure that they will not settle there. We will go, if we have to, to their homes. We will follow them everywhere and anywhere now and in the future. We have to do that.

If any bank or financial organisation takes title deeds as mortgage, then let them know that they are doing so at their own risk because they will never be able to realise their security at all in Dagoretti. We shall make sure that, that land is not sellable. It will not be for sale.

Mr. Temporary Deputy Speaker, Sir, I hear that they grab land and then they quickly take the title deeds to the banks and then refuse to repay the loans so that the land is advertised and sold. If that happens, then the banks are also taking a great risk because such securities cannot be realised.

So, in a nutshell, we are sitting on a time bomb because, if 90 per cent of Kenyans are landless, land is the very basis of our existence, capitalism, then we are sitting on a time bomb. This time bomb is likely to explode any time. So, when finally the reforms come, this is one of the areas to be considered; settle them and give them title deeds. We cannot just ignore our own people who have nowhere to sleep. Shelter is a basic human right for our people. In my own constituency, Dagoretti, Government has never taken any action at all in settling people. Not one project has been undertaken, either through the Ministry of Local Government, the Ministry of Lands and Settlement or any other Ministry.

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

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



So, Mr. Temporary Deputy Speaker, Sir, we cannot leave issues hanging there. Anger, tension and so on, are mounting in this nation. That is one of the reasons why that Kenyans are not able to settle anywhere.

**Mr. Wetangula:** Thank you, Mr. Temporary Deputy Speaker, Sir.

**Prof. Anyang-Nyong'o:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Temporary Deputy Speaker to rig in the speaker on the Floor?

**The Temporary Deputy Speaker (Mr. Ndotto):** Can you proceed, Mr. Wetangula?

**Mr. Wetangula:** Thank you, Mr. Temporary Deputy Speaker, Sir. I want to tell my good friend Professor, that it is my right to speak here.

*(There was ringing of a telephone)*

**Mr. Mbeo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear a telephone ringing here?

**The Temporary Deputy Speaker (Mr. Ndotto):** Yes. I hope he will tell the machine to keep quiet.

Mr. Wetangula, continue.

**Mr. Wetangula:** Mr. Temporary Deputy Speaker, Sir, I want to support this Motion and say one or two things about it.

Mr. Temporary Deputy Speaker, Sir, land in this country is one single most delicate issue that has to be handled with extra care. In fact, in the long term, the land issue in this country is more dynamite than any other public issue that we can talk about. The Mover of the Motion has narrowed the issues down to his constituency, that is Embakasi. But if we look at this Motion in the eyes of the nation, we will find that local authorities, the Ministry of Lands and Settlement and all those concerned with the management and preservation of public land, have done an awfully bad job in this country.

Mr. Temporary Deputy Speaker, Sir, we start with the local authorities. We have said here time and again that this country needs to set basic academic and moral standards for people aspiring to become councillors; people who can understand the needs of the people they purport to represent, who can understand the requirement for planning, people who can understand the requirement for setting public land aside for social activities and recreation and so on.

Mr. Temporary Deputy Speaker, Sir, the history of local authorities in this country is like a directory of who-is-who in land grabbing. It is like a directory of who-is-who in the mismanagement of public affairs. We longer do we have any planned city, towns, urban centres, markets and so on. Yet the responsibility of planning, regulating, ensuring that urban growth is according to laid-down plans, lies with the local authorities. Sometimes, I wonder whether it is not time, in fact, we took away this responsibility from local authorities and gave them to a more organised force that may bring sanity to our management of land.

Mr. Temporary Deputy Speaker, Sir, it is not just the settlement of 9,000 squatters in Mukuru wa Njenga, Mukuru wa Reuben and Maili Saba, that we are talking about. We are talking about the management of slums, settlement of squatters in the country, the proper planning that will arrest the influx of unemployed and poor people into urban areas where they go to live in even worse poverty than they hitherto live under in the rural areas.

Mr. Temporary Deputy Speaker, Sir, what do we find when we look at our local authorities? Day in, day out, we read about councillors boxing each other at City Hall; councillors fighting with officers of the Council instead of addressing issues like this. Councils no longer give residents within their jurisdiction clean water, they do not collect garbage, they do not maintain roads, they simply do not do anything.

The Government has to come up with a formula on how to inject new vigour and some purpose in the running of the local authorities. For example, in the Bungoma Municipal Council, the Government guaranteed an ADB loan of close to Kshs60 million to plan and construct a sewerage system. The Council paid Kshs39 million to the contractor called Karuri Construction Company. They came to Bungoma, excavated some trenches at a cost of not less than Kshs4 million and abandoned the site. Nobody has even the sense to follow up this contractor to either recover the money or make them perform the contractual obligation to the Council. Everywhere you go, you see open manholes, unfilled excavation, potholes, uncollected garbage and so on and so forth.

We have been told in this House that there is a World Bank loan, I believe, guaranteed by the Government, of Kshs8 billion that is going to be distributed to urban and municipal authorities, including the City of Nairobi, for the rehabilitation of the road networks. Several towns were listed including my town Bungoma. But my worry is that this loan from the World Bank is going to be a burden to the taxpayer in this country. This money is going to be "eaten" by councillors and senior officers in the councils. All that they do is get hopeless contractors, who will just put a smear of tarmac on rotting roads, use murrum to fill potholes, take money and go away.

Mr. Temporary Deputy Speaker, Sir, the office of the Attorney-General should work hand-in-hand with the Ministry of Local Government to strictly ensure that any of these contractors, once given the job, must fulfil the legal obligation to do the job they intended to do and do it to the satisfaction of everybody.

The Councils do not seem to have the capacity to hire qualified manpower to oversee their projects. It might be a good idea for the Ministries concerned, maybe, the Ministry of Public Works and Housing, to send good engineers to the councils to assist them in ensuring that the public projects are not only done, but properly done.

Mr. Temporary Deputy Speaker, Sir, it hurts to see what we have been seeing here in Nairobi. Some contractors were supposed to be sealing and re-carpeting roads. But all they do is to hopelessly mix some tar and stones and spread them on the road and the next day when there is a rain storm, the tarmac is washed away. We all see this. What has happened to our level of accountability in this country? Why should people get away with what looks like murderous activities and we all look the other side. Why should we have a case like that which was brought before this House by hon. Murungi yesterday? I do not know whether that was true, that somebody had been given a contract which cost a colossal sum of Kshs70 million and he provided chalk instead of chlorine. The Minister said he was going to investigate. In my view, investigations should start with the arrest of all those involved, so that the truth can be delved into.

When we go to Mombasa, it is no longer the town that it used to be. It is filth upon filth. When we were young, we used to be told that Nakuru Town has one of the cleanest railway stations in East Africa. It is not clean any more. I went to Kericho and I noticed with a lot of concern that the beautiful garden in Kericho is now housing the residence of the DC. Honestly, where are we heading to? Was there no other place to build a house for the DC? When we go to Mombasa, the DC's house has been fenced off by a land grabber? What is happening to this country? This is worrying because our urban population is growing. All public land has now fallen into private hands. Supposing the Government wants to settle the squatters in the sprawling Kibera Estate? It will require enormous sums of money to buy land from private people; land which the Government ought to be alienating freely to settle people. We need to get some sanity and manage our land properly.

With those few remarks, I beg to support.

**Mr. Raila:** Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion which I consider to be very timely.

Mr. Temporary Deputy Speaker, Sir, hon. Wetangula has made a very important point about the availability of land. We have been saying that land is a very, very valuable resource in our country which should be conserved for the posterity and we have also said that land should be made available to the needy people who need land most. Unfortunately, since Independence, there has never been comprehensive land reform to make land available to the people who need it, particularly for productive or shelter purposes. Therefore, land has become a very expensive commodity in this country and it is used for speculative purposes only.

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

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

Mr. Temporary Deputy Speaker, Sir, I just want to pick a quarrel with my friend for saying: "In view of the Government policy to settle the landless people." I do not believe that this Government has a policy to settle the landless people. This Government is much more concerned with a few people who do not need land and who are given the opportunity to grab land from the landless people.

Mr. Temporary Deputy Speaker, Sir, about the conditions in the slum areas, I agree with my friend that the residents of these estates should be settled. However, I do not agree with him that these people should be moved from wherever they are. Rather, the Government should reposes that land and make it available to these people for settlement purposes. I do believe that the conditions in the slums can be improved. We have an example of Mathare Four which is funded by the German Government, where they have come up with a programme of upgrading the slums to bring in the infrastructure, the roads, the sewage and water to improve the conditions in the slums.

Mr. Temporary Deputy Speaker, Sir, this Government has been unable to stem the rural urban migration by creating attractive conditions in the rural areas to retain the population in those areas. As a result, we have an influx of people coming into our urban centres. The Government has also not been able to provide amenities to increase the infrastructure and the services to be able to cope with this increase in the urban population. This is the reason for the mushrooming of slums in our urban centres.

Mr. Temporary Deputy Speaker, Sir, in the slums of Kibera, the living conditions are horrible. We do not

have sewage despite the fact that we have one of the highest population density in the city. We do not have water in most parts of Kibera today. The water came sometimes back but since the by-election when the people of Langata voted overwhelmingly for the opposition, water has been disconnected again. So, we have a situation where we have a very large population living in terrible conditions. People are forced to walk several kilometres to go and fetch water in the middle of the City in the Sun.

Mr. Temporary Deputy Speaker, Sir, on land grabbing, the Kibera land issue has been a long standing one. It has been brought before this House several times and we have said that the reason why some of the people who live in Kibera cannot erect permanent structures is because of insecurity. They do not have security of tenure and we have said that these people should be given title deeds, so that they can be able to develop their properties. Unfortunately, this is not happening. Instead, the Provincial Administration is being used as a machinery for land grabbing not only in Kibera but in all parts of the city.

In 1992, when we had a City Commission here and when they were not sure that they were going to rig themselves successfully back to power, the City Commission passed a resolution in which they surrendered all the land belonging to the City Council to the central Government. The reason for passing that resolution was that they did not need that land. The actual reason was that they could use the office of the Commissioner of Lands to illegally allocate these lands to themselves and this is what is now responsible for the massive land grabbing all over the City. Open spaces are being grabbed on a daily basis.

Three weeks ago, the residents of Nairobi West approached me as their Member of Parliament and said that the only open space in the middle of that concrete jungle called Nairobi West had been grabbed by someone who had proceeded to erect a stone wall around it. Since the residents protested, the administration sent administration policemen to protect this grabber. The wall was being constructed under the protection of the Administration Police.

**The Temporary Deputy Speaker** (Mr. Wetangula): Mr. Raila, I have been informed by the Clerk at the Table that, that matter is in court and you had better go and say that in court.

**Mr. Raila:** This particular one is not in court. There were two plots. I am talking about a different plot and not the one in court. This fellow has proceeded to cut the mature trees which had taken 40 years to grow. He went there and removed the swings that the children were using to play and to add insult to injury, he put maasai guards to guard this property, chasing the residents away. This is my view and it is a crime. This has been facilitated by none other than the so-called City Planning Officer, Mr. Kuria wa Gathoni, who has taken another students playing ground in Woodley Estate. He is responsible for taking away half of the football ground in Kilimani Primary School. Mr. Kuria wa Gathoni who was previously sent on compulsory leave, has mysteriously reappeared in the City Council to continue doing what he had been doing all this time to the residents of the City of Nairobi.

Mr. Temporary Deputy Speaker, Sir, it is time to review the Local Government Act to give more powers to the elected authorities. It is also time for us to introduce a legislation that would make it possible for the residents of Nairobi to elect their Mayor directly.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, a situation where a Town Clerk treats the elected leadership of the City with contempt is totally unacceptable in a democratic Kenya. We should give the elected councillors more power. Also, we should insist on the minimum qualifications for the elected councillors. Once they have been elected by the people, they should have the power to plan the development of the City. I have just come from the City of Mexico. It is one of the largest cities in the world with 28 million people, more than the population of Kenya. But in Mexico, we do not have slums like Mathare, Mukuru, Kibera in spite of that large population. Why? They are able to plan for the development of the City of Mexico. There is no overcrowding. They do not have traffic congestion like we do have in the City of Nairobi. Why? The Government of Mexico has given the Local Government Authority in Mexico City powers to do proper traffic planning. There is also planning of the housing development for the residents of Mexico City. The Government knows that the population is growing at this rate, and, therefore, the services must be planned to keep pace with the rate of the growth of the population in the City of Mexico.

Mr. Temporary Deputy Speaker, Sir, this is what we also need here. We have qualified manpower in this country. The reason why we are having this kind of mess is because we are not giving the qualified personnel in this country the opportunity, power and authority to do what they have learned, instead this country is being run by mediocrity.

Mr. Temporary Deputy Speaker, Sir, I support.

**The Assistant Minister, Office of the President** (Mr. Awori): Thank you, Mr. Temporary Deputy Speaker, Sir. I also rise to support the mover of this Motion. I understand the misery of our people who do not have land.

Land is an issue that is very emotional. Many people have killed members or their own family in order either

to protect their land or to acquire more land. The case we have here is not an isolated one. There are many areas where people are staying in thousands without owning part of the land on which they are living. It is found not in Embakasi, Nairobi, alone, but also in Kakamega, Busia, Mombasa and many other places. It is time that we found a final solution to the problem of landlessness.

The merits of a good leader are portrayed by how one tackles the most sensitive matters courageously. It is time that we leaders stood up now and dispel the notion that everybody must have land. We know that this is not possible. Land is not like maize that we plant, grows and becomes more, land remains the same. As far as I know, the only people who have increased land from time to time are people in the Netherlands who have reclaimed land from the sea. We do not do that. If we have 100,000 acres somewhere, it would never become 105,000 acres, but it remains the same, yet the population continues to grow. I want to call upon my fellow colleagues to now stand up and say, we must change our culture or the belief that everybody must have land. This notion has had a very drastic effect.

We have seen the destruction of forests in this country. We know how important forests are. We used to have many forests and we used to have regular rains that came on time. We had no problems of food. We are now, after every five years or so, affected by drought and, therefore, having little food. Do we ask ourselves why this is so?

It is because all the forests that were around are degazetted from time to time and people are settled there. Only the other day, I saw in the papers that there is a proposal to degazette well over 5,000 acres from Ng'ong Forest. I think we must stand up and say, no, to this degazetting because forests are important. Those forests have taken centuries to grow up and they have their uses. We must tell our people that they cannot expect to have land each and everyone. This notion has created soil erosion. You find that in almost every part of this country, because of extensive bad agriculture and too many people, a lot of soil erosion has taken place, and this reduces food productivity.

Next, I want to touch on the question of sub-division. We used to have good economic land where a lot of food was grown. Now, because of these demands for land, we are sub-dividing land to such an extent that five or six acres are sub-divide to a family. We cannot really produce good food and be able to sustain the economy of this country on the little five to 10 acre-farm. I was quite concerned when I read the other day in the Press, that a big land buying company with about 10,000 acres is suggesting that it should sub-divide the land and give each member two, three or five acres. I think in my view, that is not thinking correctly. That farm of 10,000 acres could help its members better, if it continues to be run as one entity because, then the resulting profits can be sub-divided among the members. In Nairobi, where we were able to take our young families over the weekends, you cannot find anything of the sort any more. If you drive through London, you would be amazed at the amount of open spaces, green grass and trees that you find. This is because these people looked at it on a long-term basis and appreciated the need to have open spaces, green belts and that kind of thing. It is time now that we appreciated the fact that we have to come to townships, move people from the land and become industrialized, so that people will depend on employment. We are people who are self-reliant. We have Jua Kali and we would like our people to follow this.

As far as these towns are concerned, if you take areas like Kibera, Mathare and other slum areas, it is necessary that we look for money in a martial plan system where we will have to physically move these millions of people away from one slum and start putting up high rise buildings. We can then give titles to individual houses so that these people can live decently. It is necessary that we make proper plans. When you go to Kibera, it is amazing that there is no much crime like you would find in other places. It is amazing that people are not killed every now and then in Kibera. This is perhaps because Kenyans are law-abiding people. But supposing there was a big crime in an area like that? When you are pursuing criminals, how would you get there? From time to time, there have been fires. It is difficult for even fire-fighters to rescue people who are there because of the congested houses.

I appreciate the difficulties of people in Embakasi, but we must not continue on with *ad hoc* solutions. We have got to look for permanent solutions. In spite of all that, I do support the Motion.

**The Assistant Minister for Lands and Settlement** (Mr. Kaino): Mr. Temporary Deputy Speaker, Sir, I wish to respond on behalf of my Ministry and I would like to take this opportunity to thank the Member who brought this Motion to this House.

This is a very important Motion because it touches on Kenyan citizens who have no land that they can call their own. It is unfortunate. As much as Members in this House are concerned about these people, we at the Ministry are also concerned about the same. This is a crucial issue which touches on everybody. As the Member who brought this Motion said, we have other areas in the Republic of Kenya where people live under similar conditions. They do not have good sanitation, water and decent infrastructures. We have majengos all over the country. My Ministry is considering re-planing some areas. The Ministry has some funds and a study on how these people's lives can be improved is going on. Houses in these slum areas are so congested that if anything was to be done, some of those houses would have to be knocked down to create roads and space. On the other hand, if such a thing happened many of these people residing in the slums would have to be displaced and then the Government again would have to grapple

with the problem of displaced people. This is a big problem which my Ministry is thinking about seriously. As much as Members in this House are concerned about this issue, we are also very much concerned. In fact, we have set up a committee in all slums areas throughout the country to see what can be done about these people. Some plans are underway to uplift the lives of these people.

Coming to what hon. Ruhiu has said about settling these people on the land they currently occupy, I would like to say that this is private land. We have three types of land. We have local Government land, Government land and public land. From 1963 to date, most of this land has gone to individuals. They have this land legally because it has been allocated to them. I can see hon. Mathenge here, and he could be having 1,000 acres in Nakuru, but he legally owns them. The terminology of grabbing has just been learnt from the Opposition. I can also see that hon. Members from KANU have taken up the same terminology. Once somebody has been allocated land, it should not be reposed from him. Planners ought to have done their work properly. They ought to have known how much land was to be left in a certain specific residential area. We might as well say that planners failed to do their work properly.

My Ministry is looking seriously into the issue of buying some land for such people. The land which hon. Ruhiu has mentioned belongs to the National Social Security Fund. The amount of money which is going to be spent to buy land in Kenya, especially in an urban area is around Kshs2 million per acre and unless this House agrees to give the Ministry of Lands and Settlement money to buy land to settle these people, you do not expect anything to happen. This is the problem we have been having. We may have funds to build good standard houses, but where shall these people go? We are also prepared to give them title deeds, even at Kibera. But where will those who are living in the land which will be used for building the roads go? We want some money to buy land to settle these people.

**Mr. Mbeo:** On a point of information, Mr. Temporary Deputy Speaker, Sir. The question of moving people when roads are constructed does not apply here because I have given an example of Mathare 4A, which houses 25,000 people, and none of them was displaced, and yet roads and water systems were constructed. So, it can still be done with proper urban planning. Let us not bring that dimension up.

**The Assistant Minister for Lands and Settlement (Mr. Kaino):** Mr. Temporary Deputy Speaker, Sir, I have been talking about Kibera because we have set up a committee in our Ministry to study the situation at Kibera. The study will apply to all the Nubian and Swahili areas. In every town in Kenya, we have got Nubians and Swahili areas called Majengo and Mathare. I happened to be in a meeting where the officers briefed us about the situation at Mathare. The houses are so congested that even to walk by foot is a big problem. Some people have to be displaced. To undertake that, we require some money.

With regard to Nguu Ranch as mentioned by hon. Ndeti, she should be thankful to the Ministry because it has completed its work on such schemes. There are very few squatters now. Thousands of people have been settled in Nguu Ranch, and there are very few squatters remaining. We are trying to adjust, whereby some people who have been given land have gone to squat on other land, thus rendering other people to be squatters on this land. The District Officer in Makeni, along with my officers in the district are seriously looking into this matter. They should ensure that if somebody has been given land, he should go to his land. He should not go to squat on other people's land. This is because we have given thousands of people land, but there are some people who want to grab about two or three plots. We want to remove these people and give each one of them his own land. That is the only problem that is there in Makeni. Otherwise, the hon. Member should have appreciated the move by the Ministry of Lands and Settlement, which has taken a very serious action to see to it that many people in Makeni district have been settled.

In supporting this Motion, I urge all the hon. Members in this House to support the Ministry in giving suggestions like hon. Mbeo who has said that in Mathare, something was done. It is not a crime for him to present a paper even to the committee which is sitting at the Ministry's offices. These people will get various examples on how to uplift the lives of these people. As far as land is concerned, those who are living in rural areas should wait and see whether in future, we can buy land from the people who own huge chunks of un-utilised land. If this House can give us more money, we can purchase this land to settle landless Kenyans. It is not good to be landless and not own any property at all, and yet you are a genuine citizen of this country. We love the people in this country. Independence did not come for certain people. It came for all the Kenyans. But those who were lucky to have money in those days, that is 1960/63, bought a lot of land. It is now their property and it is illegal to snatch their land now. If somebody has a title deed for his land, that is his own property. We are also protecting the law. The law says that you should not grab or take somebody else's land. He is the rightful owner. What we are saying is that if he is willing to sell the land, we can buy it and settle the landless. The Ministry has been buying land from Kenyans and even foreigners who bought a lot of land long time ago. We have and will continue settling the landless. We have not stopped even today. We are continuing to settle Kenyans, both in urban and rural areas, who have decided to farm.

With those few words, I support the Motion.

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. But first of all, I would like to ask this Government to release the Omamo Commission Report. This is because I do suppose that

some of the issues concerning local government problems should have been dealt with in the Omamo Commission. The Omamo Commission came in the wake of a lot of other discussions that had taken place, regarding the local government management and governance in this country. There was the Nairobi-We-Want Convention, and the two conventions in Kisumu. Reports were written and given to the Omamo Commission as inputs. Delaying the Omamo Commission Report is not giving the Government a very good name, nor is it giving us the quick opportunity that we need to settle local government issues.

I want to visit one important issue. That is the issue of infrastructure in the urban areas. The hon. Wetangula did say that the World Bank had given about Kshs5.8 billion for rehabilitation of urban infrastructure in this country. But this money is being gobbled by contractors. For example in Kisumu, there is a contractor called Mr. Haya who has been given a contract to rehabilitate Kisumu roads in the town. Instead of doing the major ring road connecting the Nairobi Highway through Nyalenda back to Dunga and Milimani, which was at one time built in a way that it could not last, with World Bank Money due to cheating, he is doing small simple roads in Milimani by just putting thin carpets, rather than giving priority to the said road. This is one of the ways in which this Government misuses loans and public resources. It does not provide good services to the people.

It is here in Nairobi too. Recently, the roads in Eastleigh were rehabilitated. But if you go there now, you will find that the same potholes are back on those roads. That is one of the reasons why the Kenya Bus Services (KBS) does not want to follow some of those routes. There is no good road network there.

Mr. Temporary Deputy Speaker, Sir, when you talk about settling the landless in Nairobi, I am afraid that cases of landlessness and squatting are growing in Nairobi. This is because there is no adequate housing, and the people who need services of the people who live as squatters cannot pay them enough wages to afford decent housing.

In actual fact, most of us are becoming squatters in this city. Even where we live, the infrastructure is so bad that it becomes impossible to get to your own house. I have been to Tena Estate in the Eastlands of Nairobi, where when it rains, you have to leave your car several metres away before getting to your house. One day, I went to visit a friend there and a car got stuck in the mud, right in the centre of this city. If a car got stuck in the mud in Nairobi, just imagine what rural roads look like. This is the place which is supposed to be accessible by tarmacked roads. This idea of squatting, should be tackled in the context of improving urban dwelling in general. The urban dwelling in Nairobi in particular, like all other cities is horrible because, planning has broken down. Instead of somebody like Kuri wa Gathoni being a chief planner of the City he has become a "chief grabber" of the City as hon. Raila pointed out. Now, you cannot have a chief grabber as a chief planner, for then, there is absolutely no planning in the City.

Mr. Temporary Deputy Speaker, Sir, if you go to all urban centres of this country, you will find that within the local government authority in these urban centres, the planning divisions have collapsed. In certain cases you find that in order to destroy the records, they create fictitious files which usually go to the Engineering and Planning Department. That is the department which is usually gutted by fire so that all the records as to where the roads are disappear because all the road reserves have been grabbed. So, they have to destroy those records. These are the mysterious fires you find in municipal halls, city councils and so on.

Finally, Mr. Temporary Deputy Speaker, Sir, I would like to remind the Government that if they are going to take seriously urban rehabilitation, then they must also take seriously, sources of revenue. The Government must have a steady source of revenue to do these things. Take for example, the Port of Mombasa which is Kenya's major revenue earner as a Port. Sometime ago, it was proposed that the freight terminal there be expanded and that it be linked with the duty free facilities at the Port, so that coming in and going out of the Kenyan Port should be very quick and efficient. The expansion of the freight terminal was supposed to be contracted out on a competitive basis. About two years ago, I pointed out to the Government that there was an under-hand deal to corrupt that project. The President said that he was going to appoint a commission to look into the freight terminal project in Mombasa. I have it from very reliable sources that, that under-hand dealing is already working again, to award that project to the Behal family of contractors in a way that is not transparent. That is one of the ways in which the Government yet again, is going to lose revenue urgently needed to improve urban infrastructure, public expenditure in this country and so on.

Mr. Temporary Deputy Speaker, Sir, hon. Raila mentioned Mexico City as one of the cities where, although they have 28 million people, it is very well planned. I have lived in Mexico City and I know that what hon. Raila is saying is true. One of the things that Mexico City has done is to try and invest in low cost housing. This is because, low cost house owners are very good at paying back their mortgages. Now, what we are facing in Nairobi is a major squatting problem in areas where we can develop low-cost housing and where the Government can subsequently recoup that money because low cost house mortgage owners are very good at paying back their loans. This has been researched on and established as true. Now, instead of investing in low-cost housing, one of the major sources of public savings in this country, the National Social Security Fund, is going ahead to invest in very high-cost housing. For example, the houses that have been developed in Mountain View cost over Kshs10 million to buy. They are few units because they are very expensive. They are going to benefit fewer people, but a lot of money has been invested

there. Rather than use that money to put up a scheme for high-cost housing for very few people, that money should have been used for low-cost housing, which would have benefitted many more people.

The National Social Security Fund is also developing another scheme in Kitisuru, in that coffee estate. Again, this is another high-cost housing. As I speak, I understand that over Kshs2 billion has already been set aside for that scheme. But part of that money is going to be hived off to finance elections for the KANU Government. These are the things we must speak about openly because, the NSSF is a public Fund; workers money; people who want to enjoy their sweat when they retire. Now they need to have that money properly invested where workers can benefit.

Mr. Temporary Deputy Speaker, Sir, we cannot have two projects in a row being financed by the NSSF benefitting specifically high-cost owners when the people who are really suffering are the low-cost housing owners. People who are called squatters, slum dwellers, you name it.

Mr. Temporary Deputy Speaker, Sir, our students graduating from the University of Nairobi cannot afford to buy a house these days, precisely because the houses have become too expensive. We must focus on low-cost and medium housing, so that we can satisfy the needy sections of our society. We should not continue bettering those sections of our society which are already well-to-do, simply because they have political power and they are politically well connected.

Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion.

**Mr. Ruhii:** Mr. Temporary Deputy Speaker, Sir, I wish to seek your leave to allow hon. Gatabaki two of my minutes to say a few words on this Motion.

**Mr. Gatabaki:** Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity to contribute very briefly on this Motion.

Mr. Temporary Deputy Speaker, Sir, I wish to put it on record that hon. Ruhii has done extra-ordinary contribution to the City of Nairobi in bringing to this House three great motions. One is the privatization of the City Council houses which was passed by this House. The other one is rescuing the oldest park we have, the City Park from our grabbers. I would also like to remind the House that hon. Ruhii represents Embakasi Constituency with 111,000 registered voters. This is the highest number of registered voters in Kenya represented by one individual. It is equivalent to the entire Baringo District and Elgeyo Marakwet District. Four districts being represented by one person is extraordinary contribution to this country.

Mr. Temporary Deputy Speaker, Sir, finally I would like to state where the problem of landlessness and squatting in Kenya emanates. It is central to the weakness and negligence of the KANU Government. We are seeing years and years of neglect, greed and an incompetent Government which should not be a Government.

Mr. Temporary Deputy Speaker, Sir, I would like to take this opportunity to tell the KANU Government that, just as it has conceded to political reforms, the President of the Republic of Kenya must now concede that this is the final term he is President of Kenya, so that we do not have this kind of negligence in the planning of our country.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**Mr. Ruhii:** Mr. Temporary Deputy Speaker, Sir, as I said earlier, the problem of squatters in this country is a very pressing problem. The reason why I zeroed my motion to Embakasi Constituency although the problem is a national one, is because my people of Mukuru wa Njenga, Mukuru wa Reuben, KCC Village, Gitari Maringo, Kinyago and other areas have of late become victims of constant Government eviction.

Mr. Temporary Deputy Speaker, Sir, we know that this Government is committed to the settlement of the landless in this country. After all, the reason why we fought for Independence, is because we wanted to get our land back from the Colonialists. The land that people like hon. Sunkuli here and other Ministers are enjoying at the moment is the land that we rescued from the Colonial masters. It is only justifiable that we should have an equitable distribution of land in Kenya especially in Nairobi where we have informal settlements. These settlements are as a result of population influx from the rural areas to the urban areas.

Mr. Speaker, Sir, I wish to conclude by saying that, this Government has got a motto which has been mentioned many times by our President that of being mindful of other people's welfare, should be our guiding star in national issues. I do feel that it is important and very pressing that my people in this squatter area should be settled in the land that they currently occupy or the Government should find land elsewhere to compensate those private land owners.

The Minister has mentioned here that one of the pieces of land is owned by NSSF. We are aware, as hon. Prof. Anyang'-Nyong'o has just mentioned, that the NSSF should be utilised to construct low-cost houses for the landless people in the City.

With those few remarks, I beg to move.

*(Question put and agreed to)*

## UNIVERSITY GRADUATES

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, hon. Mwaura did give me the power of attorney to move this Motion and I am happy to move it because I agree with it in substance and spirit.

Mr. Temporary Deputy Speaker, Sir, the Motion asks the Government to introduce a loan scheme for university graduates who wish to start small-scale businesses in the informal sector, with a view to reducing unemployment among the graduates. First, this Motion is important because in this era of liberalisation employment is going to come mainly from the private sector and the informal sector is part of the private sector. Previously, the Government, or the public sector, was the biggest employer. When one graduated from the university it was possible for him or her to be employed in the Government.

**The Temporary Deputy Speaker (Mr. Wetangula):** Prof. Anyang'-Nyong'o, I think, you are proceeding in a defective manner. You have not moved the Motion.

The correct procedure is for you to say: "I beg to move the following Motion..." You should then read through the whole of it, and then start giving your views.

**Prof. Anyang'-Nyong'o:** Thank you, Mr. Temporary Deputy Speaker, Sir. I only read part of it, but let me comply with the instructions as given.

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

THAT, given the fact that at present Kenya has five universities with a population of about 40,000 students out of which about 8,000 to 12,000 graduate every year with various degrees, and considering that employment opportunities for those graduates are decreasing; this House urges the Government to introduce a loan scheme for university graduates who wish to start small-scale businesses in the informal sector with a view to reducing unemployment among the graduates.

Mr. Temporary Deputy Speaker, Sir, that is the Motion which hon. Mwaura has put before us and which I am moving on his behalf.

I started by saying that previously, the public sector was the biggest employer, but as we are liberalising our economy, employment is going to come more and more from the private sector; the informal sector being part of the private sector. This means that if job creation is going to be available or if jobs are going to be created for university graduates, they would come more and more from the private sector. As we know, the private sector can only expand in so far as there is some capital to be invested in that sector. The Government can try and support the private sector through certain public sector activities. But this is limited, given the revenue base of the Government which is seriously curtailed by corruption and mismanagement of public assets and revenues.

## QUORUM

**The Assistant Minister, Office of the President (Mr. Sunkuli):** On a point of order, Mr. Speaker, Sir. There is no quorum in this House.

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

*(The Division Bell was rung)*

**The Temporary Deputy Speaker (Mr. Wetangula):** Order! We have a quorum now. You may proceed, Prof. Anyang'-Nyong'o.

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, I want to move this Motion and finish before the quorum disappears. I was saying that because of the importance of liberalisation and the private sector, this Motion is very important. I think that it could, in fact, be extended to cover the youth in general, as one hon. Member has been indicating to me, so that there is a loan scheme for young people to take up business in the informal sector. Nonetheless, we can begin somewhere because this is a definite constituency and a definite number called university students.

In the 1996/97 financial year, this House authorised the Ministry of Education to spend about K£1.535 billion on education. Of that K£1.535 billion, Kshs4.3 million was allocated to university education. That is a substantial sum of money, and once the Government spends that kind of money on its citizens, those people should come out and be productive. Ten years ago, this country had only one university with an enrolment of about 10,000 students. Today, we have five public universities and about an equal number of private universities with an enrolment of over 40,000 students, and a yearly output of between 8,000 and 12,000 graduating from these universities. These are highly trained people by international standards.

It has been proven that university education in Kenya, even today, in spite of its so many pitfalls, is still pretty



good, although it should be much better than it is today, if we compared it to what university education was sometime ago. When these graduates come out in society, because of the backwardness of our economy, they do not find employment. We need to do two things: One, modernise our economy and two, make these people productive in the economy. This cannot be done without some kind of public sector input and this is where the public sector and the private sector interface. The public sector interfaces with the private sector by the Government creating loan facilities which could then be used productively in the private sector, and this money paid back to the Government. This has worked pretty well in other countries. For example, in the United States of America, people who graduate from the university have to pay back university loans. There are certain special projects in the university itself, which are either called work study programmes or after graduation programmes for a year or two, where a student should be working for a university but surrendering a substantial part of the income to paying back the loan that he borrowed. That programme itself is also funded by another loan scheme.

Mr Temporary Deputy Speaker, Sir, in our case, we need a lot of projects in semi-arid areas, for example, irrigation projects. If the Government puts public investment into irrigation in semi-arid areas for farming, it will need farmers, for example in the horticultural area. We have a lot of students currently graduating in agriculture from Jomo Kenyatta University of Agriculture and Technology, the University of Nairobi, Department of Agriculture, Moi University in Environmental Sciences and so on, who have good knowledge about agriculture. This is a population of students who can be absorbed in these semi-arid areas where irrigation projects are initiated and where horticultural farming begins. This would not only be a practical way in which they enter into agriculture, but also a very productive way in which they contribute to agriculture. We also have the example of India which has used irrigation very effectively, not only to improve agricultural production, but also to create employment. In this country, we usually think that farming is for those people who have not gone to school, which is wrong. When farming becomes highly capitalised and when there is technological input in farming, thus, it becomes an arena for the intervention of educated people. I am drawing the attention of the Government to these kinds of activities because this is where university students could also be absorbed.

There is also another area where, I think, that public investments could be useful for university graduates informally. One of the major problems in our urban areas is transport. You know that the matatu system has come in to improve transport substantially in our urban areas. The only problem is that the matatu system is rather disorganised, precisely because there is no good interfacing between matatus and private taxis. Nairobi is one of the worst cities in the world to get a taxi in. If you are stuck in Jericho estate, Shaurimoyo or in Milimini at night and you want to get from point A to point B, you have no other alternative but either to rely on your foot, a private car or public transportation like buses and so on, which are usually not available in certain areas. One of the areas in which the Government could also help the university graduates is to have loans for people to own taxis, like it happens in other urban centres. Since taxi service is so much in demand, this is an area in which a lot of students could be absorbed by going in, you have a taxi pool, you drive and you are paid. You could be going into a taxi pool, getting a taxi, driving it, getting paid and then surrendering the money. A good metered system of taxis should have proper meters. You should not go in and then somebody tells you to pay so much, and then you are surprised and never take up the taxi again.

Mr. Temporary Deputy Speaker, Sir, Nairobi provides itself to be a modern city, which is very well run, the centre of Eastern and Southern Africa, a hub for air traffic and so on. It has all these good sounding qualities. But when you come to basic things like transportation in it, nothing works.

I am saying that if there was a good loan system for taxi operators, this is an area university graduates could get into. After all, when you visit a place like Washington you find that medical doctors and engineers drive taxis, and most of them are Africans. In any case, when somebody first goes to the United States as an immigrant one of the first jobs he usually does is taxi driving and he makes a lot of money. This is a good entry point into an economy. I think it would be a good entry point into our economy if there was a modern taxi system into which our students could go, earn a living and contribute to our economy.

The Minister for Commerce and Industry has prepared a paper which we will discuss in this House. It is called "*Industrialisation to the Year 2020*". We are hoping to be a newly industrialised nation by the year 2020, but we are not making very good preparation for that. The only practical way in which we can make good preparation for industrialisation by the year 2020, is to invest imaginatively in human resources development and ensure that our educated manpower have the right skills to contribute to the economy.

At the moment, there is a disjuncture between university education and practical involvement in the economy. The disjuncture is that there are no good vocational training centres for university graduates. We think that vocational training is for only youths who come from primary schools. I think this is a misconception of what vocational training is. "Vocation" means something, economic, social, political and so on, that you are called upon to do. We find that vocational training centres in this country are mainly considered to be youth polytechnics. This is

wrong. I think we can have vocational training centres for computer science for university graduates with degrees in physics, chemistry who would like to acquire some vocational training in the computer world. There could be good programmes and projects where they could go and acquire skills at a reasonable cost, and they can set up business.

One of the things that is happening is that computer technology is becoming a major factor in newly industrialising countries. This is especially so in a city like Nairobi whose major comparative advantage in Africa is service. If we develop the service sector in this City, we can take advantage of a lot of opportunities in this area. For example, a good secretarial service in Nairobi, complete with conference facilities, E-mail and so on, can attract a lot of people to come and organise conferences and seminars in Nairobi. If this is accompanied by a good airport where you come in and do your business, make telephone calls, and there are working toilets and restaurants people will be attracted to use that airport as an exit point for conferences and seminars. For example, if you go to Singapore Airport you will find that it is equipped with everything. It has a supermarket, telephones, restaurants, banks and so on. If you want to organise a board of directors meeting for an international firm you will go to Singapore Airport, do all your business and then fly out. That airport has created a lot of work for people. Many university graduates find employment in that airport. They work in banks, restaurants, push carts and man barber shops. Mr. Temporary Deputy Speaker, Sir, these are the things we are talking about. If you have a proper investment in the service sector, then it will be possible to give loans to students to start informal sector services that interface with that service sector. If the Minister's plan for industrialisation to the year 2020 had taken into account some of these proposals, then I think his document would have had a much better conception of how the informal sector can interface with the formal sector in the process of industrialisation of this country. I am saying that because it is the context in which we should see hon. Mwaura's Motion. If university graduates are going to get loans to start small-scale businesses in the informal sector - that sector is called informal because it relates to the formal sector - there must be a sensible way in which it interfaces with the formal sector. For example, if you are going to start an informal sector activity of manufacturing furniture, you will look for a market for that furniture. That market is not just private consumers of furniture and so on. One of the major markets for that furniture may be major enterprises in the formal sector. People with offices, running conferences, godowns, industrialists and so on, will look for your furniture and buy it. If that formal sector is expanding the informal sector will have a market for its goods. So, the informal sector cannot be looked upon independent of the formal sector. That is why it is important for the plan for industrialisation to the year 2020 to take into account both sectors.

A final point which is important is that we cannot and I repeat, we cannot, invest in a loan scheme if we do not think about it properly, in a planned and methodical manner. Recently, the Government encouraged a Harambee which collected something like half a billion shillings. Of that amount, apparently Kshs200 million came from the Government itself. I know it as a fact that PCs, DCs, chiefs and assistant chiefs collected a lot of money from wananchi. Definitely, the money was more than half a billion shillings - it could have been one billion shillings. The money was collected from people, but it never reached the kitty from where it was to be distributed.

Last week I was at home, in Kombewa Division, in my constituency, and the money was being distributed to youth groups. There were about 200 or so youth groups and Kshs100,000 was to be distributed to them. In the end, each youth group got Kshs2,000. I think the highest amount given to a youth group was Kshs8,000. First of all, some of the youth groups were formed in the wake of the Harambee, so that they could partake of the Harambee money. The poor youths who received this money have absolutely no plan as to how to use it. They have no well thought-out project to invest it in.

Mr. Temporary Deputy Speaker, Sir, what is going to happen is that this money will simply be consumed. In the process, we are encouraging a consumer society or consumer oriented people. We are not encouraging an investing society or production-oriented people. This consuming attitude is being masterminded by the Government itself. Yet the same Government wants this country to be industrialised by the year 2020. How do you industrialise through Harambee? This has never happened anywhere and is not going to happen in history. Harambee has become a major method of encouraging corruption in the public sector and Government, and wasting needed savings in this country.

So, I think if we are going to have a loan scheme for the youth or university students it should be planned in the manner suggested by hon. Mwaura in this Motion. We should forget all these spontaneous ways of raising money and trying to invest in this country. It is not going to work; it is going to frustrate us and ordinary peasants in the countryside. We are going to waste time and money. We are only going to tell people: "The best way to get money is the simple one: Start a youth group overnight, get Kshs2,000, waste it and that is the Harambee for you".

With those remarks, I beg to support.

**Mr. Gatabaki:** Thank you, Mr. Temporary Deputy Speaker, Sir.

I stand to support the Motion. This Motion is very timely. We have noted that KANU Members of Parliament are supporting Motions emanating from the Opposition side. This is an indication that reforms are really taking root.

Education is so crucial to our country's economy that anything which hampers that must be tackled with a lot of seriousness. What has happened between 1970s and 1980s? Why are we having so many unemployed university graduates? Why are we having problems with our universities? As we are talking now, the major universities have been closed indefinitely. In the 1970s and the early 1980's, if you were admitted to a university, the Government used to pay for the entire education period and at the end of your studies, you were assured of securing a job. In the late 1980s and the late 1990s, the majority of those who are admitted to universities are not assured of securing jobs. Going to a university is no longer what it used to be. Parents spend huge amounts of their resources, but at the end of three to four years, the university graduates do not get jobs. So, what has happened? The hon. Member of Parliament for Kisumu Rural talked about the huge amounts of money set aside for the Ministry of Education. So, what has happened is that money for financing education has increased. The money is there. What has happened is that there are more students in our universities. Also there is no revenue to finance that university education. However, what happens to that money?

Mr. Temporary Deputy Speaker, Sir, you should think about a scam like the Goldenberg where about Kshs5 to 18 billion were stolen by a few characters. That money could have financed the entire higher education for about ten years. So, what has happened is that we have allowed a few individuals to mess our economy at the expense of our youth. I keep wondering whether those in charge of our economic planning understand basic economics. An economy whose growth is almost zero or minus cannot generate investments and savings. Unless there are industries and investments in this country, we cannot create more jobs. The issue here is about joblessness. I am very happy, indeed, to note that the Minister for Labour and Manpower Development is here taking notes. The real issue here is that we have an economy that does not grow. An economy whose growth is minus cannot provide jobs. So, we are not going to achieve any industrialisation by the year 2020, unless we start talking about creating more jobs, investments and savings. That cannot be done within an environment that we saw on *Saba Saba* day. It cannot be achieved within an environment that we saw in this House during the Budget Day. It cannot be achieved in an environment that we saw on the 31st May, 1997.

Mr. Temporary Deputy Speaker, Sir, we now must be realistic. The economy cannot grow where the political system is deformed. No economy, and I stand to be contradicted, can ever grow in an area where the political system is in chaos. We will be the first country to experience zero growth in the employment sector, if we are not going to have fundamental reforms in the political system. So, the Kenya Government ought to realise that we are not getting anywhere unless we accept democratic system of governance, as the only way of managing our resources properly. There have been many false starts before and we must go back to find out why they failed. The KCB loan scheme was there; KCB - the largest banking institution - offered loan services to students, but it did not work. We must ask ourselves why did it not work? The Pan African Bank had also a loan scheme. The National Youth Fund is also providing funding for the youth. Why have they not worked? The reason is very simple. You cannot politicise the investment programme unless you do it intelligently.

We see our entire life saving spent on Harambee on schemes by politicians. When you look at what has happened in our country a couple of years ago, the politicians have taken over the control of every kind of scheme. We see KANU controlling not only Harambee, but every conceivable programme of development. These are people with hardly no education at all. Their only concern is how much money they can raise, how much money they can get corruptly and take to Harambee projects. Haphazardly done educational system has created a situation where nothing works any more. So, what is to be done?

I am proposing that there should be massive public works or massive programme of reconstruction of our country whereby the private sector, in conjunction with the banking sector and possibly Government, sets up a fund to finance this massive works programme of building up the infrastructure in the informal sector the hon. Member for Kisumu Rural was talking about. This must be done in an enabling environment. But the kind of environment we see now is such that nothing is working in this country. For example, public universities in this country are not working at all. Half of the time in a calendar year, students have been sent away because of political situation. What kind of graduates do we produce? It takes about ten years for somebody to graduate with a BA degree and by the time that gentleman or lady has graduated, he/she has possibly forgotten the first two years of university work. So, we must address ourselves to the crisis facing our country and it is very gigantic. When you get about three-quarters of our university graduates not getting employment, that is a very serious problem. When you get about five public universities closing whenever there are strikes or demonstrations by students, we have a problem and we must start asking ourselves: What is the problem? The problem is the insecurity the KANU Government fears. The KANU Government fears its own citizens and students. That is why police invade campuses shoot and kill students. A nation that kills its own intelligent community is sick and we must find where that sickness is. The sickness is in the Government that does not recognise the value of its own citizens. We spend so much money on education and yet we allow brutal policemen to invade our universities and shoot students. We allow the Senate to close the universities at

will because we have put in characters who are not qualified to be anywhere near a university council. If you look at who-is-who in our public universities, the chairmen of the council and the Senate, I think we must be joking. We have put people who are not qualified. In fact, some have never been to a university at all! I do not know where they borrow their gowns during graduation day. Time has come for us to question whether indeed---

I wish to support the Motion.

**The Minister for Labour and Manpower Development** (Mr. Masinde): On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the hon. Member substantiate that some chairmen of our public universities are not graduates? Can he give an example?

**The Temporary Deputy Speaker** (Mr. Wetangula): I am sure your point of order seems to have scared him off the Floor!

*(Question proposed)*

#### ADJOURNMENT

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

The House rose at 12.30 p.m.