

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 7th October, 2003

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

Mr. Speaker: Hon. Members, as usual, on a Supply day, we begin with Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

SUSPENSION OF CARGO FLIGHTS TO ELDORET AIRPORT

Mr. Keter: Mr. Speaker, Sir, I beg to ask the Minister for Transport and Communications the following Question by Private Notice.

(a) What reasons led to the suspension of cargo flights to and from Moi International Airport in Eldoret?

(b) How many corruption cases and drug trafficking incidents have been reported at this airport between 1st July and 22nd July, 2003?

(c) How much revenue is the Government losing daily following the suspension of the flights?

(d) What steps is the Minister taking to re-open the airport in order to boost trade and employment?

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

(a) The reasons that led to the suspension of cargo flights to Eldoret Airport include: Laxity in security and safety enforcement, smuggling of imported goods into the local market and the neighbouring countries, under-declaration and under-valuation of imported goods, importation of contraband goods into Kenya, lack of legally required documentation for imported goods, loopholes used to import narcotics and lack of professionalism and efficiency in the management of the airport.

(b) Given the security implications, it is not possible to give full details of the number of cases that the hon. Member requires. There is, however, overwhelming evidence of general laxity and mismanagement of the airport operations, leading to deterioration of services.

(c) It is estimated that the Government has forgone about Kshs80 million since the suspension was imposed. However, this is a very small sum compared with an estimated loss of Kshs7.6 billion or two thirds of duty payable that the Government has been losing through the deliberate under-valuation and under-declaration of the imported goods.

(d) Following the receipt of the interim report of the Committee I referred to in response to the same Question on 31st July this year, the Government will have completed the administrative

measures that are absolutely necessary to ensure security and proper management of the airport by 1st November, this year. Finally, the suspension of cargo flights to Eldoret Airport will, therefore, be lifted on the same date for the holders of a regular air-service licenses, for which those eligible are free to apply.

Mr. Keter: Mr. Speaker, Sir, the Minister has given us six reasons as to why the cargo flights to Eldoret Airport were suspended. In the second part of the Question, I wanted to know how many corruption cases and drug trafficking incidents have been reported. As far as we are concerned, and as per the answer given, there is no indication that the six reasons he has given have been justified by some people being taken to court. I would like to kindly ask the Minister whether this is part of what they said they were doing because they wanted to remove Moi. Could he come out clearly and tell us whether he is taking us for a ride and that he is not going to open the airport?

Mr. Michuki: Mr. Speaker, Sir, I do not have to do anything to remove anybody who has already removed himself. To that extent, the question that has been put to me has already been answered in writing, and I have nothing to add.

Mr. Angwenyi: Mr. Speaker, Sir, this is a very important Question, because the Government of Kenya has invested very huge amounts of resources to build that airport which is serving the western part of this country. The answer given by the Minister leans heavily on lack of security. Is the Minister saying that our country cannot mobilise enough security resources to stamp out each of those reasons he has given for the closure of the airport?

Mr. Michuki: Mr. Speaker, Sir, I am of the opinion that the best resource any country can have is its own people. The administration of the Eldoret Airport has been deplorable, from that point of view. If you want to know, within two weeks of June when the airport was opened, seven plane loads of goods worth 335 tonnes went through without tax and any check because the persons there are all corrupt.

Mr. Ndambuki: Mr. Speaker, Sir, you have heard the Minister say that the airport was closed because the officers who were there were all corrupt. Does that really mean that a part from the Customs and the regular Police, we do not have any other people who can be put there to ensure that the taxes which are supposed to be collected are paid? The answer that the Minister is giving us is not right.

Mr. Michuki: Mr. Speaker, Sir, how many times do I have to tell this House and send message through the press saying that the airport was not closed but the flights were diverted! The airport remained open!

Dr. Khalwale: Mr. Speaker, Sir, we recall when the flights were suspended by the British and the American Governments at the Jomo Kenyatta International and Moi Airport, Mombasa, all the Ministers were up in arms trying to get the airport re-opened. They even took some particular steps to make sure that security had been enhanced. Could the Minister tell us what they have done locally to enhance security so that the innocent farmers from western Kenya can continue to do their business?

Mr. Michuki: Mr. Speaker, Sir, first of all, the Eldoret Airport, to my knowledge as the Minister for Transport and Communications, is not used by farmers. Secondly, the steps that the British Government took concerning their airline is their own affair since the airline is their asset and not Kenyan.

Mr. Speaker: Last question! I will give the last question to Dr. Ali.

Dr. Ali: Thank you Mr. Speaker, Sir. I am a bit surprised by the reasons the Minister has given for the closure of the airport, which is smuggling of goods, undervaluation and illegally acquired papers. Who is manning that airport? Is it still being run by the KANU Government or the NARC Government is in charge?

(Applause)

Mr. Michuki: Mr. Speaker, Sir, I wish Dr. Ali could direct the question to himself. These are the people we inherited at the airport and when steps are taken to open the airport, I hope none of them will raise these issues because drastic action will be taken against them.

Mr. Salat: Mr. Speaker, Sir, does the Minister know that he is sitting amongst his equals? He should not talk to us as if we are his children! He is talking to Members of Parliament who are his equals! Could he please refrain from talking to us as if he is talking to his children? That was my point of order!

(Applause)

Mr. Michuki: Mr. Speaker, Sir, those are his own word. That is what he is thinking. I am not thinking that way.

Mr. Speaker: Last Question! I think I prefer giving the question to the gentleman on the last row.

Mr. Keter: Mr. Speaker, Sir, could the Minister confirm that by 1st November, 2003, all the cargo flights to Eldoret Airport will be allowed to land there?

Mr. Michuki: Mr. Speaker, Sir, again, I have given the answer in writing. It is stated in the written answer that anyone with an air operators licence will be allowed to go to the airport in Eldoret, but there will be no more *ad hoc* flights to the airport.

Mr. Speaker: Next Question, Mr. Wamunyinyi.

ILLEGAL PLACEMENT OF KENYA
SEED COMPANY SHARES

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

(a) Is the Minister aware that a private and illegal placement of shares has been undertaken at the Kenya Seed Company which has accordingly devalued Government's share holding within the parastatal?

(b) How much did the Government earn from this undertaking?

(c) What action will the Minister take to nullify the deal?

The Minister for Agriculture (Mr. Kirwa): Mr. Speaker, Sir, I beg to give the following reply.

(a) Yes I am aware that private placement of shares was undertaken at the Kenya Seed Company.

(b) The private and irregular undertaking is being investigated to establish the actual loss incurred by the Government.

(c) I will take the necessary action as soon as investigations are complete.

Mr. Wamunyinyi: Mr. Speaker, Sir, with due respect to my friend the Minister for Agriculture, Kenya Seed Company is one of those strategic parastatals. It is one of those State corporations that are responsible for ensuring food security in this country. Now that the Minister admits that the placement of shares was irregular, could he tell the House whether this amounted to criminal---

(Applause)

Mr. Speaker: Order! Order! I think that the House is in a very good mood today, but that notwithstanding, we must continue with today's Business!

Mr. Wamunyinyi: Mr. Speaker, Sir, it is not only "good mood" but because the hon. "Prime Minister" was also entering the House!

(Laughter)

Now, could the Minister tell the House if the action amounted to a criminal act and if so, why action has not been taken against those responsible?

Mr. Kirwa: Mr. Speaker, Sir, as indicated in my earlier reply, we have taken the initial steps and we do not want to condemn or judge anybody before the final investigations are released.

I would like to give the sequence of events that took place before the final investigations were done. Early this year, on the 13th of January, 2003 a letter to Treasury by Inspector-General of State Corporations sought confirmation that the principal procedures and guidelines for privatisation as laid down in the Policy Paper on Public Enterprise Reform Privatisation of July 1st, 1992 and amended in 1998, were followed.

As a response to that letter, on the 23rd of January this year, the Permanent Secretary indicated that the approved process of privatisation was not followed. We subsequently took over the issue. On 17th March this year, I instructed the Permanent Secretary in the Ministry of Agriculture to write to the Treasury, the Attorney-General, the Controller and Auditor-General and Inspector-General of State Corporations, and also to the Investments Secretary, indicating that we had recognised there was a problem. Following that, we instructed the right arms of the Government to carry out investigations.

This afternoon, before I came to answer this Question, I wanted an indication from my Permanent Secretary on how far the investigations have gone. The people in charge of fraud investigations indicated to us that they are about to complete their reports and, once it is complete, we shall take the appropriate action as the Government.

Mr. Muturi: Mr. Speaker, Sir, while appreciating the steps the Minister has taken regarding the supplementary question, could he tell us, as an answer to part "b", how much money the Government earned from the illegal and irregular action by the Board of Kenya Seed Company?

Mr. Kirwa: Mr. Speaker, Sir, I did not want to get into the details of what is happening. I just handed over the whole issue to fraud investigation officers and we are waiting for that information to be availed to us. We will know if there was any money earned or if it was a loss to the Government.

Mr. Wamunyinyi: Mr. Speaker, Sir, what has happened here is that the Government shareholding has been diluted. Therefore, this means that the Kenya Seed Company is no longer a State Corporation if that is the case. In view of what the Minister has stated, could he undertake to this House that he will ensure that the status quo is maintained and that this company remains a State Corporation as the action taken was illegal?

Mr. Kirwa: Mr. Speaker, Sir, as I said at the beginning, once investigations are finalised and given the position as stated by the hon. Member of Parliament, I will take appropriate action which shall, among others, also indicate the direction the Government will take as far as this issue of Kenya Seed Company is concerned.

Mr. Speaker: Next Question!

ILLEGAL ALLOCATION OF RIFT VALLEY INSTITUTE LAND

Mr. Bett: Mr. Speaker, Sir, I beg to ask the Minister for Education, Science and Technology

the following Question by Private Notice.

(a) Is the Minister aware that land belonging to the Rift Valley Institute of Science and Technology was transferred to private individuals?

(b) How much land was carved out and how much was left to the institute?

(c) Who are the new transferees?

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that land belonging to the Rift Valley Institute of Science and Technology was transferred to individuals.

(b) The portion of land that was irregularly transferred without the authority of the Board of Trustees was 676 acres. Only 70 acres was sold regularly to the Egerton University Co-operative Society. The total amount of land belonging to the institute was 2,360 acres, but because so much has been hived off, only 1,614 acres remain.

(c) Those that got the 676 acres, which is almost one-third of the total amount of land owned by the institute, are the following:

(1) Egerton University Co-operative Union got 70 acres which they bought at Kshs210,000 per acre.

(2) Franklem Enterprises got 59 acres and a new house.

(3) Romli - 95 acres.

(4) Little Meadows - 497 acres.

(5) Betsy Jelangat Irongi - 25 acres.

The individuals and companies bought their land for Kshs40,000 per acre while the university co-operative union bought the land for Kshs210,000 per acre.

Mr. Bett: Mr. Speaker, Sir, that land of Rift Valley Institute of Science and Technology is the property of the people of Kenya as a whole. That land was entrusted to the board of trustees. The Assistant Minister has said that 70 acres of that land was given out on the authority of the trustees. The rest was irregularly given out. I would like to know who the directors of these companies which were allocated this land are.

An hon. Member: *Toboa!*

Dr. Mwiria: Mr. Speaker, Sir, I will be quite happy to *toboa*. The Director of Franklem Enterprises is F.Z.K. Menjo who is currently the Managing Director of the Jomo Kenyatta Foundation under the Ministry of Education, Science and Technology. The Director of Romli is a certain Mr. Shekisho. I do not have his initials. We are still waiting for files from the Ministry of Labour and Human Resource Development because the institutes of science and technology were previously under the Ministry of Labour. The Director of Little Meadows is hon. Gideon Moi---

Hon. Members: Shame! Shame!

Dr. Mwiria: Mr. Speaker, Sir, having read that list of directors, I just thought; is it surprising that Mr. Moi could not control corruption in the Government if he could not control his own son?

Mr. Moi: Mr. Speaker, Sir, I am the said person that the Assistant Minister is trying to say that he is Director.

Could the Assistant Minister please produce documents to prove that I am the Director of that company?

Dr. Mwiria: I have already indicated earlier that the institute of science and technology became part of the Ministry of Education, Science and Technology's docket only about three months ago. So, we still do not have a lot of files. We have reports from auditors---

(Loud consultations)

Dr. Mwiria: Why do you not just say it?

Mr. Speaker: Order, Dr. Mwiria! Dr. Mwiria, you stood up in the House, accused an hon. Member and you say you do not have the facts. You dare say that in the House?

Hon. Members: Shame! Shame!

Mr. Speaker: Will you please let him give his facts?

Dr. Mwiria: Mr. Speaker, Sir, I was going to answer, but I was not given a chance because these people are so eager to find that not to be the case. The records are available and we have already forwarded the matter to the CID to take action. You will find the list of directors at the Registrar of Societies if you really want to find them.

Mr. Kimeto: On a point of order, Mr. Speaker, Sir. Is it in order for a full Minister in the Office of the---

An hon. Member: He is an Assistant Minister.

Mr. Kimeto: Is it in order for the Assistant Minister, when he is asked to supply only the names of the directors, fail to do so? Could he give us the names?

Mr. Speaker: Order, hon. Members! I would like, again, to ask hon. Members to respect this House and to ensure that when they speak in this House, it is factual. Dr. Mwiria, if you are going to make a statement that attacks your colleague in this House, and you know the rules, you had better have your facts right. I will not allow or encourage, under any circumstances, hon. Members coming here and mentioning the names of each other in this House when they do not have full proof. I think this must be understood clearly by both sides of the House.

I will be very firm because it is very easy for an hon. Member to spoil the name of another on the Floor of this House in the knowledge that they will not be able to face the law. So, please let us be very careful; all of us.

Dr. Galgallo!

Dr. Galgallo: On a point of order, Mr. Speaker, Sir. In view of what you have just said, could I demand that the Assistant Minister either withdraws or substantiates by giving us proof that Mr. Gideon Moi is a director of this firm? This is a serious matter.

Dr. Mwiria: Mr. Speaker, Sir, it is never my intention to smear anybody's name, but the hon. Member asked me to give names of directors of this firm. That was only part of the supplementary answer. However, if you give me more time, I promise to table the full list.

Mr. Speaker: Order! I am only worried about those who casually throw the names of other hon. Members without due regard as to the impact of what they have done. I am even more worried about the hon. Members who solicit that kind of action. I think this House must be respected by all hon. Members.

If I were Dr. Mwiria and was going to name Mr. Katuku in this House as a director of a firm that is accused of some form of fraud, I would check that fact very carefully and ensure I have the evidence. That is the only time this House will have dignity and respect. So, in the meantime, I will let the matter rest there.

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. Given that this issue touches on corruption which is what we have come here to fight, even last week we submitted our returns, will I be in order to encourage the Assistant Minister not only to table the document, but also to give us affirmation that after investigation, he will have Mr. Gideon Moi arrested and charged?

(Applause)

Dr. Mwiria: Mr. Speaker, Sir, we shall investigate and you can be sure our Ministry, under the NARC Government, does not discriminate against thieves.

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. What worries me is your previous ruling on this matter. Whenever we have tried to substantiate on issues of directors of companies, you

have always said that this is public knowledge and that we can go to the Registrar-General's office and find out. Now, you have ruled the reverse; that the Assistant Minister should not name those directors in the House!

(Applause)

Mr. Speaker: Order! I do not know whether Mr. Obwocha and the hon. Members applauding did follow the proceedings before the House. Dr. Mwiria, on his own volition, said he was not in possession of the requisite file. It is in the Ministry of Labour and Human Resource Development, therefore, he has not got the correct facts. Mr. Obwocha, will also recall that the Chair did not ask him to disclose who the directors of the firm were. He volunteered, at the request of Mr. Bett. As you know, Mr. Obwocha, I cannot shut the mouth of Dr. Mwiria. Once he opens it, I truly do not know what comes out of it. I wish I had the power to do so, but I truly do not. So, that is it!

Mr. Kimeto: On a point of order, Mr. Speaker, Sir. Would I be in order to ask the Assistant Minister what criteria he used to sell that land to Egerton University at Kshs210,000 per acre? This land was sold to individuals at Kshs40,000 per acre!

(Dr. Mwiria stood up in his place)

Mr. Speaker: Order! Mr. Kimeto, that is a not a point of order, but a supplementary question.

Next Question!

CLOSURE OF SAMBURU DISTRICT SCHOOLS

Mr. Lesrima: Mr. Speaker, Sir, I beg to ask the Minister for Education, Science and Technology the following Question by Private Notice.

(a) Is the Minister aware that 27 schools have been closed in Samburu District since 1996 because of insecurity?

(b) What is the Ministry doing to re-open those schools?

(c) When will the Government establish a secondary school in South Horr in Nyiro Division?

The Assistant Minister for Education, Science and Technology (Dr. Mwiria): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that 27 primary schools in Samburu District have been closed since 1996 because of insecurity.

(b) The Ministry has so far re-opened eight primary schools and eight more will be re-opened at the beginning of next year.

(c) The Government will supplement efforts of the local communities of South Horr in Nyiro Division by paying teachers and providing professional support services and supervision after establishing the need for a secondary school identified by the local communities, who will then start to build it up. So the Ministry will support the teachers with the teaching and learning materials, but the communities themselves have to take the initiative and construct a secondary school.

Mr. Lesrima: Mr. Speaker, Sir, the answer given by the Assistant Minister is partially correct. However, it is not true that the reason for closure of schools is lack of inhabitants. The inhabitants of this area are Turkanas and Samburus, who are constantly harassed by cattle rustlers from neighbouring districts. If the Government could upgrade police posts in the areas affected, such as Baragoi Division, the residents would go back and the schools would re-open. On part "c" of the Question, the residents have already established the need for a secondary school because---

Mr. Speaker: What is your question, Mr. Lesrima?

Mr. Lesrima: Mr. Speaker, Sir, could the Assistant Minister liaise closely with the Minister of State, Office of the President in charge of internal security, to upgrade police posts in the areas affected so that those schools can be re-opened?

Dr. Mwiria: Mr. Speaker, Sir, we shall, of course, be quite happy to do that.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. We are getting casual answers to very serious Questions. This Question relates to the education of our children and security of our people. So, I would have expected the Assistant Minister to give a substantial answer as to when, how and what the Ministry will do to make sure that there is security in this area and that pupils will go back to school. This country is becoming lawless. We are living in fear. Could the Assistant Minister tell us exactly what he will do to make sure that there is security and that children will go to school in that area?

Dr. Mwiria: Mr. Speaker, Sir, first of all, I do not know whether that was a point of order. Secondly, the hon. Member who asked the Question was satisfied with my answer. He only made one request that I liaise with the Office of the President, to which I acceded. The answer required was just, "yes" or "no".

Prof. Oniang'o: Mr. Speaker, Sir, I think some of the NARC Government Ministers are extremely arrogant. I do not think we require that kind of arrogance in this House. This Government pledged to pay special attention to development, especially education in the pastoralist areas. Could the Assistant Minister tell us what he will do to ensure that there is a secondary school in this area, which is supported by the Government, and not asking parents who are already nomadic and poor to build a secondary school?

(Applause)

Dr. Mwiria: Mr. Speaker, Sir, I would like to say that there are some more arrogant people than this hon. Member. But that having been said, I think it is not easy to start a secondary in a week. But I made the point there also that with cost-sharing policy in this country communities, with Members of Parliament, are expected to identify places where they need to set up schools and establish them. Then, as a Government, we will come in with teachers and other learning and teaching inputs. That is the only way we can do it. But to do this, we must see all ourselves as partners. It is not just a question of the Government. We must participate.

Mr. Sudi: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead this House that this Question belongs to Mr. Lesrima who had asked it? The Question is the property of this House. Is that in order? There is a lot of insecurity all over the country even in my constituency in Marakwet.

Mr. Speaker: Order! Order, Mr. Sudi! He said that the hon. Questioner was partially satisfied and I think that is legitimate.

Mr. Weya: On a point of order, Mr. Speaker, Sir. The Assistant Minister has said that Members of Parliament should build schools. Hon. Members do not collect taxes from the people. It is the responsibility of the Assistant Minister to go to his Ministry and look for money to build schools for the people of Kenya.

Mr. Speaker: That is a good statement and not a point of order.

Mr. Weya: Is it in order for the Assistant Minister to tell hon. Members to go and build schools?

Dr. Galgallo: Mr. Speaker, Sir, the Assistant Minister has said that, out of the 27 schools, eight were opened earlier and another eight will be opened by January next year. That leaves another

11 schools still closed by the beginning of next year. What security measures were taken to make those schools save as to have opened? When will he open the others?

Dr. Mwiria: Mr. Speaker, Sir, it has been determined that the places where schools have been opened are secure. It must be that the Office of the President made the necessary arrangements. I cannot say it is more than that. But I am sure that, that was the basis for deciding where to open the schools. The other question on whether or not I expect hon. Members to build schools, I said, hon. Members, as leaders, should mobilise local resources.

Mr. Leshore: Mr. Speaker, Sir, apart from the insecurity situation which was prevailing during the KANU era up to the beginning of this year, there is an acute shortage of teachers in that district. Would the Assistant Minister promise to recruit more teachers to enable most of those schools to re-open in January next year?

Dr. Mwiria: Mr. Speaker, Sir, yes, we realise that it is not just in that area, but all over the country, we do not have adequate teachers. The Ministry is striving to ensure that all schools have the required number of teachers. However, the main problem in that was insecurity and not so much the teachers. But we shall do everything to make sure that we have teachers for those schools.

Mr. Lesrima: Mr. Speaker, Sir, the people of the area have identified the land and other resources. How much will the Government provide in terms of resources for those schools to reopen in January next year?

Dr. Mwiria: Mr. Speaker, Sir, I think we have made the point before that the establishment of schools is the responsibility of local communities under the cost-sharing policy. Once the community has put in place a structure, the Ministry will come in and support with teachers, reading and learning materials. But I would also like to say that, as soon as we have more money for infrastructural development, we shall be happy to support that initiative as well as that of primary schools in the area.

Mr. Osundwa: On a point of order, Mr. Speaker, Sir. The Assistant Minister must not get away with this. The Public Officer Ethics Act forbids hon. Members from collecting funds. He has said that we should mobilise resources. Could he explain how?

(Laughter)

Dr. Mwiria: The resources we are mobilising are not for ourselves. They are for the schools and I think we will understand.

Hon. Members: No!

Mr. Speaker: Order! Order! Maybe we will at an appropriate time address that issue correctly. If my memory serves right, I think hon. Members were forbidden by that Act from organising Harambees. I am not so sure, but I think that was the law. But anyway, an occasion will arise. Maybe you need to ask the Minister himself.

Next Question, Mr. Mwanzia!

ORAL ANSWERS TO QUESTIONS

Question No.496

MEASURES TO CURB THUGGERY IN
MACHAKOS TOWN

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

- (a) if he is aware that gangsters continue to rob business premises in Machakos Town in broad daylight; and,
- (b) what action he has taken to have the culprits apprehended.

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

(a) Yes, I am aware that two robberies have been reported to have taken place during the day in Machakos Township from March to September, 2003.

(b) Six suspects in the two daylight robberies were arrested and the cases are pending before court.

Mr. Mwanzia: Mr. Speaker, Sir, I am very happy that at long last the Question has come up and somebody has answered it. But I have two answers, one which says two robberies were committed and another one which says three robberies were committed. Which one should I take? Could he name the two robberies which took place? What happened to the third robbery?

Mr. Tarus: Mr. Speaker, Sir, it is obvious that we should go by the answer that I have read here. Two, the two robberies are as follows:-

CR440/163/03 - robbery with violence; a complainant reported that on 28th March, 2003, at about 4.15 p.m., while at Kasandaras Shop, a gang of six men robbed him of goods of unknown value. Three suspects were arrested and charged with the offence of robbery with violence. The case is pending before court. The second robbery; CR440/332 - John Ndolo Mulwa was, on 8th June, 2003 at about 3.45 p.m. robbed of cash amounting to Kshs9,000 by a six-man gang. Three suspects were arrested and the amount recovered. The hearing date was 16th July, 2003. The case is still pending before court.

Mr. Billow: Mr. Speaker, Sir, the level of insecurity that we have witnessed in this country in the last few months is unprecedented. Members of Parliament out there are feeling intimidated and threatened. However, could the Minister explain to us why there are half as many security officers in Parliament grounds as there are Members of Parliament, and who report to a senior NARC politician?

(Applause)

Mr. Speaker: Order! I would like to know that because I am in charge of this Parliament. Could you let me know?

Mr. Billow: Mr. Speaker, Sir, we have noticed, in recent months, that there are very many security officers all over the premises of Parliament, including Continental House. We have also found out that they report to a senior Member of the NARC Government. We need to know why that is happening!

Mr. Tarus: Mr. Speaker, Sir, I would be glad if the hon. Member could bring facts here and not rumours!

Mr. Speaker: Order! As a matter of fact, as the person in charge of this Parliament, I would like to know that! That is because no Member has raised it with me. Could I get more information on that?

Mr. Billow: Mr. Speaker, Sir, if you want, we can provide you with that information in your Chambers. It is known to all of us here that there are security officers all over!

Mr. Speaker: Order, hon. Members! As you know, I am the one you all elected as your Speaker to lead this august Assembly and to ensure the rights and privileges of all hon. Members. My office is open all the time. I encourage hon. Members: "Please, let me know anything that bothers you at the earliest opportunity, so that I can take requisite action." I wish to assure the House that, as the Speaker, I will ensure that Members of Parliament are never harassed anywhere near the Parliament premises. Let us get that very clear and, please, let me know more, if you have more details.

Mr. Nyachae: Mr. Speaker, Sir, I do not want to go back to what you have stated, but the

allegations are extremely serious! To be told in this House that a senior person in the Government has organised spying - because that is what it means - in this House and you are in charge of this Parliament--- Everything that goes on here--- You have your security here.

Some of us have never seen those people who are spying, but we are now scared that we are being spied on. I request the Speaker, through the Privileges Committee, to find out what has happened and brief this House as to what is the exact position.

(Applause)

Mr. Speaker: Order, hon. Members! First and foremost, may I assure hon. Members that you will remain absolutely safe and secure within the premises of Parliament. Let me further assure the House that when that claim was made - I think the House saw me beckon the Clerk-at-the-Table. My reason was to inquire whether the Clerk, or any other officer, is aware of that fact. The response to me was that they were unaware. So, until I see anything on the contrary--- I do not know but, Mr. Billow, would you like to shed some more light?

The Minister of State, Office of the President (Dr. Murungaru): On a point of order, Mr. Speaker, Sir. I agree with Mr. Nyachae. Those are alarming statements. That is what is making it impossible to manage this nation, when irresponsible utterances are made.

Mr. Speaker, Sir, as the Minister in charge of security, I am not aware of any increase in the number of security personnel in this Parliament. Could the hon. Member substantiate? Perhaps, somebody might be having a private army that he is letting loose on Parliament. If that is the case, I should be called upon to do my job. Could the hon. Member substantiate or withdraw and apologise?

Mr. Speaker: Order, hon. Members! As you recall, just a few minutes ago, I asked Members to be very responsible in what they say. I repeat: Members must be responsible in what they say here! If we are irresponsible in our statements in this Chamber, we may, in the end, make Parliament a place to be distrusted by all Kenyans. That is a terrible thing to happen. I wish to assure the House again that, to the best knowledge of the Speaker, there is no unauthorised presence of policemen within these premises to intimidate members. That is, at least, not when I have been in this country. As you know, I have been occasionally out of town. But I am in charge of this Parliament wherever I am. I have a very competent Deputy Speaker and very competent staff. Let every Member relax now. But, in the event of any Member having any information to the contrary, please let me know. I hope that satisfies all and sundry.

Hon. Members: No!

Mr. Speaker: Mr. Billow, the House still wants to know from you!

Mr. Billow: Mr. Speaker, Sir, you know very well that the Minister knows that intelligence officers do not wear badges or uniforms. But anyone who is keenly observant knows that there is an increased number of security officers in the premises of Parliament. We also know and have confirmed that they do report--- I can share that information with the Speaker as I have said it. I agree with the ruling that I will share with him that information.

Mr. Maore: On a point of order, Mr. Speaker, Sir. If we agree that Mr. Billow will give you that information in the chamber, the dignity of this House will be in doubt tomorrow when this issue is flashed in the media. So, could we plead with him, since he knows those men report to a senior NARC politician in this House, to name them and who they report to? Otherwise, the Speaker will have to ask him to withdraw and apologise and then end the matter.

Mr. Billow: Mr. Speaker, Sir, if you want me to name them, I will do so with your permission.

Hon. Members: Yes! *Sema yote! Toboa!*

Mr. Speaker: Order, hon. Members! Obviously, it is apparent and clear that the hon. Member

is not enthusiastic in volunteering that information in the open House.

An hon. Member: He is!

Mr. Speaker: Order! It does appear on the face of it that he is not enthusiastic about it. It is also dangerous for me and, maybe, the whole House, to brush the whole matter under the carpet, without looking at the truth or otherwise, of that claim.

Let us, therefore, think of it as a suggestion made by Mr. Nyachae. This is something that I may need to follow up. However, as I follow this up, I would like to say from this Chair that only those officers, the security services, who have been rightfully posted to Parliament to ensure the security of the hon. Members and the premises and property of Parliament, are welcome here. The rest, especially if they come here to terrorise hon. Members, are most unwelcome. So, let us leave it at that.

(Loud consultations)

Order! What do you want me to say?

Hon. Members: Who are they?

Mr. Speaker: Order! Relax, hon. Members. I think that those hon. Members who are agitating against the very apparent desire of even Mr. Billow just want names to be dropped. Mr. Billow was given an opportunity by the Chair to say what he wanted, and this is a grave matter. Let the hon. Member himself avail that information to the Speaker. It might be necessary for it to go to the Powers and Privileges Committee and its report will come to this House. In the meantime, hon. Members must keep the requisite number of their security officers; this applies to hon. Members in both the Government and the Opposition. I know, as a matter of fact, that hon. Members have their own security detail. If we have 200 MPs, each will want a security officer. This will mean that we will have 200 officers around. If that is not a crowd, then what is it?

It is now time for Committee of Supply as it is 3.30 p.m. First of all, all Questions, including the one by Mr. Mwanzia, have been deferred to various dates. There was also a Ministerial Statement to be made by Mr. Murungaru, which he says is ready. Time being what it is, I will order that the Minister appears here tomorrow morning and makes the statement.

(Question deferred)

(Loud consultations)

Order! Hon. Members will realise that there are rules governing the debate on Supply; hon. Members must understand that it is 3.30 p.m. If the House will not be under time pressure tomorrow morning, the Minister will make that Statement. This is because I realise that, as a matter of fact, when the Minister makes that Statement, there certainly will be hon. Members who will seek clarifications and we must give them that opportunity. It is not just for pleasure that we want him to make that Ministerial Statement. Any hon. Member who will wish to seek a clarification will have the opportunity to do so. We will now proceed to the business of Supply. Mr. Murungaru, be here at 9.00 a.m. tomorrow.

Mr. Obwocha: Mr. speaker, Sir, the next Question was mine but you did not say categorically whether it will come up tomorrow morning or in the afternoon or on any other specific day.

Mr. Speaker: Order! The Speaker is always categorical as he is not a clerk. He defers Questions and the clerks will do the clerking.

Question No. 580

COMPENSATION FOR SECOND WORLD
WAR EX-SERVICEMEN

(Question deferred)

Question No. 603

PROVISION OF POSTAL/TELEPHONE
SERVICES TO MANDERA WEST

(Question deferred)

Question No. 656

INSTALLATION OF TELEPHONE BOOTHS
IN BONCHARI TRADING CENTRES

(Question deferred)

Question No. 576

CONSTRUCTION OF MOCHAKUS BRIDGE

(Question deferred)

Question No. 566

EXTENSION OF MASENO WATER SUPPLY
TO EMUHAYA CONSTITUENCY

(Question deferred)

Question No. 633

REPOSSESSION OF KOIYET
CO-OPERATIVE SOCIETY LAND

(Question deferred)

QUESTIONS BY PRIVATE NOTICE

SUSPENSION OF CARGO FLIGHTS
TO ELDORET AIRPORT

(Mr. Keter) to ask the Minister for Transport and Communications:-

(a) What reasons led to the suspension of cargo flights to and from Moi International Airport in Eldoret?

(b) How many corruption cases and drug trafficking incidents have been reported at this

airport between 1st July and 22nd July, 2003?

- (c) How much revenue is the Government losing daily following the suspension of the flights?
- (d) What steps is the Minister taking to re-open the airport to boost trade and employment.

(Question deferred)

ILLEGAL PLACEMENT OF
KENYA SEED COMPANY SHARES

(Mr. Wamunyinyi) to ask the Minister for Agriculture:-

- (a) Is the Minister aware that a

[Mr. Wamunyinyi]

private and illegal placement of shares has been undertaken at the Kenya Seed Company which has accordingly devalued Government's share holding within the parastatal?

- (b) How much did the Government earn from this undertaking?
- (c) What action will the Minister take to nullify the deal?

(Question deferred)

ILLEGAL ALLOCATION OF RIFT
VALLEY INSTITUTE

(Mr. Bett) to ask the Minister for Education, science and Technology:-

- (a) Is the Minister aware that land belonging to Rift Valley Institute of Science and Technology was transferred to private individuals?
- (b) How much land was carved out and how much was left to the Institute?
- (c) Who are the new transferee?

(Question deferred)

Mr. Speaker: Next order!

COMMITTEE OF SUPPLY

*(Order for Committee Read being
14th Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW LEAVE
THE CHAIR

Vote 21 - Ministry of Environment, Natural Resources and Wildlife

*(The Minister for Environment, Natural
Resources and Wildlife on 2.10.2003)*

*(Resumption of Debate interrupted
on 2.10.2003)*

(Loud consultations)

Mr. Speaker: Order, hon. Members! Those who wish to take their leave, please do so quietly. I think the hon. Member who was on the floor was Dr. Shaban. She had eight minutes to go and I understand that she is out of the country. Therefore, she is deemed to have concluded her contribution. Any hon. Member interested may, therefore, catch the eye of the Chair.

Ms. Abdalla: Thank you, Mr. Speaker, Sir. I stand in support of the Vote of the Ministry of Environment, Natural Resources and Wildlife. Although the budget allocated may seem to be large, I wish to point out that this budget is thoroughly low. The natural resource sector provides for over 70 per cent of the livelihood of Kenyans. Therefore, in my opinion, we need to do more for this sector than the Budget we have allocated.

I am very concerned because the NARC Government's economic strategy for wealth generation, given our nine months of experience with it, could better be called economic discovery for wealth destruction. This is because it has placed very little importance on the environment sector. In my opinion, this budget is not only small but also totally denies the environment sector the importance it deserves. Sixty five per cent of the budget allocated to this Ministry has been given to forest development. This is understandable, especially because we are a water-scarce country. We need to invest in our water catchment areas. However, my problem, which I keep repeating on the Floor of this House, is distribution of this forests allocation. We have distributed Kshs621 million to forest plantations and Kshs22 million to arid lands when, as we all know, 80 per cent of this country's land mass is arid lands. This is a clear manifestation of things that we inherited from the colonialists, and that we have not given up 40 years after Independence. We need to be serious about allocations to the environment sector. We cannot continue to invest in fluffy animals when Kenyans are dying of poverty. This concentration on closed canopy forests is something which is already in the minds of the employees of the Ministry because, apart from inheriting the fluffy animal mentality to conservation, we also inherited the training programmes of our colonial masters, which had trained our people to think more of animals than human beings. So, in my opinion, we need a complete overhaul of not only the policies on the environment sector and the distribution of resources to the sector but also of the training and deployment of staff in the sector.

Mr. Speaker, Sir, although we have had retrenchment of staff in the Ministry of Environment, Natural Resources and Wildlife, it continues to be top-heavy. We continue retrenching the most important personnel of this Ministry, namely, the forest guards and the extension officers, who are the front-runners of conservation. When you have a forestry officer at the divisional level with no forest guards or extension officers, what exactly would you be expecting this single officer to achieve? A complete overhaul of the employment policy within this Ministry is necessary if the National Rainbow Coalition (NARC) Government, which has only given lip service to this sector, is to achieve anything in the remaining period of its short-lived rule.

Mr. Speaker, Sir, in addition to the top-heavy investment in this sector, I would like to comment on the other mind-set that is so common among conservationists in this country, especially in the Government. When my elder "sister", Prof. Maathai, was appointed an Assistant Minister in the Ministry, I rejoiced because I felt that, as a conservationist, she would contribute to this sector. However, when she rises to answer Questions on the human-wildlife conflict, I shed tears, because she resists the training and the mind-set of the officers in the Ministry, who give her information to the effect that it is human population increase that increases the human-wildlife conflict. That is a protectionist approach to environment.

When we seek a sustainable-use approach to environment, we would say that the increase in the wild pig population in Budalang'i Constituency should be addressed not in a reactive manner when

the pigs destroy crops but rather in a proactive manner where we ask ourselves: "Are these populations the minimum viable populations for Budalang'i Constituency?" All that the Ministers tell hon. Members when they ask Questions is that we have increased in population. This approach must stop. We have been independent for 40 years, and conservation in this country must strictly be approached such that if an animal or a conservation area is not ecologically or economically sustainable, the matter is discussed with the stakeholders with a view to determining whether we will continue with the idea or not.

Mr. Speaker, Sir, it is very important to note that the Kenya Wildlife Service (KWS) has set aside 80 per cent of its budget for the current financial year for security services, meaning environmental policing. All over the world, environment managing authorities are shifting their priorities from environmental policing. We know that 75 per cent of Kenya's wildlife, for example, does not live in the protected areas, where we are investing 80 per cent of our funding to protect animals; they live outside the protected areas. There are wild pigs which are destroying crops in Budalang'i Constituency and the wild elephants from Tsavo National Park, who destroy crops of the Taita people. We must put our money where it matters. We must come up with wildlife policies that are human-friendly.

It is not enough to keep saying that, we, as Kenyans, want to protect the environment. We must have a complete overhaul of the policies governing the environment sector. We need to review the Wildlife Act. We have many qualified Kenyans, who invested a lot of their time into conservation matters during the tenure of one of the KWS' directors; who can come up with a human-friendly wildlife policy.

So, in conclusion, although the Ministry needs more money than it has been allocated, it needs to distribute its resources where it matters. We cannot continue having a fluffy animal mentality to conservation.

With those remarks, I beg to support.

Mr. Khamasi: Mr. Speaker, Sir, thank you very much for giving me a chance to contribute to debate on this very important Vote. From the onset, I would like to support the Vote.

Mr. Speaker, Sir, while supporting this Motion, I would like to tell the Minister, who is a very close friend of mine, a few things. This is a Minister who started off very well. He is, in fact, one Minister whose name has gone down into the history of the NARC Government as having fired some officers in the Forestry Department, who were destroying our environment. He got recognition for doing so. Unfortunately, the man has slowed down. We want him to tell us why he has slowed down. What did he "eat" to slow down?

(Laughter)

It is interesting to note that he is one of ten Ministers who the people said earlier: "If they are going to perform the way they doing, the NARC Government will be different." Unfortunately, all of them are recoiling. They are doing very little, and now it is "business as usual" in Government Ministries and Departments; as in the previous regime. So, we want them to tell us what has happened. This is a very important Ministry. The money allocated to it is not enough. This Minister requires more money to manage this Ministry well. The Government has to look into the Ministry's budgetary allocation if it is committed to environmental conservation.

Mr. Speaker, Sir, I would like to ask the Minister to work very closely with other Ministries such as the Ministry of Water Resources Management and Development. There can be no water in this country if we do not preserve our forests. Our forests are very important. Therefore, the Minister should work very closely with his counterpart at the Ministry of Water Resources Management and Development, so that water catchment areas, particularly those in the forests, can be preserved and

looked after very well.

Speaking of forests, I am very concerned about the forest in my own constituency, namely, Kakamega Forest. The Ministry needs a little bit of innovation on how to preserve the remaining few forests in this country. If we are going to be conventional, in the way this Ministry has been behaving, obviously, the forest cover in this country will continue to dwindle. There is very little effort by this Ministry to ensure that the forest cover in this country increases. Some years back, for example, a British organisation called (Qukon?) came to save Kakamega Forest from extinction. Because the previous regime wanted to handle the money of this organisation, it went away. I am reliably informed that the organisation is willing to come back. So, I would like to ask the Government to get in touch with it, so that it can come back and properly utilise the funds it had set aside for the project.

I want to briefly mention something about other natural resources in this country. Specifically, I would like to say something about Tiomin Mining Company. This company is being licensed to exploit the people of Kwale. The people of Kwale are actually going to get peanuts out of the whole process. I understand that this company has undertaken to compensate the displaced farmers at the rate of Kshs80,000 per acre. This is too little money.

I think the Government has got to be very serious, so that when people are moved out of their places, they are properly compensated to enable them to look after their livelihoods well. In Kakamega, we have got gold - real gold and not imagined diamonds and gold. If the Government can spare some money to exploit that, the people of Kakamega will be able to get employment, earn some income and improve the economy of this country.

With regard to pollution, we are actually sitting on a time bomb because very little is being done to clean up our environment. The Nairobi River is an eye-sore and yet, this City is the headquarters of the United Nations Environmental Programme (UNEP). To have the badly polluted Nairobi River in a City that has the Headquarters of UNEP is a shame! What is the Ministry doing to take the advantage of having the Headquarters of UNEP to clean that river, which is terribly bad?

Mr. Speaker, Sir, when we enacted the Environmental Management and Coordination Act in 1999, it was largely to be operationalised by the National Environmental Management Authority (NEMA). I am not sure whether NEMA is performing its mandate. Perhaps, the Minister, in his reply, should tell this House to what extent NEMA has been able to discharge its mandate under the Act. It is important that, that authority wakes up and lives up to the expectations of Kenyans.

Mr. Speaker, Sir, due to time, I want to mention something about the Kenya Wildlife Service (KWS). The KWS is operating under colonial laws that are outdated and repugnant.

(Applause)

Those laws must be repealed or reviewed completely. The KWS game warders are more wild than the wild animals themselves. We live around those forests and have experienced cases where animals are more friendlier than the KWS game warders. I think it is high time the Ministry did something about it. Numerous cases have been reported where those warders rape women who go to fetch water and collect firewood from forests considered to be under the management of KWS. That business must stop! I am saying that, so that the Minister can understand that in his own district of Kakamega, those incidences have been reported. It is a shame in this time and age for Government officers to rape women who have gone to fetch water and collect firewood from forests which they have grown with over the ages!

I request the Minister to investigate those cases and make sure that action is taken.

Although I do not come from areas around game parks, I would like to add my voice to those of the people who come from those areas. The Minister showed a very bad example when he was proving that the Maasai cows are less important than the lions.

(Applause)

Mr. Speaker, Sir, those lions are too many and we do not give them food. Those cows are dear to the Maasai because they are the only source of income. When you say that the Government will arrest all the Maasais for killing one lion which has killed hundreds of cows, I think you are getting it wrong. The Ministry must be able to confine those animals to places where they belong. If they do not confine them, then the only solution is to kill them. Let us kill them, so that the Ministry can come back to its senses and confine the lions where they belong.

With those few remarks, I beg to support.

Mr. Wario: Ahsante sana, Bw. Spika, kwa kunipa fursa hii. Naanza kwa kutoa masikitisho yangu kwamba, Serikali ya NARC, hasa wakati Rais alipokuja kufungua Bunge hili, ilitoa hakikisho kwamba itaweka sera mahususi kuangalia sehemu kame katika nchi ya Kenya.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Bw. Naibu Spika, nasikitika kwamba anayoyasema Rais ni mengine, na yanayofanywa na Serikali yake ni mengine. Ukiangalia Kshs230 milioni zilizotengwa, Kshs23 milioni pekee ndizo zitaenda kukuza hifadhi miche katika sehemu kame. Jambo hilo linasikitisha! Ni kama Wizara hii haikufahamu Rais alivyosema alipotamka kwamba ataboresha uchumi katika sehemu kame.

Hizi ni sehemu ambazo hata miti hakuna. Tuna miti michache ya kiasili na tusipolinda, ukame utazidi. Sikitiko langu ni kiasi cha pesa kilichotengewa asilimia 80 ya nchi hii. Asilimia 20 inaenda kwa uhifadhi wa ardhi na asili mia 80 ya pesa zinaenda kwa asilimia 20 ya ardhi. Hayo ni masikitiko makubwa na ninamuomba Waziri aangalie mambo hayo tena.

Bw. Naibu Spika, kama alivyosema aliyezungumza mbele yangu, asilimia 70 ya Wakenya wanategemea mali ya asili ili kupata chakula chao cha kila siku. Hiyo ndiyo sababu mimi naunga mkono Hoja hii. Ingawa naunga mkono, panapostahili kukosolewa, lazima tukosoe.

Ningependa kusema kwamba ufisadi umetanda katika Wizara hii. Natoka katika sehemu kame na, nilivyosema hapo awali, ni vigumu kupata misitu ya kiasili. Katika sehemu ninayotoka, kuna mashini inayotumika kuharibu miti ya kiasili. Ikiwa hiyo ni sehemu kame na jangwa, na miti inaendelea kukatwa na tuko na maofisa wa Wizara hii katika sehemu hiyo, tutafanya nini kupunguza ukame? Tusipopunguza ukame katika sehemu kame, tegemeo letu la maisha ni nini?

Wizara hii haina sera mahususi kuangalia farakano kati ya wanadamu na wanyama. Tulisikia kinagaubaga Waziri akitoa tisho kwa Wamaasai kuhusiana na simba waliokula mifugo. Waziri anavyowapenda simba, ndivyo tunavyowapenda wanyama tunaowafuga. Tegemeo la jamii zinazotoka sehemu kame sio majani, kahawa au pareto, bali ni wanyama tunaowafuga. Wanyama hao wakivurugwa na simba na kuuawa kila siku, tutategemea nini?

Kama alivyosema mhe. Mbunge aliyenitangulia, askari wa KWS ni wanyama zaidi kushinda wanyama wenyewe.

(Laughter)

Mr. Deputy Speaker: Order, hon. Wario! I just want to make sure that I heard what you said. Could you repeat what you said?

Mr. Wario: Bw. Naibu Spika, tumelizungumzia swala la kubakwa kwa wanawake. Mimi niliongoza wajumbe kwenda kwa ofisi ya Waziri juu ya swala hii. Leo nakupa ardhi utulindie wanyama lakini wewe unakuja kubaka mama. Wewe ni mnyama au mwanadamu? Ndio mimi nasema wakati

mwingine askari wa KWS wamekuwa wanyama kupita wanyama. Hilo ndilo sikitiko niliotoa hapa kwamba tunataka sera ambayo itawazuia hawa askari wasizidi sana na kuzuia utu wa ubinadamau ulindwe katika nchi hii.

Bw. Naibu Spika, licha ya ukubwa wa Wizara hii, leo Wizara hii inaonekana ni kama Wizara tu ya kuwaleta watalii katika Kenya. Mimi ni kama ninaona ukoloni bado unaendelea haswa kuambatana na hii Wizara. Kuna kikundi fulani cha watu kutoka nje ambao wameshikana kuendesha shughuli za Wizara hii zisifaulu. Wengine wanatumia lugha ya kitalaamu ya uhifadhi. Wengine wanatumia lugha ya kiutalamu ya kutafuta pesa kutoka kwa wafadhili kutumia sera ya Wizara hii. Sioni haya kusema kwamba kuna watu kutoka nje ambao wameshika pembe nne za Wizara hii haswa kuambatana na uhifadhi. Mimi ningemwambia Waziri atupe sera ambayo isiwe miliki ya watu wa nje kama vile inavyoendelea sasa. Rasmali ya kiasili ya nchi hii ni ya watu wa Kenya.

Bw. Naibu Spika, kuna sheria kuhusu riparian reserves. Hii ni sheria ambayo imewekwa makusudi mto uweze kuhifadhiwa. Leo sheria hii haitumiki katika Wilaya ya Tana River ndipo sababu ililazimisha jamii fulani kujigamba kumiliki mito na kunyima wengine fursa ya kutumia ile mito. Tusipokuwa na sheria ya kulinda riparian reserves, mto utakuwa mali ya jamii fulani. Mito ni mali na rasmali ya Wakenya kwa jumla na iwapo hatutapata fursa ya kutumia mito hii, basi mambo uliyoyasikia kule Tana River yatazidi kuendelea. Watu wanauana kwa sababu ya maji. Ni kwa nini? Ni kwa sababu hakuna sera ama sheria ambayo inafanya ile mito mali ya Wakenya kwa jumla. Jamii fulani zinajigamba kumiliki mito hali mpaka sasa mito hii inamilikiwa na watu fulani na wengine wananyimwa nafasi. Tusipokuwa na sera kushughulikia mambo kama hayo, ugomvi uliyokuweco utazidi kuendelea na maisha yatakuwa magumu katika Wilaya ya Tana River.

Bw. Naibu Spika, tuna askari wa misitu. Wao wanafanya kazi muhimu ya kuhifadhi misitu yetu lakini Wizara haijawapatia askari wa misitu umuhimu wanaostahili. Tusipokuwa na askari hawa uharibifu wa miti utazidi kuendelea. Wakati tutakapokosa miti katika sehemu kame, basi hatutakuwa na mvua wala chakula. Umasikini utaongezeka na maisha yatazidi kuzoroteka.

Bw. Naibu Spika, kuna maradhi ya wanyama wa pori. Wanaleta maradhi kutoka nje kuja kuathiri wanyama wetu. Iwapo hakuna sera maksusi kwa Wizara kushughulikia maradhi ya wanyama wa pori, basi wanyama wetu wataathirika na watakwisha. Ningemwomba Waziri aangalie hiyo sehemu na tuwe na sera itakayoiwezesha Wizara kuingilia na kutatua tatizo la wanyama wa pori, ikiwemo maradhi hayo.

Bw. Naibu Spika, ningependa kugusia swala la mbuga za wanyama. Katika Wilaya ya Tana River kuna mbuga ya wanyama ya Tsavo East. Katika wilaya hiyo kuna Mchalelo Game Reserve na Mbuga ya Wanyama ya Kora. Sisi ni wafugaji lakini sehemu yote ya malisho imechukuliwa na wanyama hawa. Tunapokwenda kulalamika kwamba Serikali imefunga sehemu yote, hatusikilizwi. Hii mradi mikubwa imetunyang'anya sehemu ambayo sisi tungetegemea kwa kuweka malisho. Tunataka Wizara iwe na uso wa kibinadamu haswa wakati huu wa ukame. Wafugaji hawana maelekeo mengine. Sehemu yao kubwa imechukuliwa na mbuga za wanyama. Kuna baadhi ya hizi mbuga za wanyama ambazo zilikuwa national reserve. Sisi tunashangaa kuambiwa eti zimekuwa mbuga za wanyama bila kuhusisha na kujulisha watu. Baadhi ya sera za hii Wizara ni zile za kutusikitisha.

Bw. Naibu Spika wa Muda, nikielekea kumaliza, kuhusu swala la Tana Delta, kuna mayonda ya kiajabu yaliyopatikana katika Wilaya ya Tana River. Serikali na wafadhili wameona wanyama hawa ni muhimu kushinda watu wa Tana River. Sisi tuliishi na wanyama hawo tangu mwanzo wa karne. Hatukutaka elimu yote ya kisayansi ya kuishi na hawa wanyama. Hatukuwa tisho kwa maisha ya hawa wanyama.

Leo imekuwaje sisi tunaambiwa lazima tuhame ndio waweze kuhifadhi hawa wanyama? Sisi tuna utamaduni wetu. Tunaweza kuambia mayonda hawa wakakuja kutusikiliza tunasema nini.

Naunga mkona Hoja hii.

The Minister for Roads, Public Works and Housing (Mr. Raila): Thank you, Mr. Deputy

Speaker, Sir. I want to support this Motion and say that I was very happy to learn that on Saturday the Minister was in Athi River since I was also in Kajiado. When the Minister was speaking to Maasais in Athi River, I was also speaking to Maasais in Kajiado. We were also with hon. Major-General Nkaissery who is here. Maasais were very concerned about the tension that according to them, has been artificially introduced between them and the wildlife because as hon. Members have said, the Maasais believe that they have lived with the animals for a very long time and they understand them.

Mr. Deputy Speaker, Sir, when the Minister issued a warning to the Maasais saying that they had no right to kill the lions, they answered him by saying that the lions had no right to kill their cattle. So, the Maasais do not want the game parks to be fenced. They want free movement of the animals. However, all that they are asking for is that the Government should be prepared to compensate them for loss of their animals. If a lion comes and kills a cow, he will be sure to get compensation so that he can replace that cow with another one. I am sure my friend, the Minister, is working on that and peaceful co-existence is going to be restored within our game parks.

Mr. Deputy Speaker, Sir, I was looking at the question of soil erosion. Soil erosion is accepted universally as one of the most important environmental degradation problem in the developing world. In the colonial days when we were growing up, you remember that there was one day which was set aside by the colonial government for soil conservation through forced labour. The method which was used of compulsion was wrong, but the intention was very noble. We need to find a way of re-introducing something like this on a voluntary basis because if you travel along the country you will see rivers carrying fertile top soil all the way to the oceans and the lakes.

Mr. Deputy Speaker, Sir, the other issue I want to talk about is deforestation. This is a big issue. When you travel around the country particularly when you are flying, you see forests being decimated by people who are burning charcoal. Charcoal burning is taking place all over the country despite the fact that our forest cover is only 2.6 per cent as opposed to what is required which is a minimum of 10 per cent. We need to do something to protect the little that we have as we continue to expand by developing more forests. However, we must also look for alternative sources of energy. People depend on charcoal and firewood for lack of an alternative, but there are alternatives. One alternative source of energy that comes to my mind immediately is the use of the Liquefied Petroleum Gas (LPG). This can be made cheaper and affordable if we could remove tax imposed on it. It can also be used extensively in the rural areas. This is one of the solutions that many African countries have adopted. At the moment, the consumption of LPG per head, of our population, is only about 3 kilograms per annum. This is very small compared to a country like Senegal which consumes about 13 kilograms and Cameroon which has got more forests than Kenya. We need to look for alternative sources of energy as a way of protecting our forests.

Mr. Deputy Speaker, Sir, the other issue is the question of air pollution. Whereas the greenhouse emission in our country is still negligible compared to other developed countries, air pollution has already become a big problem, particularly, in our urban centres. When you stand somewhere on the lower part of Nairobi and look up at the higher grounds, you will see a lot of pollution. It is known, and scientists have carried out experiments and established, that ordinary Nairobians have got more lead and sulphur contents in their blood in the evening than in the morning! We need to do something about vehicular pollution in our cities. We, also, should go towards the direction of lead-free gasoline.

Mr. Deputy Speaker, Sir, I know about the problem of urban pollution and we are working together with the Ministry of Environment, Natural Resources and Wildlife. I do not want to introduce that here. But let me talk about the question of exploitation of our mineral resources. I share the view that our environment needs to be protected, but I am also against those who say that the environment must be protected as a virgin. If we were to do that, we would not have any kind of development. As we protect and conserve our environment, we must also utilise our resources and that is why I am a

very strong supporter of giving adequate compensation to our people when their land is affected. But agitation for the sake of it, which destroys valuable investment, must be discouraged. The project that comes into mind, here, is Tiomin mining in Kwale District. I have said before that I do not know the people who want to start the project in Kwale. All I know is that it is an investment which will be beneficial to this country and it needs to be encouraged.

Mr. Deputy Speaker, Sir, it is true that Kshs80,000 may be small, but even if it were Kshs1 million there can be no end to this kind of compensation. What we need to do is to find alternative land for the people whose land is affected and let the Tiomin project continue. We would like to set an example that will encourage other people to come and invest in our country. We would like to create employment for the people of Kwale. People who are discouraging them from accepting the Tiomin project are only trying to kill proper employment which is going to be much more beneficial than the Kshs80,000 or Kshs500,000 that will be offered to them as compensation. We, therefore, need to move away from such agitation because I saw another project that was almost killed in a similar manner - the Sondu-Miriu project.

Non-Governmental Organisations (NGOs) ganged up to kill a project which would be beneficial, not only to the local community, but also to the country as a whole. Hydrogeneration is the cheapest source of energy today. They cited flimsy excuses against the project. For instance they were saying, "by drilling the ground these people are causing a lot of vibration and buildings are cracking, there is too much dust being emitted from this drilling and, therefore, people are becoming sick, there is a lot of pollution and indigenous fish in the rivers are dying or the indigenous forest is being destroyed, and so on. We got involved and we told the people that you cannot have your cake and it! You cannot construct a hydroelectric power station without drilling and without the use of heavy earth-moving machinery. There must be loud noises, dust and the vibration. All these complaints are nothing if you compare them with the benefits the people are going to reap as a result of having the project constructed in the area. That is why we must try and stop those who agitate against the introduction of projects which, definitely, are going to be beneficial to the economy of this country.

I want to congratulate the Minister for introducing quick measures in the Ministry by firing the forest officers who had been involved in destruction of forests in the country. I want to encourage him to go even further and carry out investigations and find those who are no longer in employment, but who were responsible for giving instructions for the destruction of the forests.

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

Mr. Angwenyi: Thank you, Mr. Deputy Speaker, Sir. Environment is a very, very important subject for this Nation. This Ministry is supposed to protect and preserve our environment and resources.

If I can take a cue from hon. Raila, forests in this country have been destroyed beyond repair. The other day, an old lady asked me in Nakuru: "What happened to Prof. Wangari Maathai? Since she was appointed as an Assistant Minister in this Ministry, more forests have been destroyed than was the case in the previous two years before her appointment and yet nobody has raised a finger".

Mr. Muchiri: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member on the Floor to discuss an hon. Member who is also an Assistant Minister, when she is not present? Also, what he is saying is not true!

Mr. Angwenyi: Mr. Deputy Speaker, Sir, my hon. colleague does not know the rules of this House. I would like him to come to my office so that I can teach him. The Assistant Minister is present and I am talking as she listens.

Mr. Deputy Speaker, Sir, I am, in fact, commending the Assistant Minister for the work she did for this nation and I am encouraging her to continue doing the same work while she is in the Ministry of Environment, Natural Resources and Wildlife. She should protect and preserve our environment.

Last Friday, I flew over Mau Forest. I do not know whether the Minister knows that I could see sawmillers make timber in the forest. They are almost destroying that forest completely! The forest resources of this Nation do not belong to a community or a section of this country. They belong to the entire Republic of Kenya. So, when you destroy a forest in Aberdare, you affect everybody who would rely on the water that is sourced from that forest. When you destroy Mt. Elgon forest, you affect everybody including those who live in Budalangi. So, Mr. Deputy Speaker, Sir, when you destroy a forest in the Aberdares, you end up affecting everybody who depends on the water that is sourced from that forest. These resources belong to every Kenyan in this country. So, the Minister should protect and preserve them.

On the issue of wildlife, the other day I saw the Minister with Maasai livestock owners mourning the death of their animals which had been killed by lions. I also heard him promise that he was not going to construct a fence around the Nairobi National Park. When I saw this I said to myself, "This is a Minister I respect a lot and I congratulated the Government for appointing him, how can he go to Maasailand and mourn with the livestock owners who have no way of protecting their animals?". Instead, he should provide protection for those animals and also offer compensation to the livestock farmers.

Mr. Deputy Speaker, Sir, last year we passed a Private Members Motion in which we increased the amount of compensation for any property destroyed and life lost by wildlife to Kshs1 million. But to date, the Government is still compensating people for the loss of life at Kshs30,000. With Kshs30,000, that is what you need to buy ten chicken at Kenchic here in Nairobi. The life of a human being is equivalent to ten chicken! Ten chicken are not even enough to feed the Members of Parliament who are in this House this afternoon. What is the Minister doing to adequately compensate the families of the victims of the wildlife attacks? Maybe, that will be a deterrent measure to game wardens to ensure that wildlife does not destroy people's lives and property.

Mr. Deputy Speaker, Sir, I am also concerned about the financial status of the Kenya Wildlife Service (KWS). The Minister took a very bold step a few months ago to remove Mr. Leakey from office, but he has not replaced him with somebody who can adequately source for funds for KWS. The Minister went ahead and fired the Director of KWS and in his place appointed a retired person; somebody who retired in the early 1990s, as if we do not have qualified young people in this country.

(Applause)

Why are we recycling retirees into service, when we have such a high level of unemployment in this country? Why are we doing this when we are producing many graduates from our universities, who are better qualified than the people we are recycling? Could the Minister ensure that we give jobs to people who have got the potential to deliver, and not people who have failed to deliver?

Mr. Deputy Speaker, Sir, preservation and conservation of the environment only exists in forests and national parks. If you look at the environment in the slums of Nairobi, it is in a pathetic condition. If you go to Kibera, Kayaba or Mathare slums; I do not know whether the Minister has ever toured those areas, and if he has not done that, I would ask him to do that so that he can see where our people live. The environment in which they live, eat their food, and where their kids play; Kenyans who can become Ministers in the future, it is pathetic! Similarly, I would like him to tour densely populated areas like Kisii, where the population density is close to Nairobi's. The pollution in the rivers where we draw water from is almost beyond repair. I would like him to tour those areas, hopefully with his Assistant Minister, so that he can tell us how we can upgrade our environment, especially the water sources for our people in Gusiiland.

We need to create scenic environments in this country if we want to attract tourists or even to increase the levels of tourists visiting this country. When a tourist visits this country, as soon as he gets

out of the airport, what he sees are kiosks emitting smoke. When he comes to town, what he sees are potholes filled with filthy water. When he goes to his hotel, the streets leading to the hotel are littered with mounds and mounds of garbage. That is the environment that we have in this country.

I would, therefore, like to ask this Minister to liaise with the Minister for Local Government, the Minister for Roads, Public Works and Housing and the Minister for Water Resources Management and Development so as to upgrade the environment in which we live in. This will help, for example, to make our city scenic.

Mr. Deputy Speaker, Sir, we were with you in Shanghai, which is a very big city. You saw how clean that city is. In a city of 17 million people you could not see mounds of garbage or potholes filled with filthy water, nor could you see pollution from kiosks all along the roads! We must decide whether we want to keep those smoky kiosks or to promote tourism, because we cannot do both as they cancel each other. So, I am asking the Minister to initiate measures to lower the rate of pollution in our country, cities and towns.

Finally, I want to add my voice to what hon. Raila said. Resources like the tatanium in Kwale, water at Sondu Miriu among many others, all belong to Kenyans, and we must exploit them for the benefit of Kenyans.

With those few remarks, I beg to support.

Ms. Mwau: Thank you, Mr. Deputy Speaker, Sir. I stand to support the Vote for the Ministry of Environment, Natural Resources and Wildlife. The Vote for this Ministry needs to be increased as there is a lot of work that needs to be done on our environment.

Firstly, I would like to focus on our wildlife because it is the natural resource on which our tourism industry thrives on. Tourism has made an immense contribution towards Kenya's economic development.

(Mr. Angwenyi consulted loudly)

The Deputy Speaker: Mr. Ang'wenyi, you just finished making your contribution. Can you allow the gracious lady to make hers?

Proceed, Ms. Mwau.

Ms. Mwau: Mr. Deputy Speaker, Sir, Kenya is famous for its wildlife and wonderful landscape, but the landscape of this country has really been depleted. The wildlife of this country is actually going to diminish if we do not put enough effort to actually make sure that we protect the environment and wildlife.

Mr. Deputy Speaker, Sir, in recognizing the important role played by tourism in the economy and the development of this country, the Ministry needs to commit itself to environmental and natural resources management. The need to implement the environmental and management guidelines is crucial and fundamental. That is why we have witnessed many lions and Maasai livestock being killed in the last few months. Maybe, it is this lack of proper guidelines and environmental policies that fuels the wildlife-human conflict.

Mr. Deputy Speaker, Sir, the management of wildlife in Kenya has purely been on *ad hoc* basis. It has been abused by people with political and financial clout at the expense of our environment and our wildlife. I have mentioned that wildlife contributes substantially to Kenya's economic development. We need, therefore, to have comprehensive policies that will put a stop to the human-wildlife conflict. The reduction of game reserves and parks is one of the most worrying problems. A case in point is the human-wildlife conflict that was in Maasai land. Ten years ago, people used to view wild animals along Nairobi-Namanga Road such as giraffes and gazelles, but now the animals have been pushed further. If we will continue to benefit from our wildlife, it is important that we come up with policies that will reduce the human-wildlife conflict. In recognition of our

wildlife, we need to formulate policies that will take care of that conflict.

The wildlife sector seems to be in crisis. The previous speaker has talked about the Kenya Wildlife Service (KWS), which has had eight directors in the last 14 years. The recent appointee is a meteorologist. Do we not have wildlife professionals who are capable of running the KWS? There is need to appoint qualified personnel to run KWS, so that the human-wildlife conflict is dealt with. But if we appoint people who are not qualified, this will not solve the problem. In the past, Kenya attracted donor funding on wildlife and environmental conservation. With the crisis at the KWS, there is need for the National Rainbow Coalition Government (NARC) to appoint professionals to run it so that it can maintain the credibility.

Mr. Deputy Speaker, Sir, in order to recognise the important role played by the wildlife sector in Kenya's economy, it is important to make sure that our game reserves and parks are protected. The 8.2 per cent of Kenya's total land, in form of game reserves and parks needs to be maintained. We need to protect that. I am worried that less than 2 per cent of Kenya's total land is covered by forests. There is need, therefore, for us to come up with strategies of planting indigenous trees. We need to introduce environmental studies in primary schools, so that our children will grow up knowing the need of conserving our environment, so that we can have a better place for everybody to live in. The previous speaker has talked about slum areas and the conditions in which people live there. It is important for us to come up with policies and strategies that would improve the conditions in which slum dwellers live.

The other environmental problem is posed by plastic bags that are littered all over in this country. They have become our flowers. There is need for us to come up with ways of replacing them with something that is natural and which can rot. Plastic bags do not rot.

With those few remarks, I beg to support.

Mr. Biwott: Thank you, Mr. Deputy Speaker, Sir. I rise to support this Motion. In supporting the Motion, I earnestly believe that the Ministry of Environment, Natural Resources and Wildlife is a very important Ministry. It is so important that we should fund it as a number two priority after security. Its importance is also seen in that we have the headquarters of the United Nations Environmental Programme (UNEP) in this country. That shows how important it is. It deals with the very existence of humanity.

Let me, first of all, commend the Ministry because a few months ago, members of staff from the Ministry came to my district, led by the Permanent Secretary, and they were so professional that everybody was impressed with what they were doing. I hope that with that professionalism, we will expect the best. The only way in which we can have the best is for the Ministry to insist on planning. It should also insist on getting more money for survey and remote sensing. I have noticed that the Minister has put very little money on that Item and has put more money where it is needed; compensation. I hope that the compensation factor will be used effectively, so that co-existence between human beings and animals is maintained. In fact, in Africa, especially in Kenya, we do not need to teach the people how to look after wildlife. In fact, they were looking after the animals long before the arrival of the Europeans. To teach them now how to co-exist with the animals, especially the Maasais, will actually be dwelling on something which they know. It is the issue of balancing, which we need to do something about.

Coming to funding, I believe the Minister ought to work harder to ensure that he fights the environmental degradation which has been taking place for a long time due to population pressure and the over-use of resources. In order to do that, the first item to deal with should be the wetlands. The problem of the wetlands is actually endangering the survival of the rivers. If you look at our rivers today, you will realise that they have continued to dwindle, and coupled with erosion and population, in no time, there will be no rivers to talk about. With no rivers, Lake Victoria will be threatened, and so will other lakes. With no water, which is life, there will be a lot of problems in the country. There

is need for us to impart more information on re-afforestation to our people so that we enhance the growth of more vegetation in this country. We must have a deliberate effort so that we catch up with the pressure being exerted by increase in our population.

Mr. Deputy Speaker, Sir, on soil conservation, the Ministry ought to work with the Ministry of Lands and Settlement and the Office of the President. By so doing, the interest of the local community must be taken into account, especially where forests are concerned. With the prevailing poverty situation, many families cannot afford to buy paraffin and, therefore, they resort to use of dry wood. In most cases, it is the women who fetch firewood from forests. We all know that women are vulnerable. Therefore, there is need to impress upon the forest *askaris* not to harass them when they go to fetch firewood because those resources were given to them by God. So long as they fetch fallen branches and rotten trees, they should be allowed to do so. There is need for us to take care of communal resources that will help our people. Our women get frightened when they see men approaching them in the forests when they are carrying firewood. They run away, fall and some times they hurt themselves. I think it is very important that we respect our women. This has happened in my constituency.

Mr. Deputy Speaker, Sir, natural resources must be shared among our people so that they can benefit. For example, in my district, we used to have a huge forest. It was looked after well after by the local people. However, it did not take long before a paper mill was put up. It is unfortunate that, activities of that paper mill have now wiped out the entire forest. We now have exotic trees. Therefore, I would like to plead with the Minister to consider the interests of the local people so that they also benefit from forests. Why should we harass our people when they fetch a rotten tree for firewood? It is morally wrong to do so because we are depriving them of the benefits from those natural resources given to them by God.

Mr. Deputy Speaker, Sir, as we embrace the process of devolution, I hope the Minister will support the ceding of management of forests to local authorities. This will create a sense of ownership.

People will take care of forests, especially where some of the vegetation is beneficial to humanity. For example, there are trees which have medicinal value. People will also take care of trees that are utilised for ceremonial purposes. The Bukusu community conduct some of their ceremonies inside the forests.

Mr. Deputy Speaker, Sir, we all know that the environment is affected by the process of urban development, especially slums. It is, therefore, morally wrong for us to harass *wananchi* who are trying to get a living from *kiosks* without giving them an alternative source of income. Therefore, it is important to plan and to take care of these poor people because the only property they have are *kiosks*. These people have families, children who attend schools and mouths to feed. Therefore, there should be a human face in the way this Government demolishes *kiosks*.

Mr. Deputy Speaker, Sir, fumes from exhaust pipes are also a big source of pollution in this country. These fumes pose a great danger to motorists when driving because they are not able to see properly. If a motorist is not careful enough, fumes from exhaust pipes can make him cause an accident.

Mr. Deputy Speaker, Sir, noise is a form of pollution. I hope the Minister will work with the relevant departments so that noise in urban areas is minimised in order to create a better environment for people.

Mr. Deputy Speaker, Sir, there is need to compensate people whose property has been destroyed by animals. I urge the Ministry to work with the local community who understand the area very well. They know also how to co-exist with the animals.

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

Mr. Arungah: Thank you, Mr. Deputy Speaker, Sir, my name is Arungah, the hon. Member for Khwisero Constituency. I rise to support this Motion.

From the outset, I wish to declare my interest. I support this Motion, firstly, because, as you all

know, environment is very important to me. Secondly, the Minister is my friend. Thirdly, and more importantly, the Accounting Officer in the Ministry is the mother of my children.

(Laughter)

When the Minister was moving this Motion, he, indeed, mentioned to us that his docket covers three broad areas; the environment, forests, wildlife and natural resources. I shall confine myself to the area of forests alone. I will not comment on the others.

Mr. Deputy Speaker, Sir, on forests, I have four main issues to raise. Firstly, the Minister has told us that, at the moment, we have 1.7 million hectares of forest cover. He also said that this represents 2.6 per cent of the land mass. We know that, according to the United Nations Convention, we need to have a minimum of 10 per cent of the land mass covered by forests. That would mean that we will require to develop an additional 63 million hectares to meet this requirement. I am grateful that the Ministry is at long last trying to address this issue because for a long time, we had a Government that sat back and saw people mess up our forests. At least now, there is an attempt to look into this issue.

The Minister is asking this House to approve an allocation of Kshs635 million. According to what the Minister said, this will enable him develop 15,000 hectares of forests. He has additionally said that through the rural afforestation and extension programme, he is requesting for another Kshs231 million. At that rate, I imagine that this should be able to develop another 5,500 hectares of forests. Now, if we do some simple arithmetic and we develop our forests by an average of 20,000 hectares per year, this country will require about 3,000 years to be able to get the required 63 million hectares of forest coverage in order to meet the required UN target for this country.

Mr. Deputy Speaker, Sir, I would like to suggest to the Minister that there are ways forward. For example, 20,000 hectares is good enough, but he can go further because we know the construction industry does require timber for building. There has been no attempt in the past to grow timber that is required by our construction industry. There are people who have been demonised, and those are the people who trade in timber. These people should not be demonised; they need support. We know there is a lot of land which is lying fallow, and I am very sure that if these timber merchants are allocated land to grow timber, they will be able to do so, and that will go a long way in helping the Government to do afforestation. For as long as the trees are growing, they will be useful to this country.

Mr. Deputy Speaker, Sir, the other issue that the Minister may not be aware of is - if he is aware he has not been seen on the ground - that timber, as far as I am concerned, can be a very big cash crop. I am told that on one acre, we can grow 1,200 trees. After seven years, a farmer should be able to sell one tree for Kshs1,000. This translates to Kshs1.2 million in seven years. My arithmetic tells me that if you can earn Kshs1.2 million in seven years, this translates to about Kshs170,000 per year. There are very few crops that will give you that kind of return at the moment. If you are a sugar cane farmer you will need a minimum of 190 tonnes to be able to get that kind of return. If you are a maize farmer, like the hon. Member for Kwanza, he will tell you that he needs 190 bags of maize to be able to get that kind of income. If the farmers, therefore, are encouraged to plant trees as a cash crop, it will go a long way in assisting the Ministry in meeting its targets.

Mr. Deputy Speaker, Sir, the third issue I wanted to comment on is the issue of Kenya Environmental Forestry Research Institute. I notice from the submission of the Minister that KEFRI has requested for Kshs400 million. Largely, KEFRI is intended to confine itself to the research station. However, for this information to make sense, it must reach the farmer who needs it. For example, I have said that one way of doing it is to go and reach the farmers and tell them how economical planting of trees can be. Secondly, we know that we depend largely on charcoal as fuel wood. There

has been no attempt, as far as I am concerned, to encourage our people to grow appropriate shrubs that can grow fast enough and can be burned for fuel in the form of charcoal.

Mr. Deputy Speaker, Sir, the Minister has requested a total of Kshs866 million towards afforestation. As I said, I was going to confine myself to afforestation. It is my very sincere hope that out of this Kshs866 million, some of this money will find its way to Khwisero so that the Misango Hills can look better than they are at the moment.

Mr. Deputy Speaker, Sir, finally, there is the issue of the Kenya Wildlife Service (KWS). Two hon. Members have cast aspersions on the appointment of the Director of KWS. I would like to inform this House that the person who has been appointed as the Director, was Kenya's candidate and Africa's candidate for the World Meteorological Organization, which is a UN body. This person was supported by the entire country and, indeed, Africa. I find it, therefore, shameful for somebody to imply that this person is not fit to run a small organization like KWS. As far as I am concerned, I would like to commend the Minister for making the right appointment.

With those few remarks, I beg to support.

Mr. Deputy Speaker: There are only five minutes remaining before I call on the Minister to reply. I will give them to the gracious lady, Prof. Oniang'o.

Prof. Oniang'o: Thank you, Mr. Deputy Speaker, Sir. Unfortunately, I have only five minutes, but I will do my best to use them.

First of all, let me commend the Minister, the Assistant Minister and the Ministry officials for the work they are trying to do, to create awareness on the need to protect the environment; to conserve it for this country, and to, in fact, put it in the management of Africans.

Mr. Deputy Speaker, Sir, environment appears to be synonymous with tourism, wildlife, donor funding and external experts, and yet if we want sustainable development, we have to make sure that we all appreciate how integrative environment is in our development and that, in fact, environment goes beyond those aspects that I have mentioned.

I would like to point out areas that fellow hon. Members may not have touched on adequately, mainly for lack of time. We need public education, for Kenyans to appreciate that they need to protect their environment. They need to live in a clean environment and, in fact, our waters need to be protected. Cases of typhoid have been on the rise both in urban and in rural areas. We know it is because of a polluted environment. In fact, Nairobi could be called the capital city of pollution and garbage. If you go to some areas, people are actually living with garbage in front of their doors. You wonder who is supposed to come and clean up this for them. Therefore, I would like to see the Ministry take on a very serious programme on public education.

Mr. Deputy Speaker, Sir, I would like to commend the Assistant Minister, Prof. Maathai, who is my good friend. She no longer talks so much about trees. She did enough of that, and I think the rest of us should take it up. She does not have to be the one to follow it up. I know what she has taken on is the issue of polythene bags and non-recyclable packaging material. These materials pollute the environment and kill our animals. In fact, it cannot be bio-gradable. We need a real policy here, where we make it illegal to actually use this kind of material in our environment. It is polluting our environment and making it difficult for the soils to produce and, therefore, we have to take it on as a very serious policy.

Mr. Deputy Speaker, Sir, we complain about trees being cut down, whereas the women need these trees for wood fuel. They have to cook every single day. They toil away and walk long distances looking for fuel, and yet we know there is a technology that saves fuel. As to why this technology has not been adopted, including the *Kuni Mbili* technology, I do not know. I use this technology when I go to the rural areas, and it works. Why is it that we do not have this technology in every single home? Not only does it save fuel and wood, but it in fact, reduces the amount of smoke that comes from the kitchen. Our women can now clean up themselves, leave the house and go to

church or the market without smelling of smoke. This smoke is, in fact, not good for their health. It causes chest problems. I would like to see a situation where this technology is properly marketed and supported so that every single home which uses the three stones uses the *Kuni Mbili* technology.

Mr. Deputy Speaker, Sir, there has been an impression that Africans do not value their environment. It is a question of survival. How do we take care of trees and animals when we have no food to eat? We want to make it a responsibility of us all that, as we use wood and cut trees, we also go back to the practice we had before; use a tree, cut a tree, and plant more trees. That way, we can replenish what we are destroying.

I want to touch on training. We need to train and to have other professionals appreciating what the environment is all about. It should not necessarily be formal training. Managers of the environment have been trained in different aspects and, because they appreciate the environment, they will take it upon themselves and manage it as their property.

Thank you for giving me the five minutes. I support.

Mr. Deputy Speaker: Now it is 5pm and we have to give the Minister for Environment, Natural Resources and Wildlife 30 minutes to reply.

I, therefore, call upon him to reply.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to respond to the very excellent observations that were made by honourable Members from both sides of this House. I particularly wish to thank my shadow colleague, hon. Lesrima, for his excellent critique of my Vote. He was not emotional, he was focused and I believe that if the Opposition side had more people of that quality, we would not have any fears if they took over power.

I want to give 10 minutes of my time to my Assistant Minister because she tried to catch your eye, but, for some reason you were not seeing her. It is important that we hear her views and I will then respond to the rest of the issues.

(Applause)

The Assistant Minister for Environment, Natural Resources and Wildlife (Prof. Maathai): Thank you, Mr. Deputy Speaker, Sir. I want to appreciate the 10 minutes from my Minister to make a few comments. My comments will not be very different from his because it is in a way of appreciating the contributions that the hon. Members have given to today's discussion on this Vote. It is very pleasant for me to speak for the environment from this House, when I have spoken for the environment outside this House for more than a quarter of a century.

It is very good to see that the NARC Government is giving the environment the attention it deserves. It is not true that the environment is not being given the attention it deserves. Those who are in that Ministry are giving everything we have to the Ministry. We know and I know that everybody here appreciates that the destruction of the environment threatens everybody's life including wildlife. Therefore, it is a responsibility of all of us to make sure that this Ministry succeeds in its work.

I was very happy to hear so many Members say that our Budget is very low. We appreciate that this Budget has even been lower in the past but it is because of the little attention that the Ministry had been given. We hope that with these recommendations, the next Budget will even be much better and will be appreciated because that is what the Members have said.

We know that people are very concerned about the forests. This is something that is really hurting our feelings because we have been fighting for the protection of forests for so many years. One of the most painful experiences we have in our Ministry is that we have almost been unable to stop our own officers from continuing with their destructive illegal activities in the forests, either doing it

themselves, or facilitating it. Our Minister has tried very hard including interdicting these officers, but for some reason it seems like the habit is hard to break. Sooner or later, we are going to get to the bottom of it and especially with the resources that we are seeking. We want to train our people and empower them, give them equipment, and make them feel secure in their jobs so that they do not have to destroy the resources they have been requested by Kenyans to protect, and especially the protection of the catchment areas. When we realise that we are a country that can very easily start importing water, then you see us encroaching on our catchment areas especially on the steep slopes even within the bamboo forests, it is something that almost brings tears to our eyes. Can you imagine how much poorer we shall be when we do not only have to be given food, but we also have to import water and that is, if we have money to import it? It is almost unthinkable. It is very painful when you see our own people destroying forests. We do appreciate the concern expressed by the hon. Members and we shall do our best to get to the bottom of this problem.

We want to encourage local communities to become tree seedling producers. This is the activity that I did for a very long time in the Green Belt Movement. When I first started, I was actually very discouraged. I was told that it is impossible to plant trees with partly illiterate women in the rural areas and yet today, I know that they have demonstrated beyond any reasonable doubt that they can do the job. I am quite sure that if our Ministry is given enough resources especially by our development partners to buy seedlings from women who produce them especially the indigenous seedlings, we can very quickly re-afforest and reclaim our catchment areas. We can then leave them alone and go to establish plantations in areas which are less useful for us as water catchment areas.

There is no reason why we cannot encourage our communities to become tree farmers. Just like there are coffee and maize farmers, they can become tree farmers. Our people can start to grow trees in areas where food crops will not grow and they will find that it is a very good investment. We are happy to see that this Vote has been supported, but it does not have enough money. From my experience, we will need to have some support from our development partners. It is not true that we have forgotten the arid areas. If you look at our projections, you will see that indeed, we have given a lot of attention to arid and semi-arid areas. It is the Ministry of Environment, Natural Resources and Wildlife that recognises very seriously the value of these arid and semi-arid areas. Contrary to what many people think, the arid and semi arid areas are not resource poor. These are resource rich areas. It is only that we do not quite sometimes appreciate the very rich resources we find in our arid and semi-arid areas. Just as the President said, we definitely want to invest there and make sure that the people there also benefit, especially because that is where we find wildlife and we all know what wildlife does to the economy of this country.

Mr. Deputy Speaker, Sir, I also want to comment on the concerns raised about human-wildlife conflict. The Minister and our staff have held discussions several times to find a solution to this problem. We know it is a concern. It has been raised in this House many times. We are looking into it. We want to make sure that we do not fence our national parks. We do not want to have zoos. We want to have free roaming wildlife because that is what is attractive to the world and that is the resource that attracts tourists and creates the exceptional tourist industry. So, we want to work with the communities so that they benefit.

I am quite sure that if the communities benefited from these resources and if they were certain that we shall come forward with the compensation, they will also support our Ministry. We have seen that in several examples especially among the Maasais. Therefore, we know that what we need to eliminate, and this of course is a challenge not only to our Ministry, but to all Kenyans, is corruption. The compensation programme was ruined by people bringing in corruption and making false claims. Some were even exaggerating claims. Therefore, it should be a collective responsibility that you really claim what you have lost and you do not try to rip off your own Government. We have recently commenced the activities of the National Environmental Management Authority (NEMA) and as you

know, this is the body that ensures that all our policies are implemented. We would like to ask the hon. Members to make use of NEMA and the expertise that we have in it because those are the people who can truly implement what the Ministry stands for.

We have very serious international obligations and I want to commend the role that UNEP has played in this country. I would like to assure the hon. Members that we shall continue to work very closely with UNEP and give it all the support that it needs so that it continues to be the headquarters of the environment and one of the major UN centres in our continent. Therefore, I can speak from experience and say that from the very beginning of the environment movement in this country in the early 1970s, UNEP has always supported the local communities. They certainly have supported the creation and development of the Green Belt Movement. So, we want to commend the work of UNEP and to assure it that we shall continue to be there for them as they are there for us, especially through our Ministry.

In completing, I would like to appeal to all Kenyans to see the environment as a collective responsibility and not as a responsibility of our Ministry alone. When our forests are destroyed, all of us are threatened. When our wildlife is destroyed, all of us lose. Therefore, we ought to hear more and more of people talking about our forests, rivers, and soils so that we can collectively help the Ministry to meet the mandate that it has been given. We can only be a guide and provide the assistance, but the people of Kenya from the hon. Members to their constituents, we should all feel that we have a collective responsibility because we all draw from this environment. Therefore, we should all contribute towards its conservation and protection.

With those remarks I beg to request all the hon. Members to support this Vote so that we can do our job.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Deputy Speaker, Sir, I had singled out Mr. Lesrima for gratitude, but that does not mean that Mr. Lesrima is the only one that had excellent ideas. My gratitude should really go to everybody in this House for their extremely good ideas. From the contributions that we have had on this Vote, we have generated nearly 30 pages of ideas. I think that is a commendable thing for this House. Attempting to respond to all these great ideas would not be possible in the time that I have to do so.

I just want to reiterate the importance of the environment worldwide. There is now a growing concern worldwide for environment. There is a growing recognition of the interdependence between environment and sustainable development. I am glad to note that last year at the world summit on sustainable development, there are several Members of this august House who attended the conference in Johannesburg. Therefore, they are very familiar with the Agenda 21.

Sustainable Development can simply be defined as utilizing our current natural resources for development without compromising the development of future generations. I think all the comments that were made by hon. Members went into augmenting this concept of sustainable development.

Mr. Deputy Speaker, Sir, I now wish to take a few minutes to briefly comment on a few sectors in my Ministry. The first one is that of forests. I want this honourable House to know that Kenya is on the verge of becoming a desert because of the destructive habits that we adopted in the management of forests in this country. Our actual forest cover is only 1.7 per cent although the percentage of gazetted forest land is 2.6 per cent. This is extremely low by world standards. The international accepted norm is 10 per cent. Therefore, Kenya has a lot of catching up to do. We need to plan for about 8.3 per cent of our land mass to attain the 10 per cent that is generally recognised as the universal acceptable percentage.

Mr. Deputy Speaker, Sir, in achieving this, my Ministry will need a lot of funds for education, to develop materials like seeds and seedlings, labour and the actual protection of seedlings for them to grow into trees. From the observations made by hon. Members, it is quite obvious that this allocation to my Ministry is very inadequate. I do appreciate the sentiments of hon. Members and hope that, in

future, this Ministry will be given the prominence it deserves in terms of resource allocation. The Ministry takes forestry to be so important actually very discouraged. I was told that it is impossible to plant trees with partly illiterate women in the rural areas and yet today, I know that they have demonstrated beyond any reasonable doubt that they can do the job. I am quite sure that if our Ministry is given enough resources especially by our development partners to buy seedlings from women who produce them especially the indigenous seedlings, we can very quickly re-afforest and reclaim our catchment areas. We can then leave them alone and go to establish plantations in areas which are less useful for us as water catchment areas.

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Mr. Deputy Speaker, Sir, I also want to comment on the concerns raised about human-wildlife conflict. The Minister and our staff have held discussions several times to find a solution to this problem. We know it is a concern. It has been raised in this House many times. We are looking into it. We want to make sure that we do not fence our national parks. We do not want to have zoos. We want to have free roaming wildlife because that is what is attractive to the world and that is the resource that attracts tourists and creates the exceptional tourist industry. So, we want to work with the communities so that they benefit.

I am quite sure that if the communities benefited from these resources and if they were certain that we shall come forward with the compensation, they will also support our Ministry. We have seen that in several examples especially among the Maasais. Therefore, we know that what we need to eliminate, and this of course is a challenge not only to our Ministry, but to all Kenyans, is corruption. The compensation programme was ruined by people bringing in corruption and making false claims. Some were even exaggerating claims. Therefore, it should be a collective responsibility that you really claim what you have lost and you do not try to rip off your own Government. We have recently commenced the activities of the National Environmental Management Authority (NEMA) and as you know, this is the body that ensures that all our policies are implemented. We would like to ask the hon. Members to make use of NEMA and the expertise that we have in it because those are the people who can truly implement what the Ministry stands for.

We have very serious international obligations and I want to commend the role that UNEP has played in this country. I would like to assure the hon. Members that we shall continue to work very closely with UNEP and give it all the support that it needs so that it continues to be the headquarters of the environment and one of the major UN centres in our continent. Therefore, I can speak from experience and say that from the very beginning of the that we, as a Ministry, are in the process of organizing a workshop for hon. Members of Parliament along the same line as we did with the HIV/AIDS scourge in 1999. I hope that this workshop will take place before 17th November, 2003 when the constitutional review conference at Bomas of Kenya is expected to resume. I want to take this opportunity to invite all hon. Members of this House to attend this seminar which will be held

in Mombasa. We expect experts to take us through matters of forestry, wildlife, environment and so forth. We want a lively exchange of ideas not only between our Ministry and hon. Members, but also, between hon. Members and some of the leading scientists in this country in those various fields.

Mr. Deputy Speaker, Sir, I must emphasize here that my Ministry is also putting a premium on the development of policies and the necessary legal framework that will address some of the concerns raised by hon. Members. For example, in forests, we have already developed a policy document that will be brought here for debate. We are in the process of presenting the draft Forestry Bill to the Cabinet for discussion. Once that is done, we will bring it to the House and the relevant House Committee should have an excellent opportunity of interacting with Kenyans who are stakeholders.

Mr. Deputy Speaker, Sir, in the area of wildlife, we note with concern Members' views about the human-wildlife conflict. I must say from the onset that, as a Ministry, we cannot and we should not be seen to be putting human life secondary to that of wildlife. If anything, the opposite is the same. In making those observations, Members must appreciate that if we were given the resources that they have so graciously asked that we be given, we will be able not only to increase the number of wardens, but we will also be able to equip them better with vehicles and arms so that they can police our national parks and reserves adequately. At the moment, it is estimated that one ranger guards an area of 17 square kilometres on foot. It is not possible under that situation for anybody to know what every lion and elephant is up to. It is a huge area that they are guarding.

I am also glad to say that we, as a Ministry, are developing a new Wildlife Conservation and Management Bill. We note that the provisions of the current law are hopelessly outdated. We, again, are consulting with the experts especially from the Commonwealth Secretariat, who are assisting us to put in place a Bill that will hopefully become a law that will be user-friendly. The current Act does not provide for compensation either for the damaged crops or livestock. We want these things provided for in the new law. I want to ask hon. Members to support us when this Bill comes before the House.

Mr. Deputy Speaker, Sir, wildlife is our national heritage and it is the intention of our Ministry that we place the wildlife resources in indigenous hands as much as possible. When you look at the benefits that accrue from wildlife, they have been disproportionately enjoyed by certain sections of our society more than others. It is our Ministry's policy that these benefits should go to the local communities that surround the game parks. Last year, I had an opportunity to visit the Maasais living in Kitengela and I was overwhelmed and humbled by the degree of knowledge that they had about wildlife. Much as we may think of fencing as a solution, which will essentially turn our game parks into zoos, we know that the Maasais are vehemently opposed to the idea of fencing Nairobi National Park. They would like to interact with the wild animals as much as possible but all they are asking for is that we compensate or consult them whenever their livestock or crops are destroyed.

Mr. Deputy Speaker, Sir, in the area of mining, again, here we have a problem of outdated law. The Mining Act is extremely outdated. It was promulgated in 1948 and had a few amendments in the 1980s. It cannot address the present concerns. We are looking forward to a situation where local communities where minerals occur can benefit though not exclusively. But there must be some degree of compensation paid to the local communities where these resources happen to be. I am glad to announce to the House that we have had consultations with leaders from the Coast Province and we have agreed that the mining lease that my Ministry granted to Tiomin should proceed. I will be going to Kwale District on Monday to announce to the people of Kwale, who have always been for the project, that the negotiations that my Ministry had with Tiomin were in their best interest and that any politicisation of projects should be resisted.

Mr. Deputy Speaker, Sir, on the question of pollution, I am glad to tell the House that industrialists have been getting away with polluting our waters, land and air because we did not have standards. The National Environment Management Authority (NEMA) has now come up with

standards for the air we breath, the water we drink and the roads we walk on and so on. I will be gazetting these standards. Once those standards are gazetted, then we can prosecute the offenders against known standards. But in the past, it has been difficult to prosecute even Pan African Paper Mills, Webuye, which, obviously, pollutes the air in Webuye because we did not have standards. Because of the work of my officers at NEMA, whom I appointed early this year, we now have standards. We just want to put all industrialists on notice that they stand to be prosecuted. They must know that the Environment Management and Co-ordination Act is now in place and it places a premium on this principle of "the polluter pays". We will be prosecuting people because we now have standards.

Mr. Deputy Speaker, Sir, with those few remarks, I wish to ask both sides of the House to support this Vote and give us the necessary finance to carry out the work that they deserve in their constituencies.

With those few remarks, I beg to move.

(Question put and agreed to)

[Mr. Deputy Speaker left the Chair]

IN THE COMMITTEE

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

Vote 21 - Ministry of Environment,
Natural Resources and Wildlife

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

THAT, a sum not exceeding Kshs1,507,523,345 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of:-

Vote 21 - Ministry of Environment,
Natural Resources and Wildlife

(Question proposed)

VOTE R21 - RECURRENT EXPENDITURE

SUB-VOTE 210 - GENERAL ADMINISTRATION AND PLANNING

(Heads 670, 749, and 885 agreed to)

(Sub-vote 210 agreed to)

SUB-VOTE 211 - FORESTRY DEVELOPMENT

Head 672 - Headquarters Forestry Development

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, on page 799, Head 672, Item 200 - Replacement of Motor Vehicles - if you look at what was provided for in the last financial year---

My worry is that the Ministry is involved in a lot of activities. Suddenly, we seem to have decided that in this financial year, we are almost giving them zero by allocating them only Kshs2 million. What has happened? Is it that you have got too many grants and too many vehicles from other donors?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, I wish to thank Mr. Muturi for that observation. It is one of those predicament we find ourselves in. Whereas we had over Kshs20 million last year, we are only being given Kshs2 million this year. That will obviously hamper our efforts in rendering services. We wish to raise that with the Treasury and, hopefully, get something more during the Supplementary Estimates in April.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, if the Minister intends to raise some of these issues with the Treasury, we want to encourage him. This is because under the same Head, Item 264 is a very important activity conducted by this Ministry. It is expenses on forest inspection and patrol units. You know that it has been allocated nothing. Is it now proposed to do away with inspection of the forests?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, I think it is recognised that generally speaking, this Ministry has been grossly under-funded. However, we do not expect to do away with the work of the forest guards. What we will do is re-organise our funds internally. However, a general observation is that this Ministry is grossly under-funded and we have already drawn the attention of the Ministry of Finance to some of these anomalies.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I appreciate the difficulty the Minister is finding himself in, but if you look at the last financial year, you will see that particular Item had been provided with Kshs2.655 million. It looks for Head 672, page 799---

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): On a point of information, Mr. Temporary Deputy Chairman, Sir, I think it is important for Mr. Muturi to know that there are two versions of the Printed Estimates, the blue and green books. The ones that are current are the blue ones as they take into account the recent changes in Government organisation. So, before he talks of page 799, I wish he could get the blue copies of the Printed Estimates.

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ethuro): Before your point of order, I think the Minister is right. We need to read from the same text.

Mr. Khamasi: Mr. Temporary Deputy Chairman, Sir, that was my point of order. Are we referring to two different sets of Printed Estimates? This is because the Printed Estimates that were laid on the Table are the ones that we are supposed to be using and not any other Printed Estimates.

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Khamasi, you are right. The Printed Estimates that were tabled are the ones he is using. However, over time, some adjustments have been made and the most valid volume is the one the Minister is referring to.

Mr. N. Nyagah: Mr. Temporary Deputy Chairman, Sir, I do not want to challenge what you have said about the laying on the Table of the documents. The Minister for Finance will tomorrow morning, upon notification to the Speaker, lay the new documents on the Table, although there is no fundamental difference between the two sets of the Printed Estimates. There was only reallocation of Items to the two Ministries.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, that is true. The Items are the same but, at least, for this Ministry,

the line by line Items are the same even though the paging is different. Some of the Items that were under Head 264 were transferred to Head 748. So, it may look as if they were taken away altogether, but they appear under Head 748. If you look at that, you will agree with me that those Items still appear.

The Temporary Deputy Chairman (Mr. Ethuro): Could you ask the last question on this one, Mr. Muturi?

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, Head 672, Item 264 specifically provides for Expenses on Forest Inspection and Patrol Units. If you look at Head 748, which the Minister says is the one that has taken over some of those expenses, there is nothing specific on forest inspection and patrol, yet as you will appreciate, one of the greatest concerns we have had in this country has been the wanton destruction of our forests. I believe the forest inspection and patrol units are extremely important for the survival of our forests. It is, indeed, proposed that the units should not be given any money for the next three years.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, the hon. Member will appreciate that, for example, under Head 748, there are new Items for the purchase of security equipment, which will cost Kshs10 million, and installation of communication equipment, which will cost Kshs650,000. You will appreciate that last year, there was no provision for these two Items. Some of the inspectorate work will be by this equipment.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. The blue book which the Minister has referred us to does not have Head 748. Could I know which book he is reading from?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, the blue book does have Head 748 on page 861.

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Angwenyi, if you look at page 861, you will find Head 748.

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Chairman, Sir. I am much concerned about what the Government Chief Whip has told the House. He said that the Finance Minister will come here tomorrow to seek the authority of the House to lay on the Table, books which the Minister is referring to now. So, would I be in order to ask you to direct the Minister to refer to the books that are in the custody hon. Members, having been laid on the Table? The books which are going to be tabled tomorrow are not yet the property of this House.

Mr. Angwenyi: On a point of information, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ethuro): Who do you want to inform?

Mr. Angwenyi: I want to inform you!

The Temporary Deputy Chairman (Mr. Ethuro): You cannot inform the Chair!

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, these books are being held by the Clerk of the National Assembly. There is a heap of copies of this book in the office of the Chief Serjeant-At-Arms. I do not know what they are doing there.

The Temporary Deputy Chairman (Mr. Ethuro): Order! Order! Hon. Members, the Government Chief Whip has clarified that these books have not been tabled. I agree with Mr. Khamasi that it is not procedural for us to refer to them. However, since the difference between the two books is only in the page numbering, and not in the substance, the new book does not alter the contents of the Vote. So, we are only trying to remedy the situation by ensuring that the Minister formalises that procedure tomorrow morning. For the purpose of our deliberations, what we have is good enough. The changes are not really material.

*(Heads 646, 672, 674, 675, 676, 678, 679,
681, 738 and 748 agreed to)
(Sub-Vote 211 agreed to)*

SUB-VOTE 212 - MINERAL DEVELOPMENT

Head 692 - Mineral Survey and Exploration

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, you notice that the amount being sought for this very important activity is very little. What will Kshs3 million do in exploiting our mineral resources? How does the Minister expect to exploit our resources adequately with such a small amount of money?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, mineral exploration and exploitation is a very expensive exercise. Whereas we agree that the amounts allocated here are too little, the point that must be borne in mind is that mineral exploration is not undertaken by the Government. This is one area where we invite players in the private sector to participate. So, we just play the supervisory role rather than going into actual mineral prospecting and mining.

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, there is a substantial reduction to the provision under Item 100, Transport Operating Expenses, and Item 110, Travelling. Does it mean that the Ministry's officers will not be able to travel around the country to take investors around and so on?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, that is what it would mean but, again, these are some of the Items for which we are seeking more funding through the Supplementary Estimates. Because of the great interest shown by various investors, it is actually important that our officers be on the ground; be it in West Pokot, Turkana, Kakamega, Migori, Kitui or Taita-Taveta. These are areas where our officers will need to go to check on what the investors are doing in the sector of mining. So, we wish to seek more funding for these two particular Items through the Supplementary Estimates.

The Temporary Deputy Chairman (Mr. Ethuro): Could you ask the final question, Mr. Angwenyi?

Head 690 - Mines and Geological Department

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I would like to seek clarification on Head 690, Mines and Geological Department. It seems as if the Ministry wants to put this nation at the mercy of private investors. For instance, the amount of money being sought under this Head will not be adequate to determine where we have got oil deposits or even water resources in this country. There is a lot of water in this country, and we need to identify the spots where it is available, so that we can supply it to our ASAL areas.

The Temporary Deputy Chairman (Mr. Ethuro): Which Item are you looking at, Mr. Angwenyi?

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I am talking about Head 690, Mines and Geological Department. If you look at the blue book, you will realise that we are moving backwards.

The Temporary Deputy Chairman (Mr. Ethuro): I know that, Mr. Angwenyi.

Mr. Angwenyi: So, I am asking whether the Minister is satisfied with this allocation, and whether he has sought more resources and been denied by the Cabinet, so that we can force the Cabinet to re-allocate funds from other Ministries to adequately fund this Department, so that we can

be in charge of our potential in mineral and geological work?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, with his specific reference to--- Did I hear "water aquifer?"

An hon. Member: Water turnover!

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Yes! That is something that is dealt with by the Ministry of Water Resources Management and Development. But, generally, I agree with your sentiments that the Ministry has been under-funded. We would like to get more funds than we have got. I think that was expressed by hon. Members during the debate. We shall have to do with what we have. But at an appropriate time in April, when the Supplementary Estimates are discussed, we intend to ask for more funds.

(Heads 690, 691 and 692 agreed to)

(Sub-Vote 212 agreed to)

SUB-VOTE 213 - WILDLIFE SERVICE

Head 531 - Kenya Wildlife Services

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, under Head 531, Item 311, there is no allocation for compensation and yet, under Head 371, you are contributing Kshs13,500,000 to international wildlife agencies. Why would that money not be used for compensating Kenyans?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, that Item appears under Head 670, Item 197, where we have provided for Kshs15 million. It is a head office expense.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, even with that allocation of Kshs15 million--- Since the beginning of this year, four Maasais have been killed by lions and elephants. Would that amount be adequate to compensate them? Is it because you still have the attitude that the lives of the Maasais are useless, and that is why the amount is so little? Would that amount be enough to compensate those families that have lost their loved ones?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, let me say for the umpteenth time that my Ministry does not believe that human life is secondary to wildlife. It must be appreciated that, whereas we have the Kshs15 million which is inadequate, we had nothing last year! So, that is an improvement. I hope the hon. Member will see that in the next financial year, we have provided a generous sum of Kshs60 million. We hope that by next year, the new law which provides for compensation for damage of crops, livestock and loss of human life, will be in place.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I just want to seek some small clarification from the Minister on the same Head 531, Item 371 - Contribution to International Wildlife Agencies. Has Kenya just joined these International Wildlife Agencies as to start making a provision for them amounting to Kshs13.5 million, and what I can see from history is that in the past, nothing had been allocated to that?

Mr. Temporary Deputy Chairman, Sir, is it that we were in arrears or what has happened? I can see we are providing a similar sum for these agencies for the next three years.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, if hon. Muturi was here when I was presenting this Vote, he would have realised that Kenya is a signatory to various conventions. This is one area where, fortunately, we have not been in arrears at all, especially with regard to the Lusaka Agreement Task Force. There was

no money previously because KWS used to be under the Office of the President.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, you notice, under Head 531, Item 309 - Kenya Wildlife Service (Tourism Promotion-Marketing), that this amount is meant to promote and market tourism. In what way are they going to promote tourism and yet we have got a budget for the Ministry of Tourism and Information? Why can they not transfer this amount to compensation for human lives and loss of property instead of trying to interfere with a budget of another Ministry?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, tourism and wildlife are intertwined and we carry out promotional exercises, say, during the Nairobi International Trade Fair. If the hon. Member can remember, in the past we used to take lions and other animals of interest to the public. So, we carry out such promotional exercises, plus, of course, providing publications for school children. We have demonstration centres in three places in the country where we do show some videos on wildlife to inculcate that appreciation of wildlife in the youth. Also, it is our intention that we work closely with the Kenya Tourist Board (KTB) so that the officers who are in our embassies overseas can get some of these videos and show them to tourists out there, as a way of attracting tourists to come to Kenya.

(Head 531 agreed to)

(Sub-Vote 213 agreed to)

SUB-VOTE 214 - DEPARTMENT OF RESOURCE SURVEY AND REMOTE SENSING

Head 219 - Department of Resource Survey and Remote Sensing

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I notice that this particular Head falls under the Department of Resource Survey and Remote Sensing whereas in other areas of the Government, these services have been privatised. I just want to find from the Minister, whether with regard to Head 219, Items 184 and 369 - Contracted Professional Services and Regional Centre for Services Resource in Survey and Remote Sensing respectively, these are services offered by employees of the Ministry or have they gone to the private sector as is the practice in the Ministry of Lands and Settlement?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, again that is a very pertinent observation. First of all, there is a mistake that we have been making and that is offering these services free of charge to Government departments. We want to change that. We want this department to run itself so that the services that we have been rendering free of charge - we are going to propose to the Cabinet - be purchased from us as a way of generating funds for ourselves. More specifically on Item 184, the Contracted Professional Services are those of two pilots. You know, it is easier to contract pilots rather than have them on permanent terms.

Under Item 369, we have a subscription for the Regional Centre for Services in Surveying and Remote Sensing. Now, this is also a centre that serves the whole of Africa and its headquarters is situated here in Nairobi. In fact, a Kenyan is its head and I must say that Kenya is one of the very few countries that are up-to-date in their subscription fees.

Prof. Olweny: Mr. Temporary Deputy Chairman, Sir, I wish to get a clarification from the Minister with respect to Head 219, Item 068 - Training Expenses, why we have such a substantial increase in training expenses? Why that big change? There is a huge increase in the training expenses

between last year and this year. Why?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, the equipment that we have been using in that department is slightly out of date and there have been indications from our development partners that they will be giving us new equipment and, therefore, there will be need for us to train the personnel in the use of this equipment. Also, we have lost a few people and we have recruited people who have to be trained; like, for example, the officer who used to be in charge of this department died early this year, and his replacement has to be trained fully to even a doctoral level before he could discharge his duties. So, there is need for modernising the equipment and re-training the existing staff.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, you have heard the Minister tell us that the person who, unfortunately, passed away, needed to be retrained. I thought he ought to have been retrained a long time ago! But be it as it may, may I draw the attention of the House to Item 390, Internal Government Transfers. An allocation of Kshs2,500 for each Government department is not enough to buy lunch! Why have such kind of a figure? How would that money be used to transfer even one person?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, first of all, I must apologise if I had said that the man who died is the one to be trained. The man who replaced him is the one who has to be trained.

(Laughter)

But the pittance you see there is in recognition of the fact that there is very little transfer from this department to others and vice-versa, because this is a very specialised unit. In fact, we put it there, just in case, otherwise, the staff in this department are very specialised people who would not fit in any other Government Ministry.

(Head 219 agreed to)

(Sub-Vote 214 agreed to)

SUB-VOTE 215 - ENVIRONMENTAL MANAGEMENT AND PROTECTION

(Heads 702, 736, 762 and 766 agreed to)

(Sub-Vote 215 agreed to)

(Vote R21 agreed to)

VOTE D21 - DEVELOPMENT EXPENDITURE

SUB-VOTE 210 - GENERAL ADMINISTRATION AND PLANNING

Head 698 - Lake Victoria Environmental Management Project

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, the amount of money which has been allocated is only for Lake Victoria Environmental Management Project. All other lakes, including Lake Elmentaita and Lake Naivasha, have not been catered for. We are actually losing the lake resources that God gave us because we are not maintaining or protecting them! Could the Minister explain how

he will take care of these other lakes, other than Lake Victoria?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, let me first of all give a brief history of Lake Victoria Environmental Management Project. It is mainly a World Bank-funded project and it involves the three States that own Lake Victoria - Kenya, Uganda and Tanzania.

This project, up to November last year, was being managed by my Ministry, and the manner in which it was being managed was less than satisfactory. So, the World Bank insisted that the project be transferred to Kenya Agricultural Research Institute (KARI) in the Ministry of Agriculture, which they thought was in a better position to absorb the fund that World Bank was giving. Phase one of the project will be completed by KARI, hopefully, by the end of September next year, and phase two will revert to us. So, this is money we are using to prepare for phase two and it will come to us in September, 2004. As for the other lakes, we have a programme around lake Naivasha that is funded by donors, again, because it is a fresh-water lake. We want to capture the ecosystem and ensure that it is intact. Apart from Lake Naivasha and Lake Victoria, the other lakes, really, do not have any funding. We are concerned that at the rate at which Lake Nakuru is shrinking, it may be extinct in ten to 15 years. But we really do not have any funds to mount similar environmental programmes for the other lakes in this country.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ethuro): You are out of order, Mr. Angwenyi!

(Heads 698 and 885 agreed to)

(Sub-Vote 210 agreed to)

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, these are the type of decisions we are making which will expose us to ridicule the way we are being ridiculed at the Goldenberg Commission of Inquiry. Here, there is wrong accounting. We have got Appropriations-In-Aid (A-I-A) of Kshs69 million, but it is not reflected anywhere in the Budget. Where is the A-I-A from IDA of Kshs69 million in the main Budget? Do you want us to approve this wrong accounting?

The Temporary Deputy Chairman (Mr. Ethuro): To be fair, Mr. Angwenyi, you had a chance to ask that question when you raised only one question on the Item on Lake Victoria, which was answered by the Minister to your satisfaction and to the satisfaction of the whole House.

Considering that we have already approved those Heads, you cannot take us back.

Mr. Angwenyi: So we should expose ourselves to ridicule?

The Temporary Deputy Chairman (Mr. Ethuro): Let us proceed.

SUB-VOTE 211 - FORESTRY DEVELOPMENT

Head 681 - Road Construction Unit

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, on Head 681, Item 430---

The Temporary Deputy Chairman (Mr. Ethuro): On which page?

Mr. Muturi: I am using a different book.

The Temporary Deputy Chairman (Mr. Ethuro): Yes, I have got it.

Mr. Muturi: The Head on Road Construction Unit purports to be for the construction of roads, bridges, ferries and jetties. Could the Minister explain to us how only Kshs20 million is going to construct these roads, bridges, ferries and jetties?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): First of all, Mr. Temporary Deputy Chairman, Sir, the heading here might be a bit misleading. There are only two Items that are relevant to us and those are the bridges and roads, and not ferries and jetties. But I think in Government naming, that is the standard description. But the Items that are important to us here are the roads and bridges; and these are roads that we are rehabilitating in and around forests, and bridges that may have collapsed for one reason or another.

I agree that the sum of Kshs20 million to cover the whole country is really peanuts, but this is also one area that we think we will require more funds. There is also a possibility that we could get some donor funding to assist in this particular project. Kshs20 million is really very little money to cover all the forests in the country.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I want to take exception to the Minister's response that there is expectation for donor funding. The Medium-Term Expenditure Framework (MTEF) is a three-year cycle budget, and if there is expectation for donor funding, it should be reflected in it. It has not been reflected. So, the Minister should consult properly. There is no funding for Mau and Manga Ridge forests and the Kisii Hills in Kisii District, which have been run down and our water sources are drying up. Why is there no funding for these projects?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, first of all, Mr. Angwenyi knows that we have not had any donor funding for quite some time and it was difficult for us to reflect it in the MTEF. More specifically, for those forests, except for the Kisii Hills, there is some donor funding. There are five water towers in this country that I want hon. Members to know. They are the mountains from which we get our water. One is Mount Kenya, the Aberdares, Cherangany Hills, Mount Elgon and Mau Forest. Mr. Angwenyi should take my word for it that the various forests and mountains have some specific amounts of money allocated to them this financial year. In fact, I had problems with Kakamega Forest, not because I come from there, but because Kakamega is just about--

Mr. Osundwa: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ethuro): I think, Dr. Kulundu, you have answered the question. You have said that there is specific funding for the forests except for the Kisii Hills.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, the Kisii Hills will be funded under the Rural Afforestation, Head 649. But for the other mountains and forests, there is specific funding for each of them. I am sorry I have misplaced the paper on which I had written them down.

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, I want to take you back to Head 681, Item 430 - Construction of Roads, Bridges, Ferries and Jetties. Is it possible that the Ministry may actually own jetties and ferries for supervision of mangrove harvesting? We may actually be leaving this Item out.

The Minister for Environment, Natural Resource and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, could the hon. Member repeat his question?

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, does the Ministry have ferries and jetties for the supervision of mangrove harvesting? Earlier on, the Minister said that he is not aware of bridges, ferries and jetties. But is it possible that the Ministry actually owns jetties and ferries for mangrove harvesting?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, it is true that we have an interest in mangrove forests, but the jetty in Lamu is actually maintained by the Ministry of Roads, Public Works and Housing and not the Ministry of Environment, Natural Resources and Wildlife. I have just been given the list of the mountains; can I go ahead and read them?

The Temporary Deputy Chairman (Mr. Ethuro): Yes, go ahead, but do it a bit faster.

(Mr. Bifwoli walked out of the Chamber)

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Chairman, Sir. Have you seen Mr. Bifwoli running around the Chamber like an antelope without giving respect to the Chair?

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Khamasi, I have just seen him bowing at the Bar.

The Minister for Environment, Natural Resource and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, let me assure the hon. Member for Shinyalu that Ministers do not roam around like antelopes. It is just that---

Mr. Khamasi: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Khamasi, you obviously know that the Minister was not referring to you because you were not referring to him.

Mr. Khamasi: Mr. Temporary Deputy Chairman, Sir, could he make the record straight for the HANSARD? I never [**Mr. Khamasi**]

meant that the Minister was roaming around. There was an hon. Member here who was roaming around like an antelope without due regard to the procedures of the House.

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Minister, the hon. Member for Shinyalu did not make reference to you. He made reference to another hon. Member who was roaming around.

The Minister for Environment, Natural Resource and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, that is deeply appreciated.

In Mount Elgon, we will use Kshs4 million to support conservation and development of its eco-system. In Cherangany, we will use Kshs67 million for the improvement of forest resource contribution to the district economy. The Arabuko Sokoke Forest Conservation and Management in Malindi will get Kshs5 million for the support of conservation and development of the forest eco-system. The Aberdare Forest will get Kshs48 million for the rehabilitation of its eco-system, and Mount Kenya and Mukogodo will jointly get Kshs28 million. Mau Forest will get Kshs18 million from the United Nations Development Programme (UNDP) and CDTF. Kakemga Forest, through CDTF, will get Kshs20 million.

An hon. Member: What about Kisii Forest?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Kisii Forest is funded under Head 649, Rural Afforestation.

*(Heads 646, 672, 675, 681,
738 and 938 agreed to)*

(Sub-Vote 211 agreed to)

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, let it be on record that---

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Angwenyi, who has given you the opportunity to speak?

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, you have.

The Temporary Deputy Chairman (Mr. Ethuro): I have not! Please, sit down!

SUB-VOTE 213 - WILDLIFE SERVICE

Head 531 - Kenya Wildlife Services

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, under Head 531, Item 456, I note that, other than the Meru Conservation, the amounts of money allocated for construction of roads leading to national parks does not indicate or clearly specify which particular national parks will be covered. I am specifically concerned that Road D210 which leads to Ruma National Park has not been allocated funds. Could the Minister clarify exactly how he intends to spend money allocated under Item 456?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, the truth of the matter is that roads leading to our national parks are in a very sad state, indeed. However, there is a team of officers from the Road Construction Unit in my Ministry that is now going round national parks prioritising roads that will be attended to using the little funds available. However, I am unable to tell the hon. Member for Suba Constituency precisely how much money will go to construction of the road leading to Ruma National Park. But I can assure him that Ruma National Park will get a substantial amount of money. The hon. Member made his presentation during the Budget debate and I noted his remarks about this park. I can assure him that something will be done.

Prof. Olweny: Mr. Temporary Deputy Chairman, Sir, under Head 531, Item 317, so much money has been allocated to KWS Meru Conservation. Last year, the amount of money allocated was Kshs81 million. Now, it is Kshs165 million and there is even more projected for next year. Could the Minister explain to us why this is the position?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, as far as I am concerned, Meru National Park is the only park that has received some foreign funding. In fact, it has received 10 million Euros from the French Government. This amount is equivalent to Kshs800 million. They will use this money to improve all the infrastructure, assist communities to build schools and generally improve security around that national park. Therefore, this is French aid that was specifically aimed at development of Meru National Park.

For this year alone, out of the Kshs800 million, we shall spend Kshs165 million. This is a four-year programme.

Prof. Oniang'o: Mr. Temporary Deputy Chairman, Sir, under Head 531, Item 401, we can see we are moving from close to Kshs48 million to nothing for the next three years or so. Could we be explained to, what that was all about, and why it has no money voted for it now?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, out of this figure, Kshs47,900,000 was in pending bills. We had asked for Kshs7 million, but unfortunately, we did not get any allocation.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I think that answer is not satisfactory. Is the Minister saying that the total amount was in pending bills and the works have been completed? If so, which are these works?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, I cannot give him the list of the works that have been completed, but they were completed. They are scattered all over the country, and we can give the list later, but I can assure you that they were completed.

(Head 531 agreed to)

(Sub-Vote 213 agreed to)

SUB-VOTE 214 - DEPARTMENT OF RESOURCE SURVEY AND REMOTE SENSING

(Head 219 agreed to)

(Sub-Vote 214 agreed to)

SUB-VOTE 212 - MINERAL DEVELOPMENT

Head 692 - Mineral Survey and Exploration

Mr. Lesrima: Mr. Temporary Deputy Chairman, Sir, under Head 692, Item 195 - Rehabilitation of Disused Mines and Quarries, are these mines being operated illegally by small Kenyan miners in Ikolomani and Bondo or are these by the private sector? If it is the private sector, why should you pay for them?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, as he rightly said, these are mines that are operated by small people, and in fact, quite a substantial amount will go to Rostman in Kakamega District, where we intend to fill up the mined area and also put a fence around it. The mines are operated by the private sector at the moment.

Mr. Temporary Deputy Chairman, Sir, the Environmental Management and Co-ordination Act (EMCA) requires that the investors do rehabilitation of the mined areas before they leave. These are mines that were left a long time ago, and we want to make sure that they are safe.

Mr. Osundwa: On a point of order, Mr. Temporary Deputy Chairman, Sir. As far as I know, Rostman Gold Mines were closed a long time ago.

Mr. Temporary Deputy Chairman, Sir, could the Minister tell us whether those miners are licensed?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, these are small-scale miners who are actually doing it illegally, but there is no way we can stop them. Of course we will catch up with them, but for the damage they have already done, we have to ensure that nobody's life is in danger.

(Head 692 agreed to)

(Sub-Vote 212 agreed to)

SUB-VOTE 215 - ENVIRONMENTAL MANAGEMENT AND PROTECTION

Head 611 - Climate Change Enabling Activities

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, Head 611, Item 301, reads: "Climate Change Enabling Activities". I am not so much worried about the Kshs12 million that has been allocated to this Item, but I just wonder what these activities are and where they ever take place, because we have not seen them. This is the tenth month of this year and we have not seen these climate change enabling activities. What are they?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Chairman, Sir, Kenya has one of the most sophisticated climate change equipment. If you went to our department in Industrial Area, you would be shown the state of the ozone layer, for example, and from there, the scientists will tell you that this and that will happen in such and such an area.

Mr. Temporary Deputy Chairman, Sir, also, they can predict with a fair degree of accuracy the occurrence of such things like landslides and so on, in a certain area, because of this facility. So, it is there, but it is only that Kenyans do not know about it.

(Heads 611, 612, 702 and 736 agreed to)

(Sub-Vote 215 agreed to)

(Vote D21 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

*[The Temporary Deputy Speaker
(Mr. Khamasi) in the Chair]*

REPORT

Vote 21 - Ministry of Environment,
Natural Resources and Wildlife

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs1,507,523,345 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2004, in respect of Vote 21 - Ministry of Environment, Natural Resources and Wildlife, and has approved the same without amendment.

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

The Minister for Water Resource Management and Development (Ms. Karua) seconded.

(Question proposed)

Mr. Lesrima: Mr. Temporary Deputy Speaker, Sir, I stand to support the Motion on the Vote of this Ministry and urge the Ministry to spend the money properly. I want to congratulate the Minister for his public relations exercise over the weekend, to support the Maasais. I would like him to reinstate the 10 senior wardens of KWS who were dismissed recently.

I beg to support.

Mr. Bifwoli: Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion. On this note, I would like to tell my brother, the Minister, that the last time, he was allocated a little money and when it got finished, he relaxed. Now that he has got the money, he should wake up again and be what he was when he was appointed Minister. My advice is that he is concentrating too much on demanding for the dissolution of FORD(K) instead of solving the problems of the Ministry. It is my humble prayer that, now that we have given you money, you will use it to halt the destruction of forests and pollution caused by companies like Panpaper. Imagine---

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Bifwoli! We need only short comments on this one. Could you wind up?

Mr. Bifwoli: He should use the money for supervision and preservation of our environment.

For example, where I come from, there are certain areas where we take young boys when we want to circumcise them---

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order! Mr. Bifwoli, you cannot open debate at this time round. The Vote has already been debated.

Mr. Chepkitony: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like to congratulate the Minister for the manner he presented the Vote. I hope he will spend the money well and manage our natural resources properly. I hope he will be friendly to the environment, including the people living around the forests and national parks. It is also my hope that the Minister will address the question of grazing fee which was raised this year. It is so exorbitant.

Now that the Vote has been passed, I hope he is going to address this issue of the grazing fee and reduce it to a reasonable figure so that we can graze there during the dry season.

Eng. Okundi: Thank you, Mr. Temporary Deputy Speaker, Sir. Now that this Vote has been approved, I would like to congratulate the Minister for a job which I think is fairly well done despite the shortage of funds. Environment is a very key matter to the health of the nation, plants, people and animals. I want to remind the Minister that in South Nyanza, we have a causeway which was blocked between the mainland at Mbita to Rusinga Island. As a result, the water which forms the bay of Homa Bay is now silting and polluted. This is dangerous environmentally. I would like to urge the Minister to look at this issue and study it so that the flora and fauna and the lives of people in southern Nyanza can be improved.

I thank the Minister very much. I am sure that he will address this issue. It is very key to the future of the lives of our people as a whole. Thank you very much.

Mr. Shaban: Thank you, Mr. Temporary Deputy Speaker, Sir. Now, that we have approved this Vote; as we know that Kenya's forest cover is less than 2 per cent, the Minister should endeavour to ensure that Kenya's forest cover goes up to 10 per cent, which is internationally acceptable, so that our rivers and streams which have dried up will regain their flow.

Having said that, he should not also forget the arid and semi-arid regions of this country. It is the tendency of this Ministry to concentrate especially on environmental matters of the Kenya highlands. He should know that our environment in the arid and semi-arid areas is also endangered and he should start re-afforestation programmes which had been started in the 1980s and later stopped. I think he will endeavour to have an environment that is well managed.

Mr. Ethuro: I also want to remind the Minister that there are expatriates who are running some of Kenya's wildlife activities in northern Kenya, who have totally no regard for the local people. So, I wish

that as he gets this money, he will find time to visit these places and ensure that the priorities of the local communities are paramount to those of any other person.

Thank you, Sir.

Mr. Nyachae: Mr. Temporary Deputy Speaker, Sir, I join my colleagues to support the Minister and request him to give priority to the rehabilitation of forests. Forest has actually been the calendar for farmers. Where we had the natural forests working well, we knew when we were going to get rain. Now, in places like Mau, the planting timetable has been changed because of destruction of forests. So, Mr. Minister, through the Chair, you have all our support to rehabilitate the forests at the highest speed possible. That is one point.

Secondly, the on-going public relations exercise between the Minister and members of the Maasai community with regard to the recent lions saga is good, but he should not do that at the expense of Luhyas. He said that he understood the Maasai, and added that in Luhyaland, his homeland, people eat rats. That is something we do not know. At least, I do not support that idea. Luhyas are our in-laws. If you are known to eat rats, your daughters may never get married outside your community.

(Laughter)

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, may I join my colleagues in supporting the Minister. While doing so, I wish to advise him that in order to save our trees, he should team up with the Ministry of Agriculture so that factory by-products which are environmentally dangerous can be used for paper manufacture.

Mr. Temporary Deputy Speaker, Sir, another suggestion to the Minister is that he should not throw away our precious mineral resources. Let the people who are going to be removed from their settlement areas be given shares, and not the little payments that have already been arranged. Let them be given shares in the company that is going to exploit the mineral.

Thank you, Sir.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, we have come to the end of our business today. The House is, therefore, adjourned until tomorrow, Wednesday, 8th October, 2003, at 9.00 a.m.

The House rose at 6.50 p.m.