

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 2nd August, 2006

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

QUESTION BY PRIVATE NOTICE

VIOLENCE AT NCC MAYORAL POLLS

Mr. Ligale: Mr. Deputy Speaker, Sir, although, I have not received the written answer, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that the recent mayoral elections in the Nairobi City Council were characterized by violence between the two contesting camps?

(b) Could he confirm whether or not the elections were free and fair?

(c) Is the Minister also aware that there is tension and anxiety in the councils where elections are yet to take place?

(d) When will he table amendments to the Local Government Act, Cap.265, to allow voters in respective councils to elect mayors and other council leaders directly?

Mr. Deputy Speaker: Is the Minister for Local Government here?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Deputy Speaker, Sir, I wish to ask for your indulgence. I am quite sure that the Minister is on his way here.

As to the question of the written answer, I think there is a problem between the Ministries and Office of the Clerk. Many times, answers have not been given to hon. Members while there is evidence that they were received in the Office of the Clerk.

Mr. Deputy Speaker: Well, I think,

your Excellency, it seems your colleagues, the Ministers, are giving you a very hard time. Every time, you have to plead with the Chair to hold on a Question because they are on their way here. Remember, this also happened yesterday afternoon and it has happened now.

I hope that you will rein in on them to particularly adhere to the code that they signed recently. Quite a number of them do not appear to be taking parliamentary work seriously. Be that as it may, we will move on to the Ordinary Questions. We hope and pray that the Minister for Local Government will show up.

ORAL ANSWERS TO QUESTIONS

Question No.230

COMMENCEMENT OF SCHOOL FEEDING PROGRAMME IN MAKUENI DISTRICT

Mr. Deputy Speaker: Is Mr. Ndambuki here?

Hon. Members: He is on his way here!

Mr. Deputy Speaker: Hon. Members, the difference is that the hon. Member gets instant punishment. His Question will be dropped because he is absent. Unfortunately, I cannot punish the hon. Member when the Minister is late.

(Question dropped)

The Assistant Minister for Education (Mrs. Mugo): On a point of order, Mr. Deputy Speaker, Sir. I believe that some of these Questions are not important. The Hon. Member should be in the House to ask the Question if it is important. We take a lot of time preparing these answers.

Hon. Members: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order, hon. Members! Let us hear Mr. C. Kilonzo since he was the first to rise on a point of order.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, is the Assistant Minister in order to imply that we are not serious when we spend a lot of time here and out of ten Questions which are brought in this House, seven of them are deferred, according to my statistics? Is she in order?

Mr. Deputy Speaker: Hon. Members, I do not think we should allow these exchanges. Obviously, it is as wrong for an hon. Member to ask a Question and not to show up. It is, perhaps, even worse for a Minister to fail to turn up. However, these exchanges will not help us. What will help us is for hon. Members to take responsibility for the Questions they ask and ensure that they are in the House.

I want to tell you in advance that the Committee that is reviewing our Standing Orders will propose to the House very serious sanctions against those hon. Members who ask Questions and do not show up. Similarly, there will be serious sanctions against Ministers who do not answer Questions. So, it is just a matter of time. I can assure you this problem will be solved once and for all, if hon. Members approve what that Committee is proposing.

Next Question, Mr. Lesrima!

Question No.102

EMPLOYMENT OF MEDICAL PERSONNEL

Mr. Lesrima asked the Minister for Health:-

- (a) if she is aware that more than 5,000 medical personnel are unemployed in Kenya;
- (b) when the Ministry will employ medical staff to fill the more than 5,000 existing vacancies; and,
- (c) when a doctor will be posted to Baragoi Hospital.

The Assistant Minister for Health (Dr. Kibunguchy): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) In the current Financial Year, 2006/2007, my Ministry, in collaboration with our development partners, is in the process of recruiting medical personnel as follows: Government of Kenya Funded, 601, and Development Partners, 3,800. I know the written answer shows 3,801, but the correct figure should be 3,800.

(c) Baragoi Hospital is currently operating as a health centre and a clinical officer is most suitable. However, as soon as the X-Ray Room, operating theatre block and extra ward are

completed, the Ministry will post a doctor.

Mr. Lesrima: Mr. Deputy Speaker, Sir, it is not clear whether the 4,400 medical personnel have already been recruited. In 2003, the Ministry of Health did a good job because they were involving hospital boards at the district level to recruit personnel. However, in the recent past, we have noticed that our people are being called for interviews as far as Garissa, Isiolo, Eldoret and so on. So we never get to know whether recruitment has taken place and whether locals have been recruited. Could the Assistant Minister explain whether it is the development partners who are giving conditions for the Ministry to recruit personnel outside the district?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, it is common knowledge that we have finished interviews for the health workers and from next week, the letters will be sent out for those who have passed the interview to report to their various stations.

The development partners are not giving us any conditions. In fact, initially, they had given us some conditions but the Ministry said: "No, we will not accept them." So, they are giving us funds and it is the Ministry that is employing. Most of these people who are being employed by the development partners are on contract of three years. We promise them - I would like to say this in this House so that the country can hear - that the Ministry will absorb them after the three-year contracts are over.

Mr. Deputy Speaker: Mr. Assistant Minister, to assist, I think the thrust of the hon. Member's question is local recruitment. I think that was the thrust of the question. Are you recruiting people from the areas they come from or how is it being done? I think that is what Mr. Lesrima asked. Am I right, Mr. Lesrima, because you said "districts"?

Mr. Lesrima: Yes, Mr. Deputy Speaker, Sir, he said that it is common knowledge. Common knowledge to whom? It is not common to me! I am not aware that the 4,000 have been recruited, by whom, when and where because I do not see them in the constituency.

Mr. Deputy Speaker: Mr. Assistant Minister, can you address that issue?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, all this information was in the electronic and print media. So, I suppose that hon. Members at this level should be able to reading the newspapers everyday. They were in the newspapers.

(Mr. Lesrima stood up in his place)

Mr. Deputy Speaker: Let the Assistant Minister finish!

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, the recruitment took place at the provincial level and not at the district level.

Dr. Manduku: Mr. Deputy Speaker, Sir, we want to know which recruitment the Assistant Minister is talking about. There are two recruitments that are going on for nurses. One is by the Public Service Commission and the other, I think, is by the Bill Gates Foundation or the American International support for public health. Which one is the Assistant Minister referring to? If it is by the Bill Gates Foundation, are they going to absorb them in the Public Service? When are the recruits for the Public Service doing the interview? We have very many nurses hanging around and there are a lot of vacancies in hospitals.

(Applause)

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I really do not know where the controversy is coming from. I was very clear that the Government of Kenya is going to recruit 601 people through the Public Service Commission. We are also having assistance from our development partners, specifically, the United States Agency for International Development (USAID), the Clinton

Foundation, and BGF. Those ones have given us funds to recruit workers on three-year contracts. For the ones who are being recruited on contract, the recruitment is taking place at the provincial level. I think there should be no controversy. The only thing I want to assure hon. Members, because we had a bit of a hitch recently, is that the health workers who are being recruited by the assistance of our development partners will be absorbed in the Ministry after the expiry of their contract period.

Prof. Oniang'o: Mr. Deputy Speaker, Sir, we are aware that most of the very qualified medical personnel in country are leaving for greener pastures outside the country. Could the Assistant Minister tell us how far he has gone in trying to improve the remuneration package for the medical personnel as a whole?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I agree with Prof. Oniang'o that quite a number of our health workers are going out of the country. That, to me, is not a disadvantage but an advantage. It means that we are truly training our people or producing quality people who are marketable. The only thing we would like to do is to have this process structured.

Secondly, we are currently working on modalities of improving the remuneration package for our health workers. To us in the Ministry, the most critical aspect is really not the number of health workers but the even distribution of health workers. One of the things that we would like to do very soon in the Ministry is to make a uniform house allowance. As you know, those health workers in towns normally get higher house allowance than the ones working in the rural areas. We, therefore, want to make a uniform house allowance. In the process, we can be able to attract most of our health workers to work in the rural areas so that we can even out the distribution of health workers.

Mr. Deputy Speaker: I have to finish this Question now. I will have Mr. Bifwoli and then take the last question from Mr. Lesrima.

Mr. Bifwoli: Mr. Deputy Speaker, Sir, you heard the Assistant Minister say that the Government is employing 600 workers and the development partners are the ones employing more than 3,000. Given the fact that there is HIV/AIDS, does this Government care for its own citizens? Why should they allow a foreigner to employ more medical personnel than the Government is employing? Does it care?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I want to commend the hon. Member for being very patriotic. He is a friend of mine. As you know, for a very long time, we have not been employing in the health sector. So, once we got some assistance from wherever; sometimes they say that beggars have no choice; we grabbed it with both hands. I want to commend, especially, our development partners for having come in at this crucial time when we are having severe shortage of health workers.

Mr. Lesrima: Mr. Deputy Speaker, Sir, I did not hear how many people have been recruited. The Assistant Minister has referred me to the print and electronic media, which is very much absent in my constituency. Could he table the list of this recruitment which he said was done in Nakuru, 200 kilometres away? Could he table the breakdown so that we know how many people were recruited?

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I think you appreciate that, that is a totally different Question from the Question I was asked to answer. However, I can undertake to table the list if the hon. Member wants, and if, Mr. Deputy Speaker, Sir, you direct so.

Mr. Deputy Speaker: Well, I believe it is in the public interest and so you may do so whenever possible. When do you want to do so because we have finished with the Question? However, if the hon. Member wishes and you have the list available, you can tell us when you want to lay it here.

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, there are two things; the list that we have are the names of the health workers who were shortlisted for interview.

Mr. Deputy Speaker: In that case, the list is not conclusive until you finish recruitment. There will be no need to lay the list when the exercise is not completed. So, maybe, when you complete the exercise, it is when it will be appropriate to do so.

Dr. Kibunguchy: Mr. Deputy Speaker, Sir, I will undertake to do that.
Thank you.

Mr. Deputy Speaker: Do we have the Minister for Local Government now?

*(Mr. Shaaban went to
the Dispatch Box)*

Order, Mr. Assistant Minister! Will you sit down and wait for the Question to be asked?

Mr. Ligale: Mr. Deputy Speaker, Sir, I have just got the written answer now.

Mr. Deputy Speaker: At least, you are lucky you got it!

QUESTION BY PRIVATE NOTICE

VIOLENCE AT NCC MAYORAL POLLS

Mr. Ligale: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that the recent mayoral election in the City Council of Nairobi was characterised by violence between contesting camps?

(b) Could he confirm whether or not the election was free and fair?

(c) Is the Minister also aware that there is tension and anxiety in councils where elections are yet to take place?

(d) When will he table amendments to the Local Government Act, Cap. 265, to allow voters in respective councils to elect mayors and other council leaders?

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

(a) Yes, I am aware that the City Council of Nairobi mayoral election was to a certain extent characterised by violence between two protesting camps.

(b) Yes, the elections were free and fair.

(c) Yes, I am aware that the elections in councils are normally characterised by anxiety and tension between losers and winners since no one wants to lose.

(d) The Ministry has already proposed comprehensive amendments to the Local Government Act, Cap. 265. Also, a Bill called "the Metropolitan Bill" to specifically give the City Council of Nairobi its own Act is under way.

Mr. Ligale: Mr. Deputy Speaker, Sir, that is a very disappointing answer by the Assistant Minister. How on earth can that election be termed as free and fair when there was so much violence, which was shown on our television screens? Is this Assistant Minister serious? How can he say that the election was free and fair when there was chaos?

Mr. Shaaban: The hon. Member knows that in many elections there is some violence, and probably this was the case when he was being elected as a Member of Parliament. So, most of our elections are not free from violence. But that does not mean that such elections are not free and fair.

Mr. Osundwa: The Assistant Minister has said that his Ministry has prepared proposals to amend Cap. 265, the Local Government Act. Where has he kept these proposals? I thought it was

for this House to approve such proposals!

Mr. Shaaban: Mr. Deputy Speaker, Sir, the proposed amendments to this Act are with the Attorney-General. As soon as they are ready, they will be brought to this House.

Mr. Midiwo: Mr. Deputy Speaker, Sir, this is not the first time we have seen this kind of charade in a mayoral election in the Nairobi City Council. Year in, year out, when elections take place you will see television footages showing people being openly bribed. Is the Assistant Minister aware of these malpractices? What has he done also about the Mayor of Nairobi City who openly increased his salary and allowances?

Mr. Shaaban: I am not aware of that issue. If there were any irregularities in the election, the only remedy is for the losing candidate to go to court so that allegations of bribery can be proved, otherwise, I have no powers to call for a fresh election.

Mr. Balala: Mr. Deputy Speaker, Sir, this Government was elected on the promise of fighting corruption. It is public knowledge that in most council elections councillors are induced through open bribery. What is the Assistant Minister doing to fight corruption in councils? Could he also nullify all elections held in an atmosphere of corruption?

Mr. Shaaban: Mr. Deputy Speaker, Sir, I think at one time, the hon. Member was elected as a Mayor of Mombasa Municipal Council. He should have been the first---

(Applause)

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

Mr. Deputy Speaker: Let the Assistant Minister finish his response.

Mr. Shaaban: In the election where he was elected as a mayor, there were allegations of corruption. I think he should have nullified that election.

Mr. Deputy Speaker: What was your point of order, Mr. Balala?

Mr. Balala: Mr. Deputy Speaker, Sir, the hon. Assistant Minister is fully aware that I was nominated and eventually elected as a mayor. I served for only 10 months and did not participate in subsequent mayoral elections. My position was very clear. I had to resign because of fighting corruption. I sacrificed my job. What is he doing to sacrifice his job?

Mr. Deputy Speaker: Mr. Balala, you stood on a point of order, but that was basically a point of information.

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

Mr. Deputy Speaker: Order, Mr. Balala! Could you, please, sit down?

*(Messrs. Angwenyi and Ndolo stood
up in their places)*

Order, Mr. Angwenyi and Mr. Ndolo!

Last question, Mr. Ligale!

Mr. Ligale: Mr. Deputy Speaker, Sir, is the Assistant Minister aware that even as he responds to this Question now councillors of Mombasa Municipal Council are holed up in a hotel? They have been there for the last two months awaiting an election. He knows that is illegal and is a form of corruption, which should not be allowed. Why is the Assistant Minister not taking action to release these councillors from that bondage?

Mr. Shaaban: Mr. Deputy Speaker, Sir, it is illegal for councillors to be holed up in hotels awaiting a democratic election. However, the best way to deal with violence and allegations of councillors being kept in hotels is for this House to pass amendments to the Local Government Act, Cap 265. In that way, we will be able to do elections of mayors and their deputies directly and

that will solve this problem.

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

Mr. Deputy Speaker: Is it a further question or a point of order? I will not allow you to ask a further question, but if it is a point of order, let me hear it.

Mr. Ligale: Mr. Deputy Speaker, Sir, my question was specific. What is the Assistant Minister doing to release those councillors from that bondage? He has powers to do that! He is not answering that question!

Mr. Deputy Speaker: By the way, are these councillors kept in the hotel against their will?

Mr. Shaaban: Mr. Deputy Speaker, Sir, I am not aware of councillors being held at a hotel. If they are in a hotel, they are there on their own will. How will I be able to know where a councillor is in any part of this country? If there is any problem, the hon. Member should report to the police, so that any councillor held hostage can be freed.

ORAL ANSWERS TO QUESTIONS

Question No.207

BITUMENIZATION OF MATE ROAD

Mr. Kagwima asked the Minister for Roads and Public Works:-

(a) whether he could honour the Government's promise, in early 2005, to bituminize Mate Road (C92); and,

(b) whether he could also ensure equitable allocation of funds for road works in future.

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Deputy Speaker, Sir, I beg to reply.

(a) My Ministry will honour the promise made by the Government in early 2005 to bituminize Mate Road, which is commonly known as Ena-Ishiara-Meru Road. Already, the design has been completed for bitumenization. We are going to advertise next month for construction work.

(b) My Ministry has ensured that there is equitable allocation of funds for road works in the country. The fuel levy funds are distributed on a prorata basis as per the Kenya Roads Board Act.

Mr. Kagwima: Mr. Deputy Speaker, Sir, I am happy because the Assistant Minister has just said that the Government honoured the promise that it made early last year. However, you and I know that after advertisement of contracts, the awarding of tenders takes so long and sometimes it gets to the next financial year. Could the Assistant Minister assure us that after advertising next month, the tenders will be opened quickly, probably within three months, and the contracts awarded? Could he, please, address that issue of time with regard to awarding contracts?

Eng. Toro: Mr. Deputy Speaker, Sir, we have procurement rules and regulations which we have to go by. Therefore, we cannot have any shortcuts. What is important for the hon. Member to note is that there is already a budgetary provision of Kshs121 million for the construction of that road during this financial year.

The design of the road has already been completed and that last allocation for that road was for the design consultant who was doing that work at a cost of about Kshs33 million. So, as soon as we abide by all the procurement regulations and without any delay, we should be able to start construction work by early next year.

Mr. Gitau: Mr. Deputy Speaker, Sir, you are aware of the very unfair allocation of funds by this Ministry. Is the Minister aware that the allocations they sent to the Ministry of Finance are

altered by corrupt officers of the Ministry of Finance together with some corrupt Ministers and Assistant Ministers in this Government?

Mr. Deputy Speaker: What are you up to Mr. Gitau?

Eng. Toro: Mr. Deputy Speaker, Sir, the question of equitability depends on how one looks at it. It is not possible for my Ministry to have road programmes in every constituency in the country.

Mr. Deputy Speaker, Sir, I am not aware that there are some officers in the Ministry of Finance who are altering budgetary provisions for the Ministry.

Maj-Gen. Nkaiserry: Mr. Deputy Speaker, Sir, you heard the Assistant Minister, when answering part "b" of the Question, say that there is equitable distribution of funds by the Ministry throughout the country. You will realise that last week, when we were debating the Ministry's budget, the amount of money which was allocated to some parts of the country was money from the Government while other districts were allocated money from donor communities. Is the Assistant Minister really in order to mislead this House by saying that there is equitable distribution of funds by his Ministry?

Eng. Toro: Mr. Deputy Speaker, Sir, I said that it depends on how one looks at it. The hon. Member of Kajiado Central will be a beneficiary of donor funding and other people might complain that they were not considered for donor funding. However, the point is that once donors have committed themselves to do certain roads, there is no way we can allocate total finance for those roads. What we do is to only allocate the budgetary support, that is, the Government component. However, 90 per cent of the money is from the donors. The only thing we can do is to pressurize the development partners to hurry up with their decisions and respond to letters of objections immediately. We are sometimes constrained by the development partners in hurrying up the construction works.

Mr. Kagwima: Mr. Deputy Speaker, Sir, the reason I raised part "b" of this Question is that for the last three years, the question of unequitable distribution of funds throughout the country has persisted. Since I raised this Question before the Budget Speech was read, I thought that the Minister could have looked at what happened in the last three years and, therefore, come up with an equitable distribution this financial year.

In the current Ministry's budget, some districts have received as much as Kshs300 million whereas others, for example, Tharaka District has been allocated only Kshs22 million. Does that justify the equitable distribution the Assistant Minister is saying that he has done?

Eng. Toro: Mr. Deputy Speaker, Sir, before this financial year's Vote, the hon. Member for Tharaka was not happy that this road was not going to be constructed. He was, in fact, complaining that he has been neglected. However, it is now a different story. The hon. Member for Siakago is also a beneficiary. Before that, they would complain that nothing is being done about the roads in their respective constituencies.

Mr. Deputy Speaker, Sir, it has taken about two years for the design consultants to finish the designs for this road. Now, that we have been able to allocate money for that road to be constructed, you will find some other hon. Members in whose areas we have initiated designs complaining that their roads are not being constructed.

Designing and constructing roads is a slow process and it cannot be done overnight. I would like to ask the hon. Members to bear with us so that this time round we can do the work professionally. In the past, because of lack of professionalism, roads would be constructed without proper designs and would not last even for two years. So, we want to be given time to do proper designs and construction work.

MEASURES TO MAKE TELEPHONE
CALLS AFFORDABLE

Mr. Kajwang asked the Minister for Information and Communications:-

- (a) if he is aware that the cost of making telephone calls in Kenya is a hindrance to investment, trade and development; and,
- (b) what bold steps the Government will take to deal with this infrastructural bottleneck.

The Minister for Information and Communications (Mr. Kagwe): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, indeed, I am aware.

(b) The Government has taken the following steps aimed at improving telecommunication services in the country and lowering the cost of services as follows:

(i) Opening of international lines has necessitated a decline in pricing from a high cost of Kshs120 per minute in 2002, to Kshs15 per minute today on landline through Voice over Internet Protocol (VoIP) and to 30 cents on the mobile line.

(ii) Within the new ICT framework, the Government has encouraged competing technologies, that is, the Global System for Mobile (GSM) and Code Division Multiple Access (CDMA). This will further reduce the price of local calls. Already, the billing of local calls has changed to per-minute-call from per-three-minute-call that used to cost Kshs10. This means that if you talk for one minute, you will only pay Kshs5 as opposed to Kshs10 in the previous billing.

(iii) Within the next one month, the Government will roll out an extensive fibre optic network throughout the country that would substantially lower the cost of communication.

Mr. Kajwang: Mr. Deputy Speaker, Sir, I am not so sure that I know the meaning of VoIP. I hope that the Minister will explain that when he responds. However, when did the mobile cost come to 30 cents per minute? I think we pay Kshs28 and sometimes Kshs30.

Mr. Deputy Speaker: Is it Kshs30 or 30 cents?

Mr. Kajwang: Mr. Deputy Speaker, Sir, I just wanted to ask that so that he can explain this fundamental reduction which I am not aware of.

Mr. Kagwe: Mr. Deputy Speaker, Sir, indeed, the mobile telephony rates have been advertised in the newspapers and continue to come down in an extremely competitive environment. For the benefit of my colleague, simply put, the VoIP is just that. It means connecting yourself on the internet where there is a voice mechanism that you can use via the internet. Instead of keying in information, you only speak and it costs that much.

Mr. Deputy Speaker, Sir, internationally, VoIP communication is going to be free soon. If somebody has internet connectivity on the other side of the world and you too on this side of the world has the same internet connectivity, it is possible to communicate for a cost of as little as Kshs2.50. Obviously, then, the technology we have implemented is such that the cost of connectivity is bound to come down.

So far, it has come down so much so that it has overtaken the knowledge of the hon. Member.

Mr. Oparanya: Mr. Deputy Speaker, Sir, cheap communication is definitely a catalyst for economic development. The Minister is aware that the Government charges 10 per cent Excise Duty on all telephone calls. Why can the Government not waive the 10 per cent Excise Duty to make telephone calls cheaper?

Mr. Kagwe: Mr. Deputy Speaker, Sir, while the raising of taxes is a mandate of a separate Ministry, I would like to say that--- The hon. Member is absolutely correct that technology and

communication could change our country. But in order for that to happen, it has to be financed somehow. The money we use to finance those exchanges has to come from somewhere, and that is taxation. So, it would be desirable to waive all those taxes to make connectivity cheaper than it is today, but the truth of the matter is that we have to raise some money from somewhere to lay out the technology that is required for that to happen.

Mr. Deputy Speaker: Last question, Mr. Kajwang!

Mr. Kajwang: Mr. Deputy Speaker, Sir, I read in the newspapers and saw in the electronic media that there is a simmering dispute between Celtel and Safaricom on one hand, and Telkom Kenya on the other. That is because Telkom is planning to provide some mobile connectivity. What is the dispute? How will Kenya benefit from Telkom Kenya entering that business? What are we likely to lose if Telkom Kenya does not enter into that business?

Mr. Kagwe: Mr. Deputy Speaker, Sir, I will not call it a dispute. But the current discussions between Celtel and Safaricom on one side and Telkom Kenya on the other, revolve on the use of CDMA technology. That is wireless telephony. What is happening is that the CDMA technology that is being rolled out by Telkom Kenya is like a landline that will cost about Kshs5. But it is in a mobile format that enables you to move around with your landline and communicate at Kshs5. That is better than the Kshs15 that mobile telephone providers are charging. Therefore, the view held by Safaricom and Celtel is that Telkom Kenya has directly entered into the mobile telephone business to compete with them. The Ministry has taken the following position:-

(i) Our position is not to protect any particular company, including Telkom Kenya. Our job, as a Ministry, is to try and bring down the cost of telephone communications, nationally and internationally, as much as possible. Consequently, our long-term position is that other mobile telephone providers will be issued with the necessary licences to roll out whatever technology they want, in direct competition with Telkom Kenya. The unification of licences will mean that there is competition at every level.

As far as we are concerned, there are no possible losses. The only possible loss will be made by organisations that will be left behind in technology. They will not survive. But organisations that will run along technology and stay ahead with new inventions will make a lot of money. Kenyans will benefit because the cost of making calls will come down.

Question No.349

CONSTRUCTION OF OFFICE BLOCKS
IN NAIROBI RESIDENTIAL AREAS

Mr. C. Kilonzo asked the Minister for Local Government:-

- (a) why the Nairobi City Council has allowed construction of office blocks in residential areas in Lavington, Riverside and Kileleshwa; and,
- (b) what action he will take to ensure that town planning and zoning is adhered to by the City Council.

The Assistant Minister for Local Government (Mr. Shaaban): Mr. Deputy Speaker, Sir, I seek the indulgence of the House to answer this Question tomorrow afternoon.

Mr. Deputy Speaker: Mr. C. Kilonzo, what do you say?

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, I want to know the reason because I have received a written answer. He has the answer also!

Mr. Deputy Speaker: Mr. Assistant Minister, why do you want more time?

The Assistant Minister for Local Government (Mr. Shaaban): Mr. Deputy Speaker, Sir, the answer I have is not very satisfactory. I think the hon. Member would like me to answer the

Question properly.

Mr. Deputy Speaker: Will tomorrow be okay? We shall defer it until tomorrow afternoon.

(Question deferred)

Question No.344

NUMBER OF REGISTERED YOUTH POLYTECHNICS IN KENYA

Mr. Bett asked the Minister of State for Youth Affairs:-

- (a) how many village youth polytechnics are registered in the country;
- (b) what are the main trades taught in those polytechnics and to what level of certification are the courses; and,
- (c) whether he is aware that those institutions are collapsing due to lack of funds and demoralized staff.

The Minister of State for Youth Affairs (Dr. Kuti): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The number of youth polytechnics registered in Kenya is 750. They are categorised as follows:-

(i) There are 562 community-based youth polytechnics. Out of those, 375 polytechnics receive Government salary top-up support.

(ii) There are 128 privately owned polytechnics.

(iii) There are about 60 church sponsored village polytechnics.

That totals to 750. That number keeps on fluctuating because some existing youth polytechnics close down while new ones are re-opened. But, on average, that is the number we have at the moment.

(b) The common trades being offered at youth polytechnics include: Motor-vehicle mechanics, carpentry and joinery, masonry, tailoring and dress-making, welding, fabrication and metal work. The trades are tested and certified at the level of Government trade test grade III.

(c) I am aware that the state of most youth polytechnics in the country is poor to the point that, a number of them have collapsed, or are at the point of collapsing. However, the Government is taking significant measures to reverse the trend and make those institutions centres of excellence. The Government established my Ministry to be fully in charge of those youth polytechnics and also the National Youth Service (NYS). We are supposed to implement the proposed national youth policy to comprehensively address the problems that our youths are facing.

Mr. Bett: Mr. Deputy Speaker, Sir, I thank the Minister for that comprehensive reply. Those institutions were put up by members of public who used a lot of their resources. So, when they collapse, it is the public that is losing a lot of money. In the process, the country is also losing trained personnel which could provide self-employment, thus reducing unemployment in this country. I would like to ask the Minister: Since it is the public who put up those facilities, could the Ministry employ and pay qualified managers to manage those institutions?

Dr. Kuti: Mr Deputy Speaker, Sir, I agree with the hon. Member that those village polytechnics have been neglected, and yet the communities pumped in a lot of resources into them. Those polytechnics were neglected by their former Ministries. But now that they are fully under my Ministry, they will receive better attention. To start with, as stated in the Budget Speech this year, every constituency will have a village polytechnic that is well built, equipped and staffed.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, the Minister says that 365 village youth polytechnic teachers receive salaries from the Government. How much money is each of them paid

per month?

Dr. Kuti: Mr. Deputy Speaker, Sir, I do not have the figure as to how much they are paid with me here. I know they are part of the Government employees. However, having done some rounds lately, I found out that their scheme of service is much lower than that of the technical teachers. We are addressing that issue.

Mr. Bifwoli: On a point of information, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order, Mr. Bifwoli! We do not have anything like a point of information during Question Time!

Yes, Mr. Kamotho!

Mr. Kamotho: Mr. Deputy Speaker, Sir, since the village youth polytechnics are community-based, could the Minister consider taking over all of them and providing them with both managers and staff so that they give some leadership direction in the communities?

Dr. Kuti: Mr. Deputy Speaker, Sir, since this is a new Ministry we need a policy on village polytechnics. Right now, we, in partnership with the United Nations Development Programme (UNDP), are developing a national policy on the curriculum, qualification of the staff to be employed, the current situation and the way forward.

Mr. Deputy Speaker, Sir, we are at an advanced level of establishing, at least, one village polytechnic in every constituency. Then, we may move on to the general ones which are community-based.

But as of now, there is no policy governing how village polytechnics are managed. So, we are actually at the policy level now.

*(Several hon. Members stood up
in their places)*

Mr. Deputy Speaker: Sorry, hon. Members! We are guided by time. We only have seven minutes left for Question Time.

Last question by Mr. Bett!

Mr. Bett: Mr. Deputy Speaker, Sir, I wish you had given this Question more time because of the interest raised by it.

Could the Minister tell this House who is a youth?

Mr. Deputy Speaker: Did the Minister hear the question?

Dr. Kuti: No, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Could you ask your question again, Mr. Bett?

Mr. Bett: Mr. Deputy Speaker, Sir, we are talking about youth polytechnics. I am wondering who is a youth.

Mr. Deputy Speaker: Do you want the Minister to define the youth?

Mr. Bett: Yes, Mr. Deputy Speaker, Sir.

Dr. Kuti: Mr. Deputy Speaker, Sir, the definition of a youth is somebody between ages 15 to 30, both male and female.

Mr. Deputy Speaker: So, have you disqualified yourself from being a youth?

Dr. Kuti: Mr. Deputy Speaker, Sir, I am not a youth. I am the Minister of State for Youth Affairs.

(Laughter)

Mr. Deputy Speaker: Very well. Next Question by Capt. Nakitare!

*Question No.459*MEASURES TO SUPPORT LOCAL INVESTORS
IN TOURISM SUB-SECTOR

Capt. Nakitare asked the Minister for Tourism and Wildlife:-

(a) whether he is aware that most local investors in the tourism sub-sector, especially in Northwest Rift Valley, do not receive support from the Tourism Trust Fund (TTF) as a result of which they are almost out of business;

(b) whether he could give a list of names of beneficiaries of the fund in Northwest Rift Valley, indicating amounts awarded to each; and,

(c) what measures he is taking to support local investors in the sub-sector.

The Minister for Tourism and Wildlife (Mr. Dzoro): Mr. Deputy Speaker, Sir, I beg to reply.

(a) It is not true that local investors in the tourism sector in Northwest Rift Valley do not receive support from the Tourism Trust Fund (TTF). In fact, the TTF has recently launched the Western Kenya Tourism Area Plan which covers the Northwest Rift Valley Region. In addition, they have carried out institutional capacity building in the Mid-rift Region in order to jumpstart further tourism investment in the entire region. This blueprint has identified the inherent natural resources, key tourist attractions and stakeholders in the respective areas, so that investments are planned, formulated, co-ordinated and integrated with other tourist attractions in the country.

(b) Some of the other beneficiaries of the Fund in the region include; Rimoi National Reserve Project under Keiyo County Council, Mid-rift Tourism and Wildlife Forum under Kitale Nature Conservancy, who have been funded by the TTF to the tune of Kshs9 million, Kshs5 million and Kshs 6 million respectively.

(c) Comprehensive tourism area plans are being worked out so that substantial funds are committed this year for tourism community projects in various regions and enhance the benefits local communities have been deriving from the sector. In addition, we are in the consultative process of coming up with a comprehensive tourism legislation which will adequately address among others, the issue of sustainable support to local investors in this sector.

Capt. Nakitare: Mr. Deputy Speaker, Sir, before I ask my supplementary question, on record, I am an interested party in this promotion. Whereas, the Minister has enumerated the effort made by the TTF, the project that he is talking about was started in 2000 by Mr. Kalonzo Musyoka. Between the year 2000 and 2005, this particular organization has not done anything for the investors in that region. What steps is he taking to promote wildlife conservancies in West Pokot and Mt. Elgon slopes which fall under the Mt. Elgon and Northwest Rift Valley, and not mid-rift?

Mr. Dzoro: Mr. Deputy Speaker, Sir, the hon. Member is aware that I personally visited his region. I went all the way to Mt. Elgon and even visited his home. Two weeks ago, I was in Lodwar. My main aim of visiting this area was to ensure that it becomes a good tourist destination like any other part of the country. So, I would like the hon. Member to know that I am trying my level best as the Minister to enhance tourism in every part of this country. In addition, plans are underway to make sure that, that place is also opened.

Mr. Deputy Speaker: Next Question by the Member of Parliament for Gem Constituency!

*Question No.509*OPERATIONALIZATION OF MALANYA
SIDINDI WATER PROJECT

Mr. Midiwo asked the Minister for Water and Irrigation:-

- (a) whether he is aware that Malanga Sidindi Water Project is not functioning;
- (b) how much money has been allocated to this project since 2003 and how it was used; and,
- (c) what measures he is taking to ensure that the project operates properly.

The Assistant Minister for Water and Irrigation (Maj. Sugow): Mr. Deputy Speaker, Sir, I beg to seek the indulgence of the House. After going through this answer, there are certain aspects of the project which I need to personally verify on the ground before I bring a comprehensive answer to the House.

So, I request that we defer this particular Question until I visit the ground. I have consulted the hon. Member and we have made arrangements to visit the project.

Mr. Deputy Speaker: What do you have to say, Mr. Midiwo?

Mr. Midiwo: Mr. Deputy Speaker, Sir, I wish to say that he is a good Assistant Minister. So, let us give him a chance.

Mr. Deputy Speaker: Yes, I think the Assistant Minister means well. It is for the interest of the Questioner and his people that he has requested to be given more time.

Therefore, the Question is deferred generally.

(Question deferred)

All right, hon. Members, that is the end of Question Time. There are a few requests for Ministerial Statements, and the first one is by Mr. ole Metito.

POINTS OF ORDER

CRITERIA FOR DISBURSEMENT OF YOUTH ENTERPRISE FUND

Mr. ole Metito: Thank you, Mr. Deputy Speaker, Sir. I rise on a point of order to request for a Ministerial Statement from the Ministry of State for Youth Affairs regarding the money that has been set aside for youth activities. Since the Government has set aside some money in this year's Budget for youth activities, the youth all over the country have actually formed youth groups. My concern is that recently, some people have been going round collecting money from the youth and they are charging them Kshs220 per member of the youth groups, promising them that they are going to assist them to access those funds.

I would, therefore, like the Minister to address three issues in the Ministerial Statement. First, I want him to confirm whether those people are agents from the Ministry. Secondly, he should tell Kenyans when he is likely to release those funds. Thirdly, what is the criteria and channel he is going to use so that the youth all over the country can be aware of any unscrupulous people?

Thank you, Mr. Deputy Speaker, Sir.

The Minister of State for Youth Affairs (Dr. Kuti): I beg to give the Ministerial Statement in the appropriate time because the House is likely to adjourn soon.

Mr. Deputy Speaker: We encourage hon. Members to ask Questions rather than request for Ministerial Statements but they still insist on the latter.

Proceed, hon. Kombe!

DELAY IN RELEASING P1
TEACHERS CERTIFICATES

Mr. Kombe: Thank you, Mr. Deputy Speaker, Sir. I rise on a point of order to request for a Ministerial Statement from the Minister for Education. This is with regard to the ongoing employment exercise of P1 teachers. Sometime last year, I asked a Question and the Minister promised that certificates for the previous year will be ready by June, 2006, to enable the teachers to get employment by August, 2006. I would like the Minister to address the cause of the delay in releasing those certificates so that those who sat for their examinations in 2005 could be employed this August, because we were expecting the certificates to be released by June, 2006, as he had promised me last year.

Mr. Deputy Speaker: What are you seeking, Mr. Kombe?

Mr. Kombe: I am seeking a Ministerial Statement in regard to what caused the delay in releasing the certificates for the P1 teachers who sat for their examinations in 2005 and yet the Minister had promised that they would be released in June, 2006, so that the teachers could be ready for employment in August, 2006.

Mr. Deputy Speaker: Very well, Mr. Kombe. As I said earlier, that would have been a very good Question. But be that as it may, I do not think the Minister for Education is around.

Mr. Kombe: Mr. Deputy Speaker, Sir, can I finish?

Mr. Deputy Speaker: You have not finished?

Mr. Kombe: Not yet, Mr. Deputy Speaker, Sir.

This is owing to the fact that the recruitment exercise is currently going on. So, I want the Minister to explore the possibility of using the result slips to employ those teachers even if they will stay without payment until they hand in the real certificates.

Mr. Deputy Speaker: Order! Order, Mr. Kombe! I will not allow you to proceed further. I think you have finished. Mr. Dzero is here and in the spirit of collective responsibility, he will alert his colleague on the request for a Ministerial Statement. Maybe, he will be assisted by the HANSARD and I hope the Ministerial Statement will be forthcoming.

VALUE ADDITION OF KENYAN TEA

Mr. Mwancha: Thank you, Mr. Deputy Speaker, Sir. I rise on a point of order to request for a Ministerial Statement from the Minister for Trade and Industry regarding what is being done in the marketing of Kenyan tea.

Mr. Deputy Speaker, Sir, the Minister will be aware that since Independence, we have been processing tea and packing it in 50 kilogramme packets which are sold in the Mombasa Tea Auction. Our tea is sold worldwide but there is no single acknowledgement that it is made in Kenya. Currently, the marketing of tea worldwide except in Kenya, has gone into value addition. I would like the Minister to tell us what the Ministry is doing with regard to value addition and new markets. The Kenya Tea Board is charged with this responsibility. There are recent advances in the new markets and in value addition and I would like the Minister, in his Ministerial Statement, to let us know---

Mr. Deputy Speaker: That should be it, Mr. Mwancha!

Mr. Mwancha: As I finish making my request, despite all this, the Minister is aware that farmers are getting Kshs9 and Kshs4.50 is paid to the tea pluckers. Therefore, the farmers are left with only Kshs5 and the industry is on the verge of collapsing.

That is my first request. My second statement is a short one. In my constituency, farmers who are frustrated in growing tea and pyrethrum---

Mr. Deputy Speaker: Mr. Mwancha, you have already requested for a Ministerial Statement. You should tell us about your constituency when the Ministerial Statement is brought.

Mr. Mwancha: No, my second request is a short one.

Mr. Deputy Speaker: Can you, please, stop there?

Mr. Mwancha: I will make it very short. Farmers in my constituency have grown mushrooms in large quantities. Somebody told them of an external market which has turned out to be non-existent. I would like to know from the Minister---

Mr. Deputy Speaker: Order! Order, Mr. Mwancha! You requested the Chair for an opportunity to seek a Ministerial Statement on tea marketing and now you are moving on to mushrooms.

Mr. Mwancha: I said my second request would be short.

Mr. Deputy Speaker: I am sorry, Mr. Mwancha! The Ministerial Statement will be on tea marketing, and that ends the matter and no mushrooms!

Mr. Mwancha: Thank you, Mr. Deputy Speaker, Sir.

Mr. Osundwa: On a point of order, Mr. Deputy Speaker, Sir. The Minister for Trade and Industry is not here and this is a very important issue!

Mr. Deputy Speaker: Yes, he is not here, but there are Ministers here and Mr. Dzoro has taken note of the request.

CONFISCATION OF LIVESTOCK IN POKOT/TRANS NZOIA DISTRICTS

Mr. Poghiso: Thank you, Mr. Deputy Speaker, Sir. On Wednesday last week, I sought a Ministerial Statement from the Minister of State for Administration and National Security concerning some nearly 500 cows which were forcefully collected from Pokots in Trans Nzoia District by the Government and donated unilaterally to some armed people in Uganda at night. I had sought an explanation from the Government about those livestock and about the fate of the people who lost their livestock. What is the Government doing about this incident? May I, please, know why up to this time, there is no Ministerial Statement? When can I get it?

Mr. Deputy Speaker: Well, I think the Chair asked the Minister to provide that Ministerial Statement sometimes either last week or the week before. So, Mr. Dzoro, could you talk to your colleague and let us have that Statement tomorrow afternoon?

That is it, hon. Members!

Next Order!

MOTIONS

INTRODUCTION OF NATIONAL FAMINE AND DROUGHT MANAGEMENT BILL

THAT, in view of the fact that Kenya has continued to persistently experience famine and drought; considering that hunger has been experienced every year without any permanent solution by the Government; cognizant of the fact that famine has been declared a national disaster and that there is no law or special body to take care of famine issues in Kenya; this House grants leave for the introduction of a Bill entitled "The National Famine and Drought Management Bill 2006" to establish a legal framework to address famine related issues.

(Prof. Oniang'o on 26.7.2006)

*(Resumption of Debate
interrupted on 26.7.2006)*

Mr. Deputy Speaker: Mr. Musyoka, you have seven minutes!

Mr. Musyoka: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to continue with my submission on this very important matter.

Mr. Deputy Speaker, Sir, it is sad that 43 years after Independence, we are still not self-sufficient in terms of food production and ability to feed our own people and yet we are dealing with a Government that has even lost the war against corruption. The Kshs350 million that has been flashed over today's newspapers could have been enough to provide so many dams in Ukambani, for instance. I want to suggest that the Motion by Prof. Oniang'o be treated with the seriousness it deserves.

[Mr. Deputy Speaker left the Chair]

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

I am happy that the Minister of State for Special Programmes, Mr. Munyes, is here to listen to what we are saying. I have just had a private discussion with the Minister. I hope he will find time to visit parts of upper Eastern Province, lower Eastern Province and the North Eastern Province because these are the areas that are perennially under threat of famine. I know that there are many such areas, including Kajiado and Turkana districts. I come from an area that has been permanently inflicted by famine. Major-General Nkaissero remembers that I was even in Kajiado Central, where the conditions are no better.

Mr. Temporary Deputy Speaker, Sir, time has, indeed, come for the Government to try and, at least, wake up. It is sad that the National Cereals and Produce Board (NCPB) is apparently, doing very little to even store the available food that comes by the way of this Government. I know that following the declaration of drought as a national disaster by the President last year, a lot of friends of this country came to our assistance.

I would want to suggest that the Minister responsible for Special Programmes comes to this House and gives a tabulation of the assistance the Government has received and how he dispensed the receipts that came his way to off-set the food deficit this country faced. I have confidence that the Minister tried to do his best. However, surprisingly, Kenyans no longer talk about *kitu kidogo* but rather *kitu kikubwa*. There could be some officers even in his Ministry who could have taken advantage of the good will extended to us by our development partners and diverted food assistance to other areas.

For instance, I would like to see proper use being made of the NCPB stores. I gave the example of Nginyang' NCPB depot in East Baringo where, after visiting, I found that what was originally meant to be a food store has been turned into a "prison" for livestock that get stolen by the various communities. This was, indeed, shocking. I am sure that the Minister may not be aware of a place called Kiso in my own constituency, where we have a NCPB depot, as well as the main depot in Mwingi. These facilities have been put into disuse.

Mr. Temporary Deputy Speaker, Sir, we would want to have a clear policy from the Government on what it intends to do to some of these facilities, which were put up with assistance from our development partners. I want to suggest that serious attention be given to dam construction, particularly in Ukambani and the other areas I referred to.

If the Government was serious, we could have seen the deployment of the National Youth Service (NYS) to those areas because these are young Kenyans who would want to make a difference in terms of developing their country. Indeed, the Engineering Battalion of our Armed

Forces should have been deployed to that area in a very systematic manner to give water to our people.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order! The hon. Members at the back are consulting very loudly. Please, consult quietly.

Mr. Musyoka: Thank you, Mr. Temporary Deputy Speaker, Sir. I know that the Member of Parliament for Makadara, Mr. Ndolo, may not have the problem that I am talking about but I think a lot of his own constituents come from these areas, which have a serious problem of even clean drinking water. Therefore, I suggest that the Bill being sought should introduce some legal framework in the area of handling famine in this country, so that we do not have to talk about famine-related national disaster year in, year out. Of course, the very fact that we talk about famine all the time is negative but it is also a recognition of the reality of our times.

Mr. Temporary Deputy Speaker, Sir, once, we, in the Opposition, throw out our friends on the Government side, we will move with speed and construct dams. A country like Finland, which is famous for its aggro-forestry programme has more than 1,000 lakes. In fact, Finland is a country of lakes. As a water-deficient country, we would want to move with speed, as we give our people water, to improve the capacity to carry out irrigation activities. We are now in the fourth year of this Government but there is absolutely no attention given to the critical matter of irrigation, which would have alleviated the problem of food shortage that this country continues to suffer.

I want to, therefore, call upon my colleagues to wholeheartedly, applaud and support the efforts of Prof. Oniang'o in trying to be a pragmatic Kenyan by having a legal framework in the form of a Bill introduced to this House for debate and enactment into law. The Member for Gachoka has similar problems, and I can understand his excitement for wanting to contribute to this Motion.

With those remarks, I beg to support.

Mr. Musila: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. It is a mere coincidence that the Member for Mwingi South speaks immediately after the Member for Mwingi North.

I would like to thank Prof. Oniang'o for, finally, coming up with a Motion to introduce the National Famine and Drought Management Bill. I say this because the Government has up to now failed to manage famine and drought in this country.

Mr. Temporary Deputy Speaker, Sir, it is, indeed, sad that 43 years after Independence, we are still talking about famine. People are unable to feed themselves when the Government is able to provide the necessary funds to facilitate irrigation. In every single year that passes, the amount of money that the Government spends to provide relief food in famine-stricken areas is sufficient to provide water in one district and completely eradicate famine in that area. During the last financial year, Kshs2 billion was allegedly spent in Mwingi District to transport famine relief food and buy--

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order, Mr. Ojode and the other hon. Members over there; you are so close to each other. Why do you not consult quietly?

Proceed, Mr. Musila!

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, it is very sad that while we are discussing a matter that is so close to the hearts of poor Kenyans, some hon. Members here do not

think it is serious.

The point I was trying to make before I was interrupted is; the resources we have in this country are enough to completely eliminate famine. I was giving an example of the money spent in Mwingi District in the last financial year. If that money was directed to drilling boreholes and providing water, I would not ask any more questions regarding famine. Two weeks ago, we saw in Kapenguria, food meant for famine relief being sold. From that day on, we have not heard anything being mentioned about the issue. In fact, we understand that the Government is responsible, and would like to hold communities hostage through famine relief, so that some of its officials can benefit from it. We know that previously, Government officials have been found selling food that is meant for famine relief. We know that most of the people who transport that food are Government officers and, therefore, it has become a trend. We also know that the Government uses famine relief to woo Kenyans to vote for it. So, famine relief is there to stay, as long as the Government wants to use it to marginalise communities which have been permanently depending on it.

When my friend, Mr. Munyes, was appointed a Minister - he comes from Turkana, perhaps an area where people suffer from famine more than in Mwingi District - we all celebrated. However, I am sorry to say that things have moved from bad to worse, since he took charge of the Ministry. He is my very good friend, yet we do not get any supplies in Mwingi. It hurts me to stand here and talk about famine relief every now and then. I want to declare here and now, that our people do not want free food. They want to be facilitated to be able to grow their own food. They want to be provided with water to grow their own food. They want to be provided with the necessary finances in order to farm because they are farmers. However, the Government is deliberately keeping the communities under permanent famine for its own benefit. I can speak here until the sun sets. I do not know what language I can use in order to convince the Government that our communities are suffering out there.

Recently, last year because of the Press - and I thank them for highlighting the situation - individuals went to famine stricken areas to give affected people food, and the problem was reduced. However, I want to say that nothing has changed since then. In fact, things have become worse because the recent rains failed. In Mwingi District, rains have been failing for the past four years. But what has the Government done? The last time the Government distributed food in Mwingi District was during the referendum period. Since we did not vote for the draft constitution, the Government stopped distributing food. The Government has abandoned its responsibilities to the communities. It has given the World Food Programme (WFP) the responsibility of looking after the communities. The WFP has been going to villages and picking out about ten people in every village and giving them food while leaving out the rest, yet the Minister is doing nothing.

I think the only solution to the perennial famine problem that has been affecting our people is through the introduction of this Bill. I want to urge all hon. Members to support this Motion so that in the end, we can force the Government to address issues regarding dry areas. As it is today, well-to-do areas are allocated funds for road construction and other Government resources, yet areas which are suffering persistent droughts are left to continue suffering.

If you remember, I brought a Motion to this House, asking the Government to release certificates of famine stricken students who had finished form four, and had not completed paying school fees. This House passed that Motion. Today, thousands of poor students out there are permanently condemned to poverty because their parents are poor, owing to famine. Once they have finished going through secondary education, they cannot access employment because they do not have any certificates.

Mr. Temporary Deputy Speaker, Sir, right now, there are vacancies in the Prisons Department and, yet those people cannot access them because they do not have certificates. I want

the Government to look into this issue, more than just giving out food. The Government should empower the communities which are permanently disadvantaged by drought so that they are able to live quality lives like other Kenyans.

I want to emphasise that we should support this Motion so that we can have a Bill coming here. That way, the Government will be forced, by the law, to manage famine and drought in this country.

I beg to support.

Mr. Sambu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to respond on behalf of this side of the House. We strongly support the passing of this Motion and the enactment of a Bill so that the Government can wake up to the reality of the food situation in this country. It is very sad and I hope the Minister is listening to this, it is our areas that generate water which flows to the dessert countries of northern Africa, which are able to produce more food than us. They have done so for many years, using our water, yet, where the rivers originate from, our people are starving. That can be associated to lack of knowledge. As the Lord told prophet Isaiah, I quote the prophet: "*Mwenyezi Mungu alisema watu wangu wanaangamia kutokana na ukosefu wa maarifa.*" That is the truth.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Sambu, what is happening to the language you were using?

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, I requested that I quote in Kiswahili because I thought I would portray the message better. I have, however, delivered the message.

Our people are starving, yet the waters that flow to the northern part of Africa originate from our country. We are told that some nations made declarations to go to war if something went wrong with the rivers. If you go to the northern Rift Valley now, you will find that three people were killed because they were found felling trees in the forest. That is lack of knowledge. We want to generate more water, yet some of us cannot allow people to carry out afforestation. This Government has to wake up. I know the previous one was doing nothing about it, but that does not mean that we have to go on in the same way. We should not follow blindly what others were doing. We have to utilise our water to produce food for our people. We have to construct dams along the rivers which flow into Lake Victoria. Year in year out, people living in the Nyando plains and Funyula are afflicted by floods, and yet we could use this water to build dams on the slopes of Rift Valley, which would even generate power. We should have dams which can then be used to store water, which can then be used to produce more rice in the Western plains. The same thing should be done on rivers that flow into the Indian Ocean. But we only wait until people start starving or are displaced by floods and then cry out to western donors for food. It is a pity because a little lack of knowledge causes all those problems. It is not the lack of money. As the previous hon. Member said, Kshs400 million was used on five or six people. We really have to ask ourselves questions.

Mr. Temporary Deputy Speaker, Sir, if we want to have this Bill, we will have to repeal some Acts in this House. At the moment, farmers in maize and wheat producing areas sell their produce to the National Cereals and Produce Board (NCPB). I would be glad if Government Ministers hear this. Farmers buy fertilizer using cash.

*(Mr. Munyes consulted
with Mr. Mwenje)*

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Minister, you are being addressed!

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, that is why we have problems. They know it all. That is why they talk when we try to give them some information. You cannot consult before you hear what is being said. That means you already know what is being said.

The Temporary Deputy Speaker (Mr. Poghisio): Please, proceed!

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, I am saying that we buy fertilizers using cash money. We also use cash money to buy seeds from Kenya Seed Company, which is Government owned. They do not lend us the seeds! The NCPB sells fertilizer. They do not lend it to us. But when we sell them maize, they take it on credit. As I speak now, there are farmers who have not been paid for their deliveries. They borrow the maize interest-free. On the other hand, farmers borrow money from banks to buy fertilizer and seeds. They pay interest. Is that not a sad situation? This Government, on one hand, sells seeds and fertilizer for cash and, on the other hand, when the maize is ready, takes it on credit! It is a sad situation! This Bill will take care of that.

The Kenya Meat Commission (KMC) has been re-opened. I hope it will not be like the previous one, which collapsed with herdsmen's money. We hope that the KMC will be weighing cattle at the Eldoret Railway Station and paying the farmers based on live weight. That way, farmers will be assured that whatever happens to the livestock on transit, does not become their problem.

Mr. Temporary Deputy Speaker, Sir, I support this Motion. If it is passed, we will debate a Bill that aims to create a body to oversee food production activities in the nation. Currently, those activities are dispersed across the Ministries. One does not know who is in charge of dams! Is it the Ministry of Water and Irrigation, the Office of the President or the Ministry of Agriculture? There is total confusion! I hope the Minister will respond to that and advise the Government. It is better to have activities in one body, so that people can know who handles what.

With those few remarks, I beg to support.

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili niunge Mkono Hoja hii. Hoja hii ni muhimu sana. Namshukuru Prof. Ruth Oniang'o kwa kufikiria kuleta Hoja hii katika Bunge hili. Nakubaliana na yeye kwamba ipo haja ya kurekebisha mfumo unaotumika kugawa chakula kwa watu walio na njaa.

Lakini, sikubaliani na Mheshimiwa aliyengea mbele yangu kwa kusema kwamba Serikali inauza mbolea yake *cash*, na inachukua muda mrefu kuwalipa wakulima. Siku hizi, wakulima wa mahindi hulipwa mara moja!

Mr. Rotino: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member, who does not grow maize and, therefore, does not deliver even a single bag to the NCPB, to impute an improper motive on the farmers? Right now, farmers from Kapenguria have not been paid their money? Is he in order? He should apologise to the farmers!

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Bw. Naibu Spika wa Muda, kwanza kabisa, Mheshimiwa amezungumza kwa lugha mbili. Sijui nitatumia lugha gani kumjibu! Ametumia Kiswahili na Kiingereza.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Mwenje! You are not supposed to even answer him! He has not raised a point of order! In fact, if there is anything, I should tell him that he is out of order. In any case, I only heard him speak one language! I do not think he spoke two languages!

However, the information from hon. Members is that farmers are not being paid. You were almost making a full statement that they are being paid cash upon delivery. There is contradiction there! I do not know where you base your information! I do not also know where they base their information!

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Bw. Naibu Spika wa Muda, niko ndani ya Serikali hii na nasema mahindi hulipwa. Bw. Rotino amesema kwamba silimi mahindi, lakini mimi ni mkulima wa mahindi.

Bw. Naibu Spika wa Muda, kuna msemu wa Kiswahili husema: "Usinipe samaki kutoka

kwa *refrigerator*! Nionyeshe jinsi ya kuvua samaki kutoka kwa maji." Kitakachookoa nchi hii ni kuwasaidia wanaokumbwa na baa la njaa - kama huko Mwingi na Kitui - kupata maji ili waweza kulima. Hakuna wakati hatutalia njaa ikiwa hatutawapatia watu maji ya kulima. Kutegemea kupewa chakula kila wakati ni jambo la umaskini kabisa. Tutaishi na umasikini miaka yote ikiwa hatutaanza miradi ya kunyunyisha mashamba maji.

Bw. Musila na Bw. Kalonzo walizungumzia mambo ya kwao. Taabu hiyo inatokana na ukosefu wa maji. Tunatakiwa kusuluhisha shida hizo. Tunaweza kutumia pesa ya Constituency Development Fund (CDF) kujenga visima ili kuwasaidia watu.

Bw. Naibu Spika wa Muda, pia inatakiwa watu wapande miti. Ni kwa nini kuna sehemu ambazo mito imekauka? Ni kwa sababu hakuna miti. Watu wetu lazima waambiwe wapande miti. Hatuwezi kuwa na mito bila miti. Bei ya mashine za kupiga maji iko juu sana. Lazima tupunguze bei ya mashine za kupiga maji, ili watu waweze kuzitumia kulima. Hata mahali kuna maji, watu wanaweza kushindwa kulima kwa sababu hawawezi kununua mashine hizo.

Bw. Naibu Spika wa Muda, ninaunga mkono Hoja hii ili tuweze kuleta Mswada kuhusu jambo hili hapa Bungeni. Kuna haja ya kuunda Kamati ya kuangalia *modalities* za kutayarisha Mswada huu. Hivi sasa---

The Temporary Deputy Speaker (Mr. Poghisio): You must continue speaking in one language.

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Bw. Naibu Spika wa Muda, kuna mambo mengine ambayo hayaeleweki kwa Kiswahili. Kwa hivyo, ninatumia Kiingereza ili watu waweze kuelewa. Siongei kwa Kiingereza bali ninaelezea maneno mengine.

Tunafaa kuwa na Kamati ya kuangalia vile huu Mswada utatayarishwa.

The Temporary Deputy Speaker (Mr. Poghisio) I have told you that you should speak in one language throughout. I am noting how freely you are mixing the two languages.

So, proceed and speak in one language!

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Bw. Naibu Spika wa Muda, si kawaida yangu kutumia Kiswahili lakini ninafurahia leo kuongea kwa Kiswahili. Kwa hivyo, nikifanya kosa moja, fungua macho tafadhali.

Mr. Sambu: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Je, Mhe. Mwenje ana haki ya kukuambia ufunge macho? Ni lazima aulizwe aondoe tamshi hilo. Hauwezi kufunga macho kwa sababu unatakiwa kuona kinachofanyika Bungeni.

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Bw. Naibu Spika wa Muda, basi, fungua macho!

Ni lazima mipango iwekwe ili jambo hili liweze kufaulu. Jambo la kuwapatia watu chakula si rahisi. Chakula hiki kinapelekewa watu kupitia kwa machifu na wafanyakazi wa Serikali, na mara nyingi tunapata ripoti kwamba kimeibiwa. Ninaunga mkono Hoja hii. Huu Mswada unafaa kuletwa Bungeni kwa haraka ili tuweze kuupitisha.

Maj-Gen. Nkaisserry: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on this very important Motion. I would like to thank the Mover, hon. Prof. Oniang'o, for bringing this very important Motion to the House.

Our country is faced with drought every year. We need to have had a policy or a strategy on how to tackle this menace. For the last 40 years, we have not come up with a food security strategy. This is a critical issue. I would like the Minister to listen very keenly. It is very sad for our country to keep on begging for food. The issue of dependency syndrome must cease. Since we have a Minister for Special Programmes who comes from an area which suffers a persistent problem of drought, he needs to listen very carefully, so that he can report to the Cabinet the message from our people. We do not want to depend on food donations year in, year out.

We need to have a strategy to address the problem of water shortage. We should harvest rain water, construct dams and conserve our rivers, so that we can start irrigation schemes. What

happened to the National Irrigation Board? We need to look at these issues in order to come up with a national food security strategy.

The National Cereals and Produce Board has collapsed. We keep seeing the Minister running around begging for food. The Office of the President is the one that distributes famine relief food. How much money has the Government used for the last three years to feed Kenyans? That money could have been used to conserve water for irrigation. For example, if we had constructed dams along Athi River, we could have started irrigation schemes in Kajiado District. If we had constructed dykes, we could have prevented rain water from going down to the Indian Ocean. The Government needs to look into this strategy.

If dams were constructed along the Tana River, we can do some irrigation in North Eastern Province. We should use the billions of shillings that we use to buy famine relief food to construct dykes along the River Tana. The Government needs to put this strategy in place, so that most of our water does not go to waste.

Mr. Temporary Deputy Speaker, Sir, 70 per cent of Kenya is arid land. We have plenty of livestock. How many cattle, sheep and goats perished during the last drought? This Government should come forward and tell Kenyans that we have lost so many animals. If we had sold the animals, we could have saved a lot of money, which could have been used to conserve water and start irrigation schemes.

Surprisingly, while we were importing food, our farmers in the Northern Rift had so much food in their stores and the Government avoided buying it because it wanted to import maize through corrupt means. The Government continues to import food using our meagre resources. This leaves our farmers' produce to rot in the stores. This is shameful. If this Bill is brought to the House and passed, we will be able to tackle the issue of food security in our country.

With regard to the sugar sector, we import sugar while sugar-cane is rotting in our farms. This is because we do not have a food security policy. This is very critical. Every financial year, we put a reserve of over Kshs1 billion into the kitty of the Ministry of Agriculture. The Minister for Agriculture will come here and say that he has Kshs1 billion for food reserve. I have never seen that money being used. We always want to get money from the donor community to support us during drought. There is corruption here. Once this Bill is passed, this problem will be solved.

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member knows very well that the Kshs1 billion is used to buy the strategic reserve food, which is distributed to the famine stricken areas. Is he in order to mislead the House when he has been in this House for so long and he knows that?

The Temporary Deputy Speaker (Mr. Poghio): Out of curiosity, how would the hon. Member know that, that money was spent to buy the food? Was it stated here?

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I thank the hon. Member for being very ignorant. I know exactly what is happening.

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghio): Hon. Mwenje, you do not even need to raise a point of order. Maj-Gen. Nkaisserry, that is unparliamentary. Could you, please, withdraw that statement?

Maj-Gen. Nkaisserry: Thank you, Mr. Temporary Deputy Speaker, Sir, for correcting me. You have just asked hon. Mwenje how I could have known that the money was used to buy reserve food.

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghio): Order, both of you! Maj-Gen. Nkaisserry, that is basically unparliamentary language! That is an hon. Member of Parliament.

Could you, please, withdraw and apologise!

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I beg to withdraw the statement, but---

The Temporary Deputy Speaker (Mr. Poghio): Order, Maj-Gen. Nkaisserry! That is very easy. They go together. It is a package.

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I withdraw the statement and apologise to this hon. Member.

When we look at the issue of livestock marketing, it has not been done for very many years. If we are going to enact The National Famine and Drought Management Bill ---

The Temporary Deputy Speaker (Mr. Poghio): Order, Maj-Gen. Nkaisserry, I will interrupt you very soon because it is about time for the Minister to reply. So, you had better wind up. You have one minute.

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I urge Members to support this Motion and ask the Minister to move with speed to ensure that the Bill is brought to this House.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghio): I will now call upon the Government Official Responder to reply.

The Minister of State for Special Programmes (Mr. Munyes): Mr. Temporary Deputy Speaker, Sir, before I respond, may I donate five minutes to Maj. Sugow.

The Assistant Minister for Water and Irrigation (Maj. Sugow): Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. It is long over-due to put in place some legal framework to address drought problems in this country. I thank the Mover for identifying herself with the problems of the drought-stricken people of this country, particularly in the ASAL areas.

Mr. Temporary Deputy Speaker, Sir, there are quite a number of things which the Government has done, but we have come from very far and there is a lot more that needs to be done. The KMC has recently been opened, but it is not going to be effective since most of the infrastructure to support the current depot in Nairobi has gone. There is need, therefore, to open some depots in livestock producing areas and various parts of the country.

Currently, many parts of the country have not received sufficient rain, particularly the ASAL areas. In Garissa District, for example, there are areas where we are doing water tracking, and this is not the right time to do it. It indicates that we still have not gone out of the cycle of drought that there was in the last season. There is need to put in place measures to rescue the situation. For instance, some of the emergency funds that we set aside in this Budget should be channelled through KMC to prepare for livestock off-set so that we do not lose livestock again as we did the last time.

Mr. Temporary Deputy Speaker, Sir, one of the best ways of handling food security in this country is to invest in the water sector. This Ministry has been receiving about Kshs2 billion annually in the last three to four years. This year, it has been allocated about Kshs12 billion. Despite this being a significant increase, we still have a long way to go. This country has the potential for 540,000 hectares of irrigable land, but only about 100 hectares are under irrigation. The Ministry of Water and Irrigation has an ambition to bring a minimum of 20,000 hectares of land under irrigation annually in order to achieve food security. It needs the support of this House, and the Government needs to put in place measures that will increase the allocations to this Ministry significantly every year so as to be commensurate with that particular plan.

With those remarks, I beg to support.

The Minister of State for Special Programmes (Mr. Munyes): Mr. Temporary Deputy Speaker, Sir, I want to start by thanking the Mover of this Motion, Prof. Oniang'o, for bringing this

Motion that seeks to bring the Bill that will actually give some legal framework to this country on how we manage matters of famine. When I came to this Ministry, I found the draft policy on ASAL areas as well as the National Disaster Management Policy. It is my wish that this country comes up with a policy that will address the problems of famine. When we pass this Motion and go ahead to draft the Bill, this country will thank all of us for that.

Mr. Temporary Deputy Speaker, Sir, let me now respond to some of the issues that Members have raised pertaining to how we manage matters of famine relief. One that struck me most is how much have we spent since we started these operations sometime in December. I must say that the Government has done much to alleviate famine. So far, we have spent Kshs6 billion, and we intend to spend up to Kshs16 billion by February next year when we wind up Emergency Programme II. The public and well-wishers have raised Kshs335 million which we gave to the Kenya Red Cross. We need to commend this Government for this.

The Government has started the Kenya Food Security Steering Group, which is mainly run by the World Food Programme. In the past, we used to receive these resources from donors and development partners. But for the first time, we are using taxpayers' money. Apart from the Kshs335 million that Kenyans and local NGOs gave us, we have not received the billions we used to receive in the past from the WFP and USAID. This Government is supporting 1.5 million hungry Kenyans as well as 500,000 school-going children.

Let me also commend the armed forces for their assistance in this programme. For the first time in this country, starting with His Excellency the President, we saw the armed forces support famine operations in this country. Let us commend our Government for that. As we speak now, the state of affairs is that we are still under an emergency. There is still famine affecting most areas of our country. We are trying to provide full baskets of maize, oil, beans and rice in all these areas, particularly North Eastern and Coast Province. This is highly commendable; that we have at least done something to provide relief in form of rice especially to school children.

The challenges the hon. Members have raised concerning the difficulties we face in famine relief now lie in logistics like transportation where we are spending a lot of money. For this we blame the transport sector for the poor road network and the collapse of the rail network that has affected this country.

Mr. M.Y. Haji: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead the House by saying that it is the Government which finances from its revenue the entire cost of [Mr. M.Y. Haji] famine relief food including the rice which was given to schools while we know that this rice came from Saudi Arabia?

The Minister of State for Special Programmes (Mr. Munyes): Mr. Temporary Deputy Speaker, Sir, the donation from Saudi Arabia is currently held up at the Port of Mombasa. I must tell you that we are clearing it. Since I came to this Ministry, I must tell you the truth. I am managing tonnes and tonnes of food. We have bought over 35,000 metric tonnes of food. The rice costs Kshs1.5 billion. No rice has come from outside the country.

Mr. Lesrima: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to mislead the House that the problem lies with the Kenya Railways Corporation in terms of transportation of famine relief food when those of us who are victims of drought are aware that at the Port of Mombasa, trucks of food are stuck there because he is not paying the transporters so that they can deliver this food to Samburu where there is no tarmac road?

The Minister of State for Special Programmes (Mr. Munyes): Mr. Temporary Deputy Speaker, Sir, I was just responding to what some hon. Members said previously about the railway network because that also contributes to the problem because we need a proper transport system to ensure the food is quickly sent to these areas. In the area he is talking about, the problem has to do

with logistics in terms of the transportation costs and I think that has been a big challenge for this Government.

Mr. Temporary Deputy Speaker, Sir, the issue of subsidising farmers during natural calamities has also been raised and I think it is something the Government must look at. We need to support the farmers so that we can have enough food. We have ensured that our strategic food reserves are well stocked in all parts of the country. Our cereal boards currently have enough stocks and I think we have enough food to last until September.

Mr. Temporary Deputy Speaker, Sir, let me come back to what my Ministry is doing to mitigate the famine. As I said, this Motion is good and we all need to support it. However, currently, the Ministry, through the ASAL Programme which is utilising a credit facility from the World Bank, is trying at least to manage some of the problems in these areas through a number of projects that we have started in those areas. As I said, this Ministry is existing in the form of projects but I think a legal framework is what we require as most hon. Members said. The first phase was initiated in 1996 and its objective was to institutionalise drought management in the Government of Kenya and it ended in June, 2003.

Mr. Temporary Deputy Speaker, Sir, the second phase of the ASAL Programme commenced on 8th September, 2003 and will run for six years which will be built on the success of the first phase. The original objectives of the projects which will enhance food security and reduce drought in marginalised districts, in 21 districts, with the initiation of the ASAL Programme, focuses on enhanced food security. What has been achieved to date is that, at least, the project has drawn some lines on drought preparedness activities where rehabilitation and building of 600 water supplies has taken place; shallow wells have been sunk, construction of dams, protection of springs, purchase of tools and equipment for water supplies have been done in some of these areas. Agricultural activities supporting 55 irrigation schemes are going on through tree planting, soil conservation, establishment of good roads, procurement of animal AI equipment. Drought contingency interventions, rehabilitation of provisional spares to the boreholes with the assistance of the Ministry of Water and Irrigation is also going on because in the last drought we did a lot on that. There is also human vaccination, emergency livestock vaccination, water tracking and sinking of boreholes. On community-driven development, there is restocking of 18,000 goats and donkeys, purchase of ox ploughs, construction of classrooms which are about 400, support for local development investors, construction of tanks, provision of assorted office equipment, children immunisation and emergency livestock auction where 37,000 animals were actually bought from the farmers and sent to other places to be sold and the money was ploughed back to the farmers. There was also improved pest disease control and soil fertility management.

Mr. Temporary Deputy Speaker, Sir, on ongoing drought management project activities, I said earlier that this programme will be funded for the second time and we are expecting huge sums of money from donors but I think this Government has put about Kshs1 billion into these activities. I hope, through the number of activities and suggestions we are getting from hon. Members, we will try to improve on this programme.

However, I want us to go back to the policy. It is not only the famine issues which we must address. We want a situation where we actually embark also on the ASAL policy. The issues that have been raised here today are not really special programmes. Some of that mandate resides with the Ministry of Agriculture; that is irrigation technology and livestock production. However, for the interest of the ASAL policy, I think I need to brief this House and that is what I am trying to do. I need to table the ASAL policy, debate it and get the way forward for these ASAL areas. When we talk of dam construction, irrigation technology and opening up these areas, the infrastructure should be excellent. We have enough food in Western and Nyanza provinces but we cannot move it to northern districts because of the poor road network. That becomes another issue and all those

issues can be brought out in the ASAL policy.

Mr. Temporary Deputy Speaker, Sir, a disaster policy will also "marry" this policy that is going to come and issues of famine and floods. At least, this year, we did not experience massive floods and this country must get the policy that embraces all that. When floods affect this country, the water that accompanies them goes to waste. We must trap this water by constructing big dams in Western Province, the coastal region and in North Eastern Province. This year we tried a lot in the short-term in providing food to these areas and ensuring that they were non-food items for those who get sick like mosquito nets and cooking utensils but that is not enough because next year other floods will occur, affecting those areas. So, we need to get a strategy which can be brought together in this policy.

Mr. Temporary Deputy Speaker, Sir, we have been providing food to North Eastern Province and other parts of this country through the Kenya Food Security Steering Group. The previous regime used to get a lot of food from donors and that is why donors pushed us to give them an institution which I cannot say is perfect. The Kenya Food Security Steering Group manages food through the World Food Programme (WFP). When I speak to my officers they talk good about this institution. I also get a lot of reactions from hon. Members that this institution that is controlled by the World Food Programme does not ensure that the food reaches the districts.

Mr. Temporary Deputy Speaker, Sir, let us pass this Motion today so that we can have another institution to replace what was started because of donors who were bringing in food at that time. I will not support this institution because, currently, the food that is being distributed in this country is funded by the taxpayers money. We must task this Government. The Kenya Food Security Steering Group are donors and the donors have not brought their food. This month we are getting some food from the World Food Programme. The World Food Programme might give us 30,000 metric tonnes. I need 34,000 metric tonnes to feed Kenyans every month. That is not even enough for one month.

An hon. Member said that the Saudis are giving us some rice. That is only 200,000 bags. It is not even enough for one month's distribution. We want to thank them for that but this Government must vote enough resources. I am pushing the Government to do that.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, I will now call upon the Mover to reply.

Prof. Oniang'o: Mr. Temporary Deputy Speaker, Sir, I want to donate a minute each to the following hon. Members, Messrs. Arungah, Y.M. Haji, Prof. Mango and Dr. Ojiambo.

Mr. Arungah: Thank you, Mr. Temporary Deputy Speaker, Sir. Let me take this opportunity to thank Prof. Oniang'o for giving me a minute---

The Temporary Deputy Speaker (Mr. Poghisio): Order! I do not know how you time a minute, but you may time yourselves!

Mr. Arungah: Mr. Temporary Deputy Speaker, Sir, I want to thank Prof. Oniang'o for making a dramatic departure from the grumbling culture. As Members of Parliament, we are here to seek solutions to the problems of our people. She has come up with this Motion so that we can have an Act in place, that will force the Government to take certain measures so that our people do not continue experiencing famine.

When you talk about famine, it is always assumed that it is the people from the ASAL areas who have this problem. For every one person that is starving from the ASAL areas, there are three from the western part of Kenya, the so-called high rainfall areas. These people have a different natural problem because of the poor state of soil, the weeds and pests. As a result, they are unable to produce enough food. I look forward to the day when this Bill will be enacted because it will force the Government to provide inputs so that these people can produce enough to feed

themselves.

The Minister has boasted about being able to spend up to Kshs16 billion to feed Kenyans. I would like to tell him that for as little as Kshs510, that is enough to feed every Kenyan with maize and beans for a whole year. Therefore, with only Kshs10 billion, you can feed all the Kenyans who are described as being poor. With better use of that money, the Minister can feed most Kenyans.

Mr. Temporary Deputy Speaker, Sir, one other area that we should put into place as a policy is to provide civic education to our people so that we can get them to grow the traditional foods that we used to grow before. Ugandans are very healthy people. Our people should be encouraged to grow more drought-resistant crops like cassava and beans. These are perennial foods that can be grown throughout the year.

With those few remarks, I beg to support.

Prof. Mango: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this Motion. This is a very appropriate Motion and I hope the Government will take note. This Motion needs to put together the Ministry of Water and Irrigation, the Ministry of Agriculture, the Ministry of Environment and Natural Resources, the Ministry of Livestock and Fisheries Development to have their act together.

Forty years after Independence, we are still talking about farming. My suggestion here is that the country should be zoned according to climatic conditions so that we do not have too much water in one place and too little water in another place. This is what is causing floods in Budalangi and drought in ASAL areas. We need to create dams so that the water in the lake region can be used for irrigation to produce rice, wheat, maize, cotton and other crops. The National Water Pipeline Corporation should also go to the ASAL areas so that there is irrigation to produce fodder and other crops for the ASAL areas. We need to look into afforestation to confirm the water sources.

With those few remarks, I support.

Mr. M.Y. Haji: Bw. Naibu Spika wa Muda, ninaunga mkono Hoja hii. Ningetaka kusema Prof. Oniang'o juu, juu, juu sana, kwa sababu sehemu anakotoka kule Butere ni sehemu ambayo Mungu amewabariki kwa maji na ardhi nzuri. Ameleta Hoja hii kwa sababu anajali maslahi ya ndugu zake ambao wanakufa kila siku kwa njaa. Badala ya Serikali kuunda tume ambazo zinatumia Kshs258 milioni, ni kwa nini Serikali isichukue wataalam wa nchi hii ili waende wakasome na kutafuta njia ya kupambana na ukosefu wa chakula? Hatuwezi kupambana na njaa kwa kutoa chakula cha misaada. Tunapotoa chakula tunawafanya watu wawe wanyonge na wasiweze kufikiria kujisaidia wenyewe. Tunataka wataalam wetu waangalie njia za kuanzisha miradi ya kunyunyizia mashamba maji. Utapata kwamba mvua ikinyesha barabara zote katika sehemu za ukame hubadilika kuwa mito na maji haya yote hutiririka mpaka baharini. Tukitafuta njia ya kuyakusanya maji hayo na kuleta utalam wa kupanda mimea ambayo inaweza kukua haraka, tutaweza kupambana na janga la njaa.

Inaonekana kwamba Waziri wa Miradi Maalumu anashughulika na mambo ya njaa peke yake. Hiyo inaonyesha kwamba Serikali inataka kufanya biashara na maisha ya wananchi wa Kenya. Tunataka Wizara ambayo itasimamia kwa jumla, mambo ya utekelezaji wa maendeleo katika sehemu zetu kame.

Kwa hayo machache, ningependa kusema: Prof. Oniang'o, juu, juu, juu sana! Asante!

Dr. Ojiambo: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to congratulate Prof. Oniang'o, one of the best brains we have in this country in food security, for bringing this Motion to the House. I would like to tell the Minister that adequate food supply is a human rights issue and this Government has signed the Human Rights Charter. Therefore, the Minister should take this matter very seriously. A country that has hunger and famine is a country that lacks programmes for its people. Hunger can be seen physically and it is also hidden. Here in Kenya, we have both

because we have seen people die from famine. Our national statistics indicate that children under five years of age are failing to grow to their potential because of hunger. They are underweight because of hidden hunger. The Minister should take this issue seriously and deal with this problem once and for all by putting this Motion into action.

Mr. Minister, we would like to see silos being built in North Eastern and Eastern provinces so that food can be transported from Western Province and stored there.

The Temporary Deputy Speaker (Mr. Poghiso): Order, Dr. Ojiambo! Why are you addressing the Minister?

Dr. Ojiambo: Mr. Temporary Deputy Speaker, Sir, I did that through you.

The Temporary Deputy Speaker (Mr. Poghiso): Do not address the Minister! Address the Chair!

Dr. Ojiambo: Mr. Temporary Deputy Speaker, Sir, he was not listening. Silos should be built where food is required. The surplus food in Western Province can be transported and stored in the areas where it is required. This is very important. The Minister should embark on that programme.

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

Prof. Oniang'o: Thank you, Mr. Temporary Deputy Speaker, Sir. For a while, I was seated there thinking I was running out of time to thank the many hon. Members who have expressed interest in this Motion since last week. As you can see, this is an issue that is of concern to all of us. I thank the Minister for arriving prematurely from overseas to make sure that he is in the House when we are concluding this Motion. We met at the airport yesterday.

You cannot govern people on empty stomachs. This is a governance issue and it should be addressed. The Minister did not talk about the emotions caused because all of us just concentrate on hunger and try to avoid the word "starvation". The pictures we see on television do not auger very well for this country. I hope that after passing this Motion, as Kenyans, we will sit down in a non-partisan manner and discuss how we will feed ourselves.

Mr. Temporary Deputy Speaker, Sir, we are aware that many lives have been lost to hunger in the past. We should prepare because the climate is changing and soon we will have a catastrophe. As a country, we should sit down and discuss all the very good points that have come out.

I am happy that a lot of interest has been expressed in this Motion. The Government side has seen it fit to support this Motion. I hope that after it is passed, it will be fast-tracked so that it can become an Act during the Ninth Parliament. I thank everybody for his or her support. I hope that the House will pass this Motion.

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

(Question put and agreed to)

IMPLEMENTATION OF FREE SECONDARY EDUCATION PROGRAMME FOR
HIV/AIDS ORPHANS

Mr. ole Metito: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:- THAT, given the debilitating effects of HIV/AIDS in the country, taking cognizance of the high number of orphans estimated at 1.2 million; noting the increased primary school enrolment occasioned by Free Primary Education Programme, and further noting that the increase is not reflected in secondary schools; this House urges the Government to implement free secondary education programme for children orphaned by HIV/AIDS and other causes.

First of all, I would like to give the background information about orphans and vulnerable children by saying that HIV/AIDS is emerging as the biggest social crisis that is facing mankind today.

It is devastating since it is depriving households, families, communities and nations of the most productive and skilled manpower as well as well prepared youths. HIV/AIDS is relegating people to poverty and social discrimination. It denies them self-realization and complete freedom.

The HIV/AIDS pandemic has affected every sector and threatens to reverse the progress made in poverty reduction and achieving the Millennium Development Goals and sustainable development. Therefore, strong intervention by the Government and other stakeholders is urgent.

Mr. Temporary Deputy Speaker, Sir, HIV/AIDS has led to high mortality levels. It targets the age-groups consisting of care givers and parents. Therefore, generations of parents are dying and increasing the number of orphans to unprecedented levels.

At the household level, death of parents leads to a rise in the number of child-headed households, child care givers and elderly care givers who are grandparents. Therefore, it is correct to say that the level of orphanhood continues to rise as the HIV/AIDS pandemic continues to persist since no cure for the disease has been discovered.

Mr. Temporary Deputy Speaker, Sir, many children have been orphaned by HIV/AIDS in Kenya and their number has been growing steadily from 27,000 in 1990 to 900,000 in 2001 and to about 1.2 million in 2002. The number is expected to rise to about 2.5 million by 2010. Currently, it is

estimated that the country is home to 1.5 million orphans as per the 2005 estimates.

Orphanhood affects gender inequalities as girl orphans are overworked, are often sexually exploited by their care givers and drop out of school more readily than boys to play the role of parents, nurses and providers for the family when someone in the household falls ill. They are often deprived of their properties or parents' properties, such as land. In this regard, the Government has an important task of ensuring that the rights of children who are orphaned by HIV/AIDS and other causes are respected and their needs met.

The Government should give the first priority to orphans when it comes to policies and programmes. It should ensure that adequate financial and human resources are availed to people who take care and support that vulnerable group.

Concerns over HIV/AIDS orphans and vulnerable children should, therefore, be given the first priority in all public policies and programmes. In particular, those children should be empowered by providing them with free education at all levels.

Mr. Temporary Deputy Speaker, Sir, I want to highlight the need for free secondary education for orphans.

(Applause)

When I speak about orphans, I mean children who are orphaned either by the HIV/AIDS or other causes because an orphan is an orphan. Education is the key to empowering orphans. It lays the foundation for economic empowerment and redress to gender inequalities. Education is the key to the leadership of any country. Orphans are often stigmatized and discriminated against in their families and communities. Therefore, they require the Government intervention, especially in education. It is very difficult for orphans who lack access to education and other services to become productive members in the society.

Education constitutes an effective way to fight poverty, eliminate disease and promote democracy and development. Therefore, education is one of the valuable ways in which vulnerable children can escape the cycle of disease, disadvantaged living and poverty, and allow them to

pursue a productive and safe future. Education improves the lives of children and the future of communities while also reducing the yearly financial burden on the poor and orphaned families. It has a vital role in safeguarding these children against exploitation, especially that of a sexual nature and also hazardous labour.

Mr. Temporary Deputy Speaker, Sir, the second goal of the Millennium Development Goals (MDGs) is to provide universal education for all. In 2003, Kenya introduced the Free Primary Education Programme (FPEP). It attracted an influx of over one million children to primary schools, from 5.9 million in 2002 to 7.2 million in 2003, including adults. A number of African countries that include Tanzania, Uganda, Rwanda, Malawi, Lesotho, Cameroon, Mozambique, Ethiopia and Burundi have also recorded similar dramatic enrolment following the elimination of school fees. This influx of previously unaccounted for and unexpected children in the schools system explains how poor and vulnerable children are left behind and forced out of the education system due to lack of school fees.

Mr. Temporary Deputy Speaker, Sir, the implementation of free primary education in many countries has rescued the poor and vulnerable children who could not afford the cost of primary education. However, secondary education continues to be bedeviled by high cost, poverty and the negative effects of the HIV/AIDS pandemic, among other factors. Consequently, poor and disadvantaged children continue to record high drop-out rates at the secondary level due to lack of fees and other levies. This is expected to worsen as the primary level continues to register increased enrolment and low transition rates to secondary education.

Mr. Temporary Deputy Speaker, Sir, it is important to note that while it is appreciated that the Government has taken measures and reforms to address challenges related to access to education, a concerted effort and commitment must be made to rescue those children who are least able to enjoy their rights; if the goal of education for all by the year 2015 is to be realised, in accordance with the international community's commitment and obligation, as agreed in the World Conference on Education for All in Thailand in 1990 and also in Dakar, Senegal, in 2000. This was also re-affirmed at the Millennium Summit in 2000, in order to expand access and make education affordable.

Mr. Temporary Deputy Speaker, Sir, the FPEP has caused an influx of more children in primary schools, as I have stated. Extending this programme to secondary level for less privileged children and orphans is absolutely necessary. This will give these children hope for the future and a way out of poverty. Education is the gift we can give to orphaned children if we have to exploit their potential. Otherwise, the country risks becoming a nation of primary school drop-outs.

Mr. Temporary Deputy Speaker, Sir, the constituency bursary funds which are being disbursed to schools are not only inadequate, but their utilization, at the moment, is in question. In any case, even if the funds are limited special attention must be given to the HIV/AIDS orphans and other orphans through fees waivers for secondary education.

As I conclude, I would like to say that, indeed, the World AIDS Orphans Day in 2005 drew attention of the world to the urgent need for ensuring that orphans have access to schools by abolishing the fees that millions of those children are required to pay in order to secure access to education at all levels and prevent them from dropping out of school in early ages.

With those few remarks, I beg to move and ask Mr. C. Kilonzo to second.

(Applause)

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to second this Motion; that this House urges the Government to implement free secondary education programme for children orphaned by HIV/AIDS and other causes.

Children are the pride of any nation. The pride of a nation is the youth. They hold the future of this nation. That is why it is important to have healthy children and, most important, to have children who are educated. That is why the Free Primary Education Programme was a move in the right direction.

Free primary education was evidenced when this Government took over. We had very many kids who used to stay at home and now they have access to education. However, better would be the introduction of free secondary education, not only for orphans but also for the poor kids.

Mr. Temporary Deputy Speaker, Sir, education is the best way to fight poverty. It is also the best way to fight crime and develop a nation. It pains me when I see the Government and, in particular, the Minister for Finance, Mr. Kimunya, not taking education seriously. In the current Budget, there is no provision for bursaries. As things stand now, we have children in secondary schools who were relying on bursary funds. We have no idea how these children are going to go back for the next term when schools open, yet we have somebody who has been mandated by the President to allocate funds to the Ministry of Education.

It pains me that the Minister, perhaps, does not understand the country very well. He comes from an area which is very much endowed with natural resources but 70 per cent of this country is under poverty. HIV/AIDS has caused a big problem. We have very many orphans. The Minister was advised by a Parliamentary Committee on the Constituencies Development Fund (CDF) not to scrap bursaries and his proposals to transfer funds from the Ministry of Education to the CDF were also rejected. The same Minister was advised by his own officials at the Treasury against the same move. He was also advised by officials from the Ministry of Education on the implications of scrapping or transferring those funds as he was proposing to the CDF. However, all that fell on deaf ears! We have learned that His Excellency the President has, indeed, spoken to the Minister for Education to reconsider his decision to suspend secondary school bursaries. This was a very polite move by the Head of State to request the Minister instead of instructing him to restore bursary funds.

Mr. Temporary Deputy Speaker, Sir, this Minister has refused to play ball and restore these funds to the Ministry of Education. What can we do with such a Minister? Most Members of Parliament, when they go to their constituencies, find that 90 per cent of the people they see have failure to receive bursaries as their biggest problem. I have a child who is my neighbour who has no parents and needs bursary money. I request the Minister to avail secondary school bursary money to him. We need to prevail upon the Government to reconsider its move. I am talking about the Government, but it is, indeed, one Ministry.

The proposal by the Minister for Finance to reduce CDF so as to give the money to the Ministry of Education will not be acceptable. We are not going to accept CDF allocation to be reduced. What was allocated previously under the Ministry of Education as bursary was a mere Kshs800 million. What we are calling for is Kshs2 billion to be availed in this financial year to address the problems of orphans. This country has a lot of resources and our problem is not lack of money. Our problem is how to use our money. We have failed to put our priorities in order. A very sad case was yesterday when a Member of Parliament brought a Question to this House asking why the Government could not provide one dialysis machine in each province. The Minister for Health then said the Government has no funds. The Government cannot provide one dialysis machine per province, which is a total of eight machines due to lack of funds. However, the same Government paid the Goldenberg Commissioners an average of Kshs40 million per Commissioner. There is money leave a lone for orphans but for free primary and free secondary education. I have some arithmetics to prove this assertion. I am going to take the worst case scenario of an average of 5,000 orphans per constituency, which is very high. That will give you 1 million orphans in

secondary schools. If we allocate Kshs10,000 per orphan, it will amount to Kshs10 billion. Let us go further and give funds for free secondary education for everybody. I am an admirer of one hon. Mwiria and look forward to the time when he will head the Ministry of Education. If we take 2 million students, it will cost us Kshs20 billion to do this. Kshs20 billion is enough to provide free secondary education.

What will be the impact of such a move? This country will be able to provide education to every child. In this way, we will have an edge over other neighbouring countries. We will be able to provide manpower to the entire Africa and world. Then we will be able to get income from educated Kenyans working in other countries. Today, we are proud to have our nurses working in Namibia. That is because they went to school. We also have our teachers in Rwanda because they went to school. The Southern Sudanese Government requires about 80,000 teachers. This is just one sector. I am yet to talk about other sectors in that country like health. Why can we not provide free secondary education in our country? If we do that, we will become a manpower centre in the world.

Mr. Temporary Deputy Speaker, Sir, the best way to fight poverty in our country is through education. We need to produce a lot of manpower and even export some of it. That can only be achieved if we ensure that there is free secondary education for everybody in this country.

We also need to go further and expand our facilities. It is sad that the Ministry of Education has increased the cut-off points for joining our public universities. Why is this the case? It is because there are no adequate facilities in our public universities. As we talk of free secondary education, I would like to request the Government to increase educational facilities so that those children who leave primary school are not denied the opportunity to join secondary school.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I beg to second.

(Question proposed)

Mr. Bifwoli: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this good and noble Motion.

Kenya is on record that it is providing free primary education. The reason why the Government decided to offer free primary education to Kenyan children is that they knew that most Kenyans are poor and, therefore, many children do not go to school, but just sit at home. It is true that with the introduction of free primary education, if you go round the country, you will find so many children in school. These children used to be at home because their parents were not able to raise school fees. The free primary education programme is a very good idea and the question of quality education should come second. What is important is to have education. Now, we are urging the Government not just to pay school fees for orphans, but also to provide free secondary education.

Mr. Temporary Deputy Speaker, Sir, the day Kenya will provide free secondary education, we shall have achieved a lot. Even as a parent, you give first priority to the education of your children. It is after paying school fees for your children that you can now think of building a house for yourself. You can only build a road leading to your house after you have educated your children. This country must, therefore, behave like a parent. This Government is the parent of the people of Kenya and we are asking it to give first priority to education of our children.

This Government can budget to construct one road costing billions of Kenya shillings, but it cannot provide for bursaries. I do not know where the Minister for Finance came from. I do not know if he was born in Kenya. Perhaps, he grew out of Kenya. He has the audacity to remove bursary money for our children in secondary schools. I wonder what kind of a parent he is. If he really is a parent he should know that one day God can call him. His children can also remain

orphans and, therefore, they will need bursary the same way other children whose parents passed on need it now. Those children are supposed to be helped. Given the fact that the Ministry of Finance has denied the Ministry of Education bursary money, it means that Kenyan children have no future. Why are we educating children from Standard One up to Standard Eight and thereafter leave them to go home? Are we saying that Kenya should have semi-illiterate people who have only reached Standard VIII and have no future? What will happen to bright children whose parents are poor or have died? We shall all die, one by one! Even when you think you are man enough, you do not know whether you have HIV/AIDS or not. It is possible that all of us have it. The only difference is that we die at different times. We must think of our brothers who died before us. After all, we all know that we are going to die. Who will not die in this country? If we know that, let us prepare for our children and grandchildren who will be orphaned because of HIV/AIDS. The HIV/AIDS pandemic is there and it is killing us one by one. It is time the Ministry stood up to support this Motion. It is a Motion for Kenyans and those who are under-privileged. We speak with emotion because of what the Minister for Finance has done to us. He is selling the Government negatively. The Government has a good record of providing free primary education. But the Minister has abolished the bursary fund. I wish he was here to know that Kenyans are crying. They are pleading with the Government to reinstate the bursary fund to the Ministry of Education, if it has any sympathy for the poor in this country. How the Ministry was allocating money to us is not important! Even if one constituency was allocated more money than the other, a Kenyan child was using that money to go to school. We are asking the Holy Spirit to go to the Minister for Finance, counsel and guide him to bring back the bursary fund.

Mr. Temporary Deputy Speaker, Sir, it is true that we have so many orphans in this country. But I do not share the feeling that we should only set up a fund for orphans whose parents have died of HIV/AIDS. After all, we do not know what many Kenyans die of. Doctors do not declare that so and so has died of HIV/AIDS. But what we know is that somebody has died and left behind some orphans. If we have to cater for orphans, let us do so for all the children whose parents have died.

Secondly, children who have been benefiting from the bursary fund are poor, bright and needy. I feel this Motion should enable the Ministry of Education to prepare a Bill to enable us pass an Act of Parliament which will give the Government authority to educate children who are poor and, particularly, the orphans. Any Member of Parliament who listens to his electorate will attest that 90 per cent of people who visit him or her have problems with school fees. They always say: "*Mheshimiwa*, I am unable to take my child to school!" You get a child who says: "I am unable to learn because I have no parents." That is so because we do not have the capacity. We cannot help all those who come to us for assistance. We urge the Government to collect enough revenue to educate every child, if we choose to. There is nothing as good as investing in education. It is better to invest in education than the properties of this world. Nobody will come and steal the brains of your child. But if you invest in cows or shops, people will come and steal them. But nobody can steal the education in your child. Kenya can export manpower to Uganda and all over the world, if we invest properly in the education of our children. This Motion is very important! I expect any sensible human being to support it. It is so important--

The Temporary Deputy Speaker (Mr. Poghiso): Order! You are appealing to hon. Members! Are you not appealing to Members of Parliament?

Mr. Bifwoli: Mr. Temporary Deputy Speaker, Sir, I am appealing to the Members of Parliament.

We were elected to Parliament by the ordinary *wananchi*, so that we look after their welfare. That is why I am talking with emotions. This Motion has come at the right time, because the Minister for Finance has lost the feelings for this country. He does not care for education of our

children in this country. I am speaking loudly and clearly, so that he can hear wherever he is hiding. He should know that Kenyans want him to release money meant for the bursary fund. He thinks the Members of Parliament want to misuse this money. Since Kenya is a poor country, we need to take care of the children from the disadvantaged background.

Mr. Temporary Deputy Speaker, Sir, after completing Standard Eight, the poor orphans who have been exposed to free primary education can also access free secondary education if this Motion is passed. If that happens, I am sure our people will be proud to be Kenyans. If we can provide free secondary education even those Kenyans who have moved out of the country will come back. Kenya will be more than heaven. I am sure the Government will also survive without any hitches. The Minister for Education should know that Kenyans would like to see this free secondary education implemented.

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

Mr. Sungu: Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support this Motion. Education is a human right. Therefore, it is inhuman to deny a child education, particularly if that child is an orphan.

Mr. Temporary Deputy Speaker, Sir, Kenya is a signatory to the Universal Declaration on Human Rights. One of those tenets of that declaration is the right to education and equality. There cannot be equality if people do not have a right to education. It is common knowledge that there is a lot of pressure on the current bursary fund that is provided to secondary schools. In my own constituency, for example, we have countless numbers of orphans. In fact, the bursary fund money is never enough to go around, to the extent that we now try to supplement it with the Constituencies Development Fund (CDF) money. Even then, we are still not able to pay more than Kshs5,000 per student, despite the Ministry's guideline that national school students get Kshs15,000 each. That alone should tell the Government the extent of the problem that we, as a country, face.

Mr. Temporary Deputy Speaker, Sir, there is a reality that the HIV/AIDS scourge is there. There are also other diseases. The combined effect of this, with the endemic poverty that is now consuming this country, is devastating. Many orphaned children are now living with their grandparents who are not even able to till their land, look after them effectively and provide basic necessities like food.

We even have institutions that purport to look after orphans. It is a shame that some of these institutions, although they do get donor funding, tend to misuse it. In my own village, for example, there is a children's home called Rehema House purporting to be operated by Christians. These people get a lot of money from donors. Whenever the donors are visiting that home, they collect children from the villages and take them there, to show donors how they have been taking care of orphans. However, the reality is quite different. This is because once they get this money, they use it for themselves and send those children back to their parents while spending it with their girlfriends. The situation is serious enough that this Government, in fact, declared HIV/AIDS and other such diseases a national disaster. There are countless numbers of orphans and vulnerable children as a result of this epidemic. We must now take this issue very seriously.

Mr. Temporary Deputy Speaker, Sir, I want to appeal to the hon. Minister because he is my very good friend and I know he is a human being, where is our humanity if we cannot feel for that child who is orphaned? Have you ever imagined a day when you do not have a place to go to or a house to call your own? Have you ever imagined of a day when you live on the whims and help of others? It is a serious situation that demands a serious response! We know of those days, because we have studied the literature of Charles Dickens, *Oliver Twist* and so on, when orphans were disenfranchised, misused, abused and underfed. This should not happen in modern Kenya in the 21st Century!

Mr. Temporary Deputy Speaker, Sir, Government intervention is very necessary, and education is paramount so that those children will, one day, become people who can fend for themselves and others. We know of cases where those orphans have even lost their land to unscrupulous people in the villages. They are losing their rightful inheritance because of relatives, who want to take advantage of orphaned children. Without education, those children will be confined to poverty forever! I, therefore, want to appeal to this honourable House to consider this Motion. I want to appeal to the Ministry to give those children a chance. There is no other patron who will care for them apart from us because we are the representatives of the people of Kenya, who elected us to this House!

Mr. Temporary Deputy Speaker, Sir, when the Minister says that there is not enough money, we know that the Government has enough money. We know there is enough money in this country, only if we could channel it to those who really need it! We know that there are those donor funds which are abused by private institutions and even the Government. We know that a lot of money is lost through corruption. Imagine that only the other day we had people being allowed to go scot-free by the court, and we know for certain that if you steal a mango or a chicken somewhere in Western Province or Nyanza, if you go to court you will be jailed for seven or 15 years! Yet, those who are responsible for overseeing a monumental disaster in this country in the name of Goldenberg and Anglo Leasing and even *mamluki* are allowed to go scot free, but Kenyans are allowed to suffer!

(Applause)

Kenyans are allowed to suffer as people scandalize us in and out!

Mr. Temporary Deputy Speaker, Sir, this money should be directed to the poor people of this country. I have asked this Question in this Parliament: Of what use is all these billions that people collect in their pockets? Will it take you to Heaven? Will this money buy you sleep in a golden bed? It is criminal and inhuman to allow one individual to have so much money which has been illegally collected from Government coffers, yet poor people of this country are suffering! One day, there will be a revolution in this country! One day, the people of this country---

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Order!

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, I am only saying that we need a little change.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, Mr. Sungu! What is happening to you?

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, I am only saying "change". There is nothing happening to me. I am saying that this game of---

Mr. Bifwoli: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is true that the hon. Member is emotional but when he declares that, one day, there will be a revolution, do you not think that, that is a dangerous statement? He should withdraw and apologise.

The Temporary Deputy Speaker (Mr. Poghisio): Well, I really, do not know what Mr. Sungu meant. I have just asked what is wrong with him. There is nothing, really, wrong with a revolution if it is of positive change. I do not know in what context he used the word "revolution".

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, "revolution" can mean change. I am emotional because my constituents are suffering while some people are busy stealing money which belongs to them. That is taxpayers' money which ought to go to my constituents, and other constituents, who are poor; particularly orphans. If you cannot be emotional about such a situation, then you are no longer human.

The Temporary Deputy Speaker (Mr. Poghisio): Order! You are taking us back! Just

contribute to debate. In fact, it is better if you are not emotional, because you can then help us in contributing to this debate more effectively. You are now creating a situation where we have to interpret what revolution you are talking about.

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, may I quote one great statesman who said: "Evil takes root when good men keep quiet." I am not one of those people who will keep quiet in the face of evil; in the face of thievery and slavery; in the face of our courts releasing people who have---

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order! Mr. Sungu, emotion is taking the better part of you. You are now using words that are unparliamentary. Just relax and contribute to debate.

Mr. Sungu: Mr. Temporary Deputy Speaker, Sir, I have taken your advice. I am very relaxed. I am saying that corruption is bringing down this country to its knees when, in fact, the people who need this money, like orphans, whose education and health should be paid for, are suffering when other people are busy amassing wealth for themselves at the expense of everybody else. That is, really, an emotional issue.

Mr. Temporary Deputy Speaker, Sir, one only needs to go to Kibera or Kangemi or Kariobangi and see how the people live there to appreciate what I am saying. The Goldenberg Scandal cost this country so many billions of shillings, and adversely affected the economy in terms of the bank interest rates and foreign currency exchange rates that escalated. Factories had to close down because the bank interest rates shot up from 12 per cent to 42 per cent. In such scenario, you wonder whether you are living in a country of your own or in a foreign land where the rich can always pillage and loot the economy of the people when you have offered to take care of it.

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

The Temporary Deputy Speaker (Mr. Poghiso): I will give the Floor to the Government Responder. However, the fact that the Government Responder has the Floor, it does not mean that debate on this Motion is coming to an end. The Motion will continue to be debated. He will just give his position and then we will proceed.

Proceed, Dr. Mwiria!

The Assistant Minister for Education (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir, for that clarification and for giving me the opportunity to respond to debate on this very important Motion, on which I have consulted with you and a few hon. Members of this House on the possibility of an amendment being brought forward.

Having consulted with hon. Members, it seems that the spirit of the Motion is good. The intention is to take care of those students who are very deprived, namely, orphans. We, in the Ministry, are concerned. The Government has been concerned with alleviation of poverty, and focused on the very poor of the poor. That is why we introduced the free primary education and the bursary programmes. It is also for that reason that we have other programmes in the Ministry for marginalised communities in this country.

Mr. Temporary Deputy Speaker, Sir, all this is consistent with the fact that we must take care of our very poor. We appreciate the fact that there are no poorer people than orphans. Therefore, in this regard, I would like to join hands with other Members of Parliament to support the Motion.

My initial thought was that we could expand the bursary programme, even though we are currently facing the problems we have been talking about. If we did that, we would be able to sort out the problems facing our poor children. It is in the interest of hon. Members, as well as that of this Government, to ensure that bursary funds are available to support our poor children if, indeed, we want them to benefit from the education we are providing.

Mr. Temporary Deputy Speaker, Sir, our current emphasis on the bursary programme are orphaned children. However, the money which is available is not enough. As we have been told,

orphans are very many and the amount of money that is available is very limited. We are also not able to provide extra support to those children, outside schools, to support the initiative. Therefore, we obviously need more resources and much more commitment. Even though we expanded the bursary programme, we still are not able to give 100 per cent of the required amount, as it was before. When you give a limit, the amount that we give to one child, whether Kshs10,000 or Kshs20,000, is calculated on how far an orphaned child has to go in education, because the money we have is far from enough. To be able to do much more, we would also need to call upon other groups to support the initiative. Those are groups like our development partners, donor organisations, hon. Members through their CDF programmes, rich traders and farmers in rural areas, who can put in some money so that as Africans, we can continue with our traditional role of supporting those who are less fortunate.

It is not enough to focus on the bursary programme if we do not target other affirmative-related initiatives. The first one is that when we support poor children and orphans in secondary schools, be it in district or day schools, their opportunities to progress are limited because we know in what kind of schools children make it to universities. Therefore, we must have an affirmative initiative programme that targets the poor children from the point of view of which kind of schools we take them to. If we take them to district schools, then we are not helping them. I am, therefore, supporting the idea of having a quota system to support orphans so as to join national schools and other good schools.

In addition to that, eventually, we will need to put in more resources to our day schools and district schools so that they can compete with national schools because most of our children have to be in those schools. We need to target an affirmative programme for the poor, especially orphans. We should also improve the conditions of the schools they attend so that in 20 years' time, we do not continue to specifically direct them to particular schools in the country. We should also focus on training institutions in the country. These are our diploma colleges, universities and teacher training colleges to ensure that if we really want to give orphans an opportunity to make it in this country, they do not get satisfied by going through secondary education. We should give them an opportunity to go to colleges and especially, for degree programmes which seem to be quite competitive.

That kind of follow up, right from primary school to secondary school and eventually to universities and other training institutions is necessary if we are, indeed, out to support orphans. It is not good enough to give them education in whichever institution, which cannot make a difference.

Once they have graduated, I think we need to have specific income generating programmes for them. We need to support them in the business world to be self-reliant in many ways because if they do not have capital, they cannot compete with those who come from more privileged families, who use both their education and their advantage with regard to capital, to extend that difference in equality between those who have and those who do not have.

Basically, I am saying that education is not all you have to offer to poor children. You have to give them other opportunities like training and support them to be self-reliant, as business people and as individuals who are able to stand on their own, even with their education. If, indeed, we were serious--- I think in this country, we have an estimated 200,000 orphaned children in our secondary schools, or maybe, slightly less. I am convinced that it is possible to give 200,000 students free secondary education. I agree with those who are saying that, eventually, we should target free secondary school education for all. However, resources are limited. I would propose a phased programme whereby we should start with the very needy. I have in mind the orphans. We should support them throughout secondary education, so that we can give them an opportunity to compete with those who are luckier than them. If we double the current allocation to the Bursary Programme from Kshs700,000 to Kshs1.5 billion, and given that the budget of the Ministry on the same is Kshs100 million, we would be able to educate those orphans in good secondary school

institutions, depending on how we set out our priorities.

Mr. Temporary Deputy Speaker, Sir, that would not be possible until we expand our tax collection base. We must insist that those who do not pay taxes do so, because it is from that pool that we support many Government programmes. Therefore, we must be more alert to deal with those cases. We also must be alert in terms of allocating the money that we have collected. I am pretty sure that, if we look at what we have for education and played around with the figures, it is possible to borrow from some items and expand the bursary kitty. I am saying that with specific focus on the 200,000 or so orphaned children in our secondary schools. If we are much more transparent in the way we use the resources available for secondary schools, field offices, Jogoo House Headquarters and other facilities supported by the Ministry of Education, we can come up with some savings.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Assistant Minister, I do not know whether this Motion is asking you to borrow from here and there and collect bits and pieces of money! This Motion is urging you to implement free secondary education for orphans. I do not know whether that is what you are addressing.

The Assistant Minister for Education (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, I agree with you absolutely! I am saying: If we want to implement free secondary education for the 200,000 orphans, we must think of how we can come up with---

The Temporary Deputy Speaker (Mr. Poghisio): Why are you putting a number to it! There is no number in the Motion?

The Assistant Minister for Education (Dr. Mwiria): There is no number! These are my own estimates because I can figure out---

The Temporary Deputy Speaker (Mr. Poghisio): Continue!

The Assistant Minister for Education (Dr. Mwiria): These are my estimates based on the overall 1.2 million pupils, and the percentage of how many are in primary schools. It is possible to estimate how many are in secondary schools. The number cannot be more than 250,000. The numbers are not as scaring as we think. To support that, we must come up with resources. Resources will be voted in but I am saying that, apart from what we get from the Government, we must make savings from what is already available to contribute to that kitty.

Mr. Temporary Deputy Speaker, Sir, my interest in insisting that we must support this Motion is: It is not enough for us to talk about education, if it does not promote equity. As you know, from the days we went to school, were it not for education, we would not have made it to Parliament. Some of us would not have made it to be Ministers in the Government. Many people who have made it, especially from very poor backgrounds, is as a result of education. I want to say that, if the current trend continues, where the disadvantaged cannot access quality education, it is very dangerous. We are heading towards a situation where we are closing all the doors to those who have no other way of making it in life, except through education.

It is not just for the sake of those children that we need to have programmes like the one which is being proposed. It is even for the sake of our own children. If it is only our children who can have access to good quality education, you will get a situation whereby only one out of ten children has good education in a location or division. Is that child going to survive in such a hostile environment? Sometimes, we forget because we have buglar-proof houses. But a time will come when we are going to be over-powered by those who are looking for us. It is, therefore, in the interest of our own children to have an education system that addresses the very poor of the poor. We have to live with them and, more importantly, this country cannot afford to ignore the poor, who comprise 60 per cent of our population.

Mr. Temporary Deputy Speaker, Sir, we should create opportunities for orphans, both in education and in other areas, that will make them feel that they are participants in an environment that does not continue to discriminate against them.

Mr. Temporary Deputy Speaker, Sir, therefore, I would like to propose that we have free

secondary education for orphans and eventually, depending on how well we do in terms of generating more resources from the Government, we target to have free secondary education for all, maybe in the next five or so years.

For the time being, I support the idea that we should put aside an allocation to support the about 250,000 orphan children who are in our secondary schools.

Mr. Bifwoli: On a point of order, Mr. Temporary Deputy Speaker, Sir. Will I be in order to call upon the Mover of this Motion to reply? Given the fact that this Motion is very important and this House is going on recess, we should conclude it, so that when we come back, the Minister will have done something.

Mr. Wario: Asante Bw. Naibu Spika wa Muda. Ninachukua fursa hii kumshukuru Mwenyezi Mungu kwa kunijalia fursa hii ili niweze kuchangia Hoja iliyo mbele yetu.

Ninamuunga mkono na kumpongeza mhe. ole Metito kwa kuileta Hoja hii. Hoja hii inazungumza juu ya watoto yatima na elimu yao. Maswala haya mawili ni muhimu na yangeshughulikiwa jana wala si leo. Korani Tukufu inatwaambia: "*Kullu nafsin dhaaikatul maui*", inayomaanisha kila kiumbe siku moja kitakufa. Wanaotunga sera, na Serikali kwa jumla, ni kama roho zao zimetengenezwa na chuma na ni kama kamwe, hawatakufa siku moja. Hivyo basi, wamesahau kuwapangia watoto yatima.

Ingawa kifo ni lazima kwa kila mwanadamu, kifo cha jana, cha zamani na cha leo ni tofauti. Leo kuna ugonjwa unaowaua watu katika nchi hii kutoka kila pembe ya nchi na kila sekta ya uchumi wetu. Licha ya Serikali kutangaza Ukimwi kama jangwa la kitaifa, imesahau kutenga pesa maalum za kupigana na ugonjwa huu. Inategemea wafadhili na michango kutoka nje.

Ulimwengu unaamini kuwa Kenya si nchi maskini bali ufisadi umetanda. Tusipokuwa na sera, sheria na pesa za kuwasaidia watoto yatima, tegemeo lao litakuwa ni nini? Ndio maana nimesema mara nyingi katika Bunge hili kuwa tuko na watunzi sera bubu, tuko na viziwi ambao hawasikii, hawasemi wala kuona haki za watoto yatima.

Bw. Naibu Spika wa Muda, Serikali inajigamba kwamba imeanzisha elimu ya msingi ya bure. Kila siku, kuna doa linalotokea kwa elimu ya bure. Kwanza, idadi ya watoto waliojiandikisha shuleni ni wengi kuliko wale waliokuweco zamani. Idadi ya walimu waliopo haimudu kusomesha watoto wale. Leo, mwalimu mmoja anasomesha kati ya watoto 120 hadi 200 katika darasa moja. Hapo awali, kila mwalimu alikuwa akisomesha watoto 40. Kwa hivyo, idadi ya walimu haitoshi kuendesha shughuli za elimu ya msingi ya bure.

Kuna ukosefu wa karakana. Watoto wanakaa chini ya miti. Serikali imepiga hatua nyingine mbele na kutoa bursary kwa watoto yatima kupitia kwa CDF. Sheria inatambia kuwa CDF inategemea pendekezo ambalo linatoka katika lokesheni. Lokesheni inasema kuwa CDF haiwezi kutoa bursary. Kwa nini Serikali isiwe na sera maalum ya kuwezesha sera ya elimu ya msingi ya bure kuendelea mbele. Wanakula huku wakitumia majina ya watoto mayatima.

Bw. Naibu Sika wa Muda, vile mwenzangu alivyosema ni kweli. Hii imeathiri sehemu nyingi za nchi hii. Mashirikia yasiyo ya Serikali yanaleta pesa kutoka nje, yanachukua picha za watoto na kamwe hawatoi msaada wowote kwa watoto hao. Wanadhulumu watoto mayatima, lakini Mwenyezi Mungu anawaona. Kwa nini Serikali isichukue hatua kwa watu kama hao?

Bw. Naibu Spika wa Muda, iwapo Kshs350 milioni iliyopewa tume ya Goldenberg hivi majuzi ingetumiwa kwa kusaidia watoto mayatima, hizo pesa zingefanya kazi ya maana sana. Watoto wetu wanahangaika na hawana mwelekeo wala tegemeo, na Serikali inalipa Jaji Kshs350 milioni. Sasa sisi, nini kipa umbele chetu kama Serikali? Pesa za Goldenberg "zimeliwa" miaka hiyo na wewe leo unaacha watoto mayatima wanaangamia!

Bw. Naibu Spika wa Muda, nasikitika Makamu wa Rais hayuko hapa. Afisi yake inayohusika na watoto wamekwenda wakafunga Africa Muslim Agency iliyokuwa na zaidi ya mashule ishirini katika nchi ya Kenya. Pia walifunga Almuntha Dalislami. Shirika hili lilikuwa linasaidia watoto mayatima. Wanadai kwamba wanahusiana na Al-Qaeda. Kwa nini wasishtakiwe na shirika lisaidie watoto? Badala ya kuwalinda watoto mayatima unawanyanya. Baada ya Africa

Muslim Agency kufungwa, zaidi ya watoto 2,000 mayatima wamerudi nyumbani bila kuwa na tegemeo. Wakati Serikali inapochukuwa sera kama hii, kwa nini isiangelie athari ya uwamuzi wao? Ni kwa nini kuwadhulumu watoto mayatima?

Bw. Naibu Spika wa Muda, katika mazungumzo yake, Waziri anasema umaskini unadhaniwa kuwa wa kiwango cha juu katika nchi ya Kenya. Lakini ningependa kumweleza kwamba umaskini haudhaniwi, umetanda na sura yake mbaya inaonekana kila mahali katika nchi ya Kenya.

Kwa hayo machache, ninaunga mkono.

Prof. Maathai: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this very important Motion. I want to agree with other Members on the seriousness of the issues, of hunger and famine in this country. I am also very happy with the way the Minister spoke in support of this Motion.

I am very grateful for the fact that the CDF Act allows us to spend at least 10 per cent of the money to support children in secondary schools. In my constituency, most of this money goes to support orphans.

Mr. Temporary Deputy Speaker, Sir, although we do not have much money, I think the Minister for Education should consult with the National Aids Control Council (NACC). That must surely be one of the bodies whose money we do not see what it does. One of its biggest mistakes is to give institutions money or CBOs at the constituency level; groups that we know nothing about and cannot monitor. It is amazing that, that money is literally going to waste, yet it is the kind of money that could be given through CDF committees and would go directly to the orphans. That consultation should go on if we are serious about supporting these children. Right now, this money is literally going to waste.

One of the other issues that we have raised in this House many times is the fact that there are many children, including orphans, who are not able to go and seek for jobs when they complete secondary education, because they cannot complete payment of their high school fees. This House passed a Motion to address this issue and we thought children would be given their school-leaving certificates and examination results so that they can move on. Every time I go to my constituency, parents come to me complaining that their children do not have their documents because they are held by the headteachers.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghiso): Order! Prof. Maathai, you have a balance of eight minutes.

Hon. Members, it is now time to interrupt our business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.