

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 11th April, 2007

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

### PRAYERS

### QUESTION BY PRIVATE NOTICE

#### REVIVAL OF AGRICULTURAL ACTIVITIES IN SECURITY-AFFECTED AREAS

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

(a) Is the Minister aware that due to the conflict that engulfed the areas around Losuk and Poro in 2006, farmers did not plant crops?

(b) What plans does the Government have to revive agricultural activities in the security-affected areas in Samburu?

(c) Why are the people of Losuk and Poro not covered in the famine relief programme?

**The Minister for Agriculture** (Mr. Kirwa): Mr. Speaker, Sir, this Question came to my notice this morning. The Question has not been re-routed to us because it was initially sent to the Office of the President. That is the information available to me.

**Mr. Speaker:** Mr. Lesrima, was the Question initially addressed to the Office of the President?

**Mr. Lesrima:** Yes, Mr. Speaker, Sir. Part (c) of the Question concerns the Office of the President. I agree with the Minister for Agriculture. However, the Cabinet has to exercise collective responsibility.

**Mr. Speaker:** Since the Minister is not ready, can I defer this Question?

**Mr. Lesrima:** Yes, Mr. Speaker, Sir.

**Mr. Speaker:** Mr. Kirwa, until when can I defer this Question?

**The Minister for Agriculture** (Mr. Kirwa): Mr. Speaker, Sir, Tuesday afternoon will be okay with me.

**Mr. Speaker:** Would you, please, also take into account part (c) of the Question, which the hon. Member has pointed out that, most likely, falls under the Minister of State for Special Programmes? Can you liaise with the Minister so that you can come with an answer for that part as well?

**The Minister for Agriculture** (Mr. Kirwa): Mr. Speaker, Sir, I undertake to do so.

**Mr. Speaker:** Very well. The Question is deferred until next Tuesday.

*(Question deferred)*

### ORAL ANSWERS TO QUESTIONS

*Question No.009*HANDING OVER OF ABANDONED CHINA ROAD  
CONSTRUCTION BUILDINGS

**Mr. Korir** asked the Minister for Roads and Public Works if he could hand over buildings on a camp abandoned by China Road and Bridges Construction Corporation at Kimngorom Trading Centre in the year 2000 to the local community to start a youth polytechnic.

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

I cannot hand over the temporary camp buildings at Kimngorom Trading Centre that were put up by China Road and Bridges Construction Corporation during the construction of the Emining-Saos Road in 2002 as they are the property of the construction company and not my Ministry.

**Mr. Korir:** Mr. Speaker, Sir, the construction company left the camp and I want to believe that they also left the country. Whose buildings are these now? Can we take over the camp as a community?

**Eng. Toro:** Mr. Speaker, Sir, the construction company is still operating in Kenya and they have not yet left. The era of taking over people's property by force is over.

**Maj-Gen. Nkaisserry:** Mr. Speaker, Sir, when international construction companies complete their projects, they hand over their properties to the Ministry of Roads and Public Works. In the case of Strabag International (K) Ltd, which was building the road between Mtito Andei and Salama, there is a camp at a place called Masimba, which has been handed over to the Ministry. Could the Ministry hand over that camp to Kajiado Central Constituency so that we convert it into a youth polytechnic?

**Eng. Toro:** Mr. Speaker, Sir, that is a totally different Question. However, it is not only the international construction companies that put up camps. Even local construction companies also put up camps and the agreement is usually that it is the property of the construction company. They are at liberty to remove the entire camp once they finish construction. However, if the camp is left intact and it does not belong to the Ministry, we do not interfere with it.

It is up to the community of the area concerned, if they want to make use for the camp, to negotiate with the construction company because they might require compensation for the money they used.

**Mr. Mwandawiro:** Bw. Spika, Swali hili ni muhimu sana na si la kupuuzwa. Wakati makampuni yanajenga barabara huwa yanajenga kambi. Je, Wizara hii imechukua hatua gani ya kuyashawishi makampuni hayo kuzipatia jamii husika kambi hizo kutumia kama vyuo vya ufundi ama vituo vinginevyo? Wizara hii inafanya nini? Haitoshi kusema tu kwamba watu wayashawishi makampuni hayo.

**Mr. Speaker:** Eng. Toro, I thought that those construction companies charge the Government the cost of putting up those camps.

**Eng. Toro:** Mr. Speaker, Sir, everything is contained in the contract document and the ownership of the camp is usually the construction company. So, once they finish, they are at liberty to remove the entire camp. If they live it intact, maybe, it is because of some future consideration which they might put to use. Take the example of Put Sarajevo which is constructing a certain road from Thika to Gacharage. They left their camp intact and they are back in that area doing another construction. They are using the old camp. So, it is the choice of the company whether they want to

remove the camp or not. If they do not want to hand over to the community, then it remains their property. If, however, the community is interested, then it has to name whoever is interested. A specific organisation or a community-based organisation should be able to approach the construction company and negotiate with it.

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

**Mr. Speaker:** Order, Mr. Mwandawiro! You have had your chance.

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

**An hon. Member:** What is it, Mr. Mwandawiro?

**Mr. Speaker:** What is bothering you, Mr. Mwandawiro?

*(Laughter)*

**Mr. Mwandawiro:** Mr. Speaker, Sir, is it in order for the Assistant Minister to fail to answer my question simply because I asked it in Kiswahili? I asked him what the Ministry is doing to persuade those construction companies to hand over the camps to the local communities. I asked him that in Kiswahili.

**Eng. Toro:** Mr. Speaker, Sir, I understood him very well. I think the problem is that he never understood the English I used in replying.

*(Laughter)*

**Mr. Sirma:** Mr. Speaker, Sir, the land on which the construction company put the camp is community land. They never paid anything for it. Even the Government resources they used in constructing the camp did not belong to them.

Could the Assistant Minister consider either compensating the community or handing over the camp to them?

**Eng. Toro:** Mr. Speaker, Sir, I fail to understand the question. At the time of erecting the construction camp, the community had to approve it first. No contractor would go and erect a camp site out of the blues without approval from some authority. It could either have been the county council or the land was a roadside which belongs to the Ministry of Roads and Public Works.

However, I would appreciate if I were told that a certain organisation, within the community, wrote to the construction company asking them to donate the camp site to them and the company refused. We would then be able to handle the issue from that point of view. If they have not done anything of this kind, surely, even the construction company would never know that the community wants to use that camp site.

**Mr. Speaker:** Mr. Korir, do you have anything more?

**Mr. Korir:** Yes, Mr. Speaker, Sir.

**Mr. Speaker:** Yes, go ahead!

**Mr. Korir:** Mr. Speaker, Sir, the construction company left the camp site about seven years ago. It gets dilapidated every other day. What is the Ministry doing to approach this company and ask them to hand over this camp site and others camps in the country to the communities? Otherwise, *tutachoma hiyo kitu!*

**Hon. Members:** Ahh! Ahh!

**Mr. Speaker:** Order, hon. Members! Mr. Korir, that is a very serious threat! I have said many times that threats should never be issued from the Floor of this House. Hon. Members know that, that kind of threat has led to bloodshed and deaths across the country. So, would you withdraw that threat?

I am afraid the hon. Member must withdraw the threat!

**Mr. Korir:** Mr. Speaker, Sir, I apologise. However, he should also take up the matter!

**Mr. Speaker:** Next Question by Rev. Nyagudi!

*Question No.018*

MORE EXAMINATION TIME  
FOR PHYSICALLY CHALLENGED  
STUDENTS

**Rev. Nyagudi** asked the Minister for Education:-

(a) whether he is aware that physically challenged students sit the same exams with other able-bodied students and are allocated the same amount of time to complete their papers; and,

(b) what plans he has to allocate more time to the physically challenged students during examinations.

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

(a) Yes, I am aware that physically challenged candidates sit for the same examination papers as those who are able-bodied. However, before the candidates sit for these examinations, the Kenya National Examinations Council (KNEC) assesses the candidates as to the nature and the severity of the disability and then decides on the kind of assistance each candidate would get.

(b) I wish to state that physically challenged candidates are currently being given between 30 and 45 extra minutes for each of the papers they sit depending on the nature and severity of the disability. There is also other support.

**Rev. Nyagudi:** Mr. Speaker, Sir, I am happy to know that the Ministry is taking that into consideration. However, there are some cases where the students are not given enough time to complete their papers. Is the Ministry going to give a directive or come up with a proper policy paper to ensure that all schools with disabled students are given proper time to complete their exams?

**Dr. Mwiria:** Mr. Speaker, Sir, I already said that this is what is happening. That is the policy. For the second part of the Question that is already the case. In addition to that, we provide other support. This is in terms of handling apparatus for practical examinations. There are also extra invigilators to support them in terms of helping them with papers and any other support they may need; going to the toilet and so forth. So, there are both human resources and additional time. This is a directive. Every school and invigilator is expected to go by the guidelines, especially with regard to timing.

**Mr. Karaba:** Mr. Speaker, Sir, I think the Assistant Minister is not telling the truth. Could he ascertain that a number of disabled students can compete for university and secondary school places with able-bodied students? My experience is that if an experiment is done and one is supposed to differentiate between blue and green yet one cannot see---

Mr. Speaker, Sir, surely, there must be a policy to deal with this. This policy should be better than what he is telling us now.

**Dr. Mwiria:** Mr. Speaker, Sir, we have realised that it is a difficult task to deal with students with various forms of challenges. We are trying our best. This is the beginning. Some things are happening, but we also hope to introduce an affirmative action policy with regard to admission to universities. Students with such disadvantage can be admitted to university with lower grades than those who are advantaged.

**Dr. Manduku:** Mr. Speaker, Sir, the Assistant Minister is talking of students with

disability who should be given extra time for examinations. However, does it not matter the kind of disability? If a student has a lame leg, do you have to give extra time for examination because he or she is disabled? I thought the brain is what we should talk about. Education depends on the brain. What kind of disability is he talking about, so that he does not mislead students who are disabled out there in villages?

*(Applause)*

**Dr. Mwiria:** Mr. Speaker, Sir, that is a good question. However, it is common sense that if you have a lame leg you cannot be given extra time to do examinations. You do not use your legs to write examinations. This is why I said---

**Mr. Bifwoli:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to say that if you have a lame leg you are not physically disabled?

**Mr. Speaker:** Order, Mr. Bifwoli! The Assistant Minister has not said that---

**Dr. Manduku:** Mr. Speaker, Sir, my question has not been answered.

**Mr. Speaker:** Order! Mr. Bifwoli, the Assistant Minister said that you do not use your legs to write! However, you might use your legs to walk to the examination room.

Dr. Mwiria, please, continue!

**Dr. Mwiria:** Mr. Speaker, Sir, the rules apply once candidates are in the examination room.

**Mr. Speaker:** Very well. Any further interest in the Question?

**Mr. Kimeto:** Mr. Speaker, Sir, this is a very important Question. It needs a lot of time from the Minister for Education. The hon. Members asked about disability. This could be disability of hands. With such disability, it would be difficult to write.

Could the Assistant Minister bring a Motion to help the disabled children? He should bring a Motion---

**Mr. Speaker:** Order! There is something called precis.

Proceed, Dr. Mwiria!

**Dr. Mwiria:** Mr. Speaker, Sir, I was talking about the policy that Mr. Kimeto is referring to. I said that we will try to improve on the basis of comments and suggestions that we get from hon. Members. I think it is also up to him to bring a Motion on this matter to Parliament. He can be assured of our support because we are sensitive to those not as lucky as we are.

**Mr. Speaker:** Last question, Rev. Nyagudi!

*Question No.026*

UPGRADING OF KAPKATET STADIUM

**Mr. Bett** asked the Minister for Gender, Sports, Culture and Social Services when the Kapkatet Stadium in Bureti District will be upgraded as promised by the Government in 2004.

**The Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda):** Mr. Speaker, Sir, I beg to reply.

My Ministry is committed to the development of sports in Kenya and it is for that reason that we have disbursed Kshs2 million towards upgrading of Kapkatet Stadium. The local community may further wish to sink additional funding from the Constituencies Development Fund (CDF) which I want to report that the area Member of Parliament, Mr. Sang, was in my office and promised to top up the amount. I want to thank him for that. The Local Authorities Transfer

Fund (LATF) and other sponsors can also chip in towards this development project.

**Mr. Bett:** Mr. Speaker, Sir, I thank the Minister for that good answer and I also want to thank my Member of Parliament for giving us money from the CDF kitty. This stadium is very important because it has produced world renowned athletes like Wilson Kiprugut and Tegla Chemagwai. So, any effort to try and make it attain international standards will be appreciated. However, Kshs2 million is too little although we are grateful. I believe the Minister will be disbursing more. But to whom is this money being disbursed?

**Mr. Kamanda:** Mr. Speaker, Sir, we have given this money to the Bureti District Sports Officer, who is co-ordinating the rehabilitation of that stadium.

**Mr. Wambora:** Mr. Speaker, Sir, I am impressed by the Minister's answer and I want to ask him whether he could consider Runyenjes Stadium for upgrading. I am ready to top up with the CDF.

**Mr. Kamanda:** Mr. Speaker, Sir, Runyenjes Stadium will be considered when funds are available. This financial year, we had an allocation of only Kshs8 million which we have given to four provinces. If we get additional money, in the next financial year, we will consider Mr. Wambora's area.

**Mr. Sang:** Mr. Speaker, Sir, I confirm that we have received Kshs2 million but the amount is not enough. We gave to the Ministry a budget of Kshs24 million. Could the Ministry consider giving us additional funding in the coming financial year so that we could do a good job?

**Mr. Kamanda:** Mr. Speaker, Sir, I have several requests from other hon. Members. I would like to tell the area Member of Parliament that we have several agencies of the Government. Maybe he could tap some money from some of those agencies or from other sponsors.

**Mr. Angwenyi:** Mr. Speaker, Sir, could the Minister consider upgrading Manga Stadium, which produced Nyandika Mayiro and Arera Arenzia, in the coming financial year?

*(Laughter)*

**Mr. Speaker:** Order, hon. Members! I really do not know why hon. Members are laughing! This country is world-renowned for athletics and you cannot do athletics without stadia. So, it is a very serious issue!

Proceed!

**Mr. Angwenyi:** Mr. Speaker, Sir, could the Minister categorically guarantee that in the next Budget which is going to read in June, he will allocate adequate funds to rehabilitate and upgrade Manga Stadium which produced Nyandika Mayiro, Arera Arenzia, Naftali Temu and Misat?

**Mr. Kamanda:** Mr. Speaker, Sir, maybe we could cater for all this in the next Budget. We want to get enough money so that we could rehabilitate our stadia in many parts of this country.

**Mr. Speaker:** I will give a chance to Mr. Poghio first, then I will go back to Mr. Bett.

**Mr. Poghio:** Mr. Speaker, Sir, could the Minister consider developing or designing model stadia for the different levels like the district, provincial and national levels, in order to take care of all the other sports that we need to develop in this country?

**Mr. Kamanda:** Mr. Speaker, Sir, we have the Stadia Management Board. That is the body that develops high class stadia in this country and we are in the process of making each provincial headquarters to be manned by a Provincial Stadia Management Board.

**Mr. Speaker:** Last question, Mr. Bett!

**Mr. Bett:** Mr. Speaker, Sir, I will only wait for action. I have no further questions.

**Mr. Speaker:** Next Question by the hon. Member for Rongo, Mr. Ochilo-Ayacko!

*Question No.032*DEBTORS OF SOUTH NYANZA  
SUGAR COMPANY

**Mr. Ochilo-Ayacko** asked the Minister for Agriculture:-

- (a) who the debtors of South Nyanza Sugar Company (SONY) over the last ten years who have not repaid the amounts owed to the company are;
- (b) how much each debtor owes; and,
- (c) when the monies will be recovered.

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

(a) The company has three categories of debtors which are as follows:- Sugar sales, farmers and other debtors.

(b) Each debtor owes SONY the following amounts: Sales, Kshs76,391,138.98; farmers cane development, Kshs688,130,378.58; other debtors, Kshs4,426.650.50.

(c) The monies are being recovered by the company and most of the debtors are current in their repayment.

**Mr. Ochilo-Ayacko:** Mr. Speaker, Sir, the Minister will agree with me that the balance sheet of SONY is among the worst in his Ministry. SONY owes millions of shillings to farmers and to other suppliers. Therefore, SONY cannot have the luxury of giving credit to people.

Can the Minister draw a line on the sand and decree that all these debtors must pay these monies that are owed within the next two months so that normal operations and services to other debtors and creditors of SONY could be realised?

**Mr. Kirwa:** Mr. Speaker, Sir, I take the advice and I will move in that direction.

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I am happy to hear from the Minister that SONY is recovering money from its debtors successfully and I know that the money advanced to farmers for cane development is always recovered because the farmers cannot sell their cane anywhere but to SONY. My question is: If SONY is so good at recovering its debts from farmers and others, why can the Government not write off the monies that the company owes the Government so that it could implement the core generation programme? The Government has written off millions and millions of shillings for other organizations like the Kenya Co-operative Creameries (KCC), the Kenya Meat Commission (KMC) and so on. Why is it that you are not treating the sugar factory in the same manner as you treat other corporations in the agricultural sector?

**Mr. Kirwa:** Mr. Speaker, Sir, I wanted to assure him that those papers are still in the pipeline, and I will be able to do the same before the end of the year.

**Mr. Karaba:** Mr. Speaker, Sir, I hope the Minister is aware that farmers in Central Province are owed Kshs641 million by the Government following mysterious circumstances similar to those experienced by the sugar-cane farmers in Nyanza. What measures is the Minister taking to make sure that farmers in Central Province get back their money?

**Mr. Kirwa:** Mr. Speaker, Sir, I have agreed with my colleague, the Minister for Finance, that all farmers' arrears, be they for coffee, sugar-cane or pyrethrum, are going to be retired in their entirety in the next financial year.

**Mr. Khaniri:** Mr. Speaker, Sir, the Minister has just informed the House that the factory is owed money from sugar sales of over Kshs76 million. I was in this Ministry and know that the policy is that those who buy sugar from the factory have to pay for the sugar before they collect it. Does that mean that the factory gives sugar on credit?

**Mr. Kirwa:** Mr. Speaker, Sir, some of the creditors are actually short-term. But the bottom line is that the policy that obtained before I took over the Ministry was that there were some creditors who were sold sugar and then paid their debts. We stopped that at the end of last year to ensure that all the sugar that is picked is paid for before it is delivered to its destination.

**Capt. Nakitare:** Mr. Speaker, Sir, the other day, this Ministry advised people to buy sugar directly from the sugar companies. Has he changed the policy?

**Mr. Kirwa:** Mr. Speaker, Sir, I do not see the contradiction between what I said and what I have said here.

**Mr. Ogur:** Mr. Speaker, Sir, could the Minister name these other debtors? Who are they?

**Mr. Kirwa:** Mr. Speaker, Sir, the list is long. I think for ease of reference, I can just table it for hon. Members to peruse. If there are any issues, they can raise them subsequently.

*(Mr. Kirwa laid the document  
on the Table)*

**Mr. Ochilo-Ayacko:** Mr. Speaker, Sir, the Minister has talked about debts of Kshs700 million that are owed to this company. Can we, as a House, have an assurance from the Minister that by the time the Budget is read this year, that is before the 14th of June, Sony Sugar Company shall have in its credit all this money, Kshs786 million, so that operations can resume?

**Mr. Kirwa:** Mr. Speaker, Sir, for the sugar sales, it is possible to do so. But in respect of cane development, some of the money is owed to the company because the cane that was developed has not been harvested and has exceeded the period within which cane is usually harvested. But I can give an assurance in respect of all the sales that if there will be any debt that will not have been paid we shall have taken legal action against the debtors.

*Question No.112*

AMOUNT OF MONEY REMITTED  
BY KENYANS ABROAD

**Mr. Osundwa** asked the Minister for Foreign Affairs:-

- (a) how much money Kenyans abroad remit back to Kenya annually; and,
- (b) what plans the Government has to facilitate the acquisition of dual citizenship by these Kenyans.

**The Assistant Minister for Foreign Affairs (Mr. Kembi-Gitura):** Mr. Speaker, Sir, I beg to reply.

(a) According to the statistics collected by the Central Bank of Kenya, estimates of remittances collected from commercial banks indicate figures of US\$494 million in 2004, US\$494 million in 2005 and US\$314 million in the first six months of 2006. The figures may, however, be higher since the figures provided above are based on the formal channels of money transfer.

(b) Dual citizenship was amongst the proposals contained in the Draft Constitution that was rejected at the referendum in November, 2005. It is now one of the minimum reforms proposed in the report on the way forward on the constitutional review process recently tabled in this House by the Departmental Committee on Administration of Justice and Legal Affairs.

Over and above the constitutional process, there is nothing the Government can do in this regard.

**Mr. Osundwa:** Mr. Speaker, Sir, last year alone, Kenyans abroad brought in US\$600



million. But reading the NARC manifesto, you find that the NARC Government promised to give this issue of dual citizenship a priority to enable Kenyans remit more money back home. Why has it taken more than four years for the Government to change the Constitution to allow Kenyans to remit more funds? This is a matter of crucial importance because we need this money for development here!

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, the NARC Government did not promise a new constitution. The Government provided a Draft Constitution and, according to the law, it put it to a referendum, and Kenyans rejected it. In that Draft Constitution was a provision for dual citizenship, and that is what the substantive answer I have given has said. So, acquisition of dual citizenship has nothing to do with the Government, but is a matter tied to the constitutional review process, which we have to finalise if we want to have dual citizenship in this country.

**Ms. Ndung'u:** Mr. Speaker, Sir, Government plans cannot just be about constitutional reforms. What method is the Government using to identify Kenyans who live abroad? We have Kenyans who are street people, criminals, victims of hurricane Katrina and so on. As we prepare for the constitutional amendments, what is the Ministry doing to ascertain who is a Kenyan and where they are?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, we have embassies, high commissions and foreign offices everywhere in the world. Any citizen of Kenya who is in a foreign country has the first responsibility, which the Government cannot enforce, of registering themselves in the foreign office in the country they find themselves in. If you are a criminal in New York and you do not want to register yourself because you are a criminal, there is no way the Government will put you in its tally.

**Mr. Cheboi:** Mr. Speaker, Sir, in anticipation of the constitutional amendments to allow dual citizenship, there are some Kenyans, particularly athletes, who have taken citizenship of other countries. These Kenyans contribute to the Kenyan economy because they have their properties here. What policy does the Government have to make it easy for them to come into the country and go out despite the fact that they have changed citizenship?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, there are rules and regulations of how a foreigner should be treated when he or she is in this country. If you change your Kenyan citizenship to another foreign country, you cease to be a Kenyan citizen at that moment. If you want to come to Kenya and invest, then you must follow the same channels. However, it is expected that those athletes have families here in Kenya. Therefore, it becomes much more easier for them to invest here because they can do it through their families.

**Mr. Billow:** Mr. Speaker, Sir, by any standards, the amounts that have been remitted are quite significant. I would imagine that the bulk of those remittances is to families, friends and relatives. What action is the Government taking to provide incentives to encourage those Kenyans in the diaspora to invest in our capital markets? Those incentives should be over and above those that are given to foreign investors. For example, we should give them preferential rights when there are IPOs and so forth. That way, we can get much more than the Kshs500 million to Kshs600 million that we get annually.

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, that is a very important question. I am certain the hon. Member knows that the Government has set up a very high Inter-Ministerial Committee to deal with the private sector and other interested parties. The Government is looking into the matters of Kenyans living in the diaspora to see how best their problems can be dealt with. We appreciate that their investments are very important to this country. We want to see how those investments could be channelled in a way that could benefit this country more than they are doing at the moment.

**Mr. Balala:** Mr. Speaker, Sir, what is the Government doing to stabilise the value of the

Kenya Shilling to favour both importers and exporters, bearing in mind Kenyans who are living abroad and sending their money to Kenya?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, that is an excellent question, if it is directed to the correct Ministry.

**Mr. Speaker:** Last question, Mr. Osundwa!

**Mr. Osundwa:** Mr. Speaker, Sir, it cannot take a referendum to change a particular section of the Constitution. Indeed, the Government can initiate moves to change that particular section of the Constitution to allow dual citizenship. Could the Assistant Minister assure this House that he will take that action and not wait for the minimum reforms, which we are not sure of?

Secondly, when Kenyans are sending out money through Money Gram or Western Union Money Transfer, they pay a lot of money in terms of commissions. What action is the Government taking to ensure that Kenyans are not fleeced in that manner?

**Mr. Kembi-Gitura:** I apologise, Mr. Speaker, Sir. I did not get the last part of the question.

**Mr. Speaker:** He is asking what action your Ministry is taking to mitigate the cost of sending money, especially with regard to the commissions that are charged?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, although I represent the same Government that the Minister for Finance represents, there are questions that are best directed to the correct Ministry. I cannot talk about the policy of another Ministry at this moment. I appreciate the importance of what the hon. Member is asking. However, that has absolutely nothing to do with the Question that is before the House.

**Mr. Speaker:** Very well! Hon. Members, that marks the end of Question Time! I had requests from three hon. Members who wanted to rise on points of order. Mr. Balala and Mr. Chepkitony, I think your points of order coincide. Mr. Chepkitony, did you also want to know about the issue of fuel?

**Mr. Chepkitony:** Yes, Mr. Speaker, Sir.

**Mr. Speaker:** Mr. Balala too. I will give a chance to the hon. Member who I spotted first. Mr. Chepkitony, I will give you the opportunity to seek a clarification. Is that a fair deal?

**Mr. Balala:** Yes, Mr. Speaker, Sir.

**Mr. Speaker:** Mr. Chepkitony, let me hear you!

## POINTS OF ORDER

### COUNTRYWIDE SHORTAGE OF PETROLEUM PRODUCTS

**Mr. Chepkitony:** Mr. Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister for Energy on the current countrywide shortage of petroleum products, particularly diesel and petrol. The shortage started in Western Kenya some months ago, and it has now spread to the whole country. If that shortage is not brought under control, it will have a negative impact on the economy. The persistent shortage has, to a large extent, caused the current high pump prices in the country. I would like the Minister to specifically address the following:-

(i) What are the causes of the shortage?

(ii) What intervention measures will the Government take to alleviate the shortage, both in the short-term and in the long-term?

**Mr. Speaker:** Is the Minister for Energy here? Your Excellency the Vice-President and Minister for Home Affairs, do you have anything to say about that?

**The Vice-President and Minister for Home Affairs (Mr. Awori):** Mr. Speaker, Sir, the

information will be relayed to the Minister, so that he can come and give a Ministerial Statement.

**Mr. Speaker:** That should be done by Tuesday, next week! I think it is a serious issue.

#### INTERRUPTION OF FOOTBALL

#### MATCH IN NGONG

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister of State for Administration and National Security on a matter that is very urgent. Over the weekend, as we were enjoying our Easter break, a Mr. Moses ole Sakuda had organised a football match in a stadium in Ngong in Kajiado North Constituency. Unfortunately, he was prevented from presenting trophies after the football match. The explanation given by the OCS, a Mr. Saitoti, is that he had received orders from above to interfere with that event.

Mr. Speaker, Sir, this is an election year and people would like to mix freely with Kenyans. Kenyans would like to be assured that their democratic rights will not [**Prof. Anyang'-Nyong'o**] be interfered with. I would like the Minister to explain what happened. He should prevent the nation from entering a period of anxiety where orders from above interfere with our free movement and freedom of association.

*(Applause)*

**Mr. Speaker:** Prof. Anyang'-Nyong'o, that should have been a Question rather than a matter of policy. But, Mr. Munya, would you like to respond to that? Hon. Members, in future, you must differentiate between matters that can be brought to the House by way of Questions and those that require a Ministerial Statement.

**The Assistant Minister, Office of the President** (Mr. Munya): Mr. Speaker, Sir, we are ready to answer the Question if the hon. Member drafts it. That is a specific Question. The hon. Member should not be given a short-cut that other hon. Members are not given. Let him draft a Question. We are ready to respond to it!

**Hon. Members:** No! No!

**Mr. Speaker:** Order, hon. Members! There are no short-cuts.

Prof. Anyang'-Nyong'o, bring the Question and I will approve it.

Next Order!

#### MOTION

#### ADOPTION OF SIXTH ACP AND 12TH ACP-EU

#### ASSEMBLY REPORTS

THAT, this House adopts the Report of the Sixth Session of the ACP Parliamentary Assembly and the 12th ACP-EU Joint Parliamentary Assembly held from 15th to 23rd November, 2006 in Bridgetown, Barbados laid on the Table of the House on 29th March, 2007.

*(Mr. Kamotho on 10.4.2007)*

*(Resumption of Debate  
interrupted on 10.4.2007)*

**Mr. Speaker:** Mr. Syongo, you were on the Floor seconding this Motion, when the debate was interrupted.

You have 25 minutes to finalise your contribution.

**Mr. Syongo:** Mr. Speaker, Sir, I was speaking about the issue of water---

*(Several hon. Members started withdrawing from the Chamber while consulting loudly)*

**Mr. Speaker:** Order, hon. Members! Up and until this very moment, we were on matters other than business. We are just entering into business and all hon. Members are leaving! The remaining ones are making it impossible for us to hear what Mr. Syongo is saying. Could we get to business now?

Proceed, Mr. Syongo!

**Mr. Syongo:** Mr. Speaker, Sir, I was discussing the issue of water as a resource within the ACP countries. A resource that also limits their capacity to produce livestock, crops through irrigation and generally improve the welfare of the citizens of the ACP countries.

Mr. Speaker, Sir, there is an issue which some Members attempted to bring to the table under the World Trade Organisation (WTO) discussions as well as the Economic Partnership Agreements (EPAs) negotiations with the European Union (EU). It was the question of privatisation of water services in urban centres. Water is an essential commodity for life. It is a commodity that should not be subjected to liberalisation and privatisation as being pushed by the EU and WTO. Moreover, water in many municipalities in ACP countries, including Kenya, is a major source of revenue for the municipalities. The moment we make the mistake of allowing the EU countries and, generally, the developed world to take over the provision and supply of water, it will be extremely dangerous for our people.

Mr. Speaker, Sir, in any negotiations and discussions within the framework of the Economic Partnership Agreements (EPAs) as well as World Trade Organisation (WTO), we should always resist the pressure to allow multinationals to take over the supply of water to our citizens.

Mr. Speaker, Sir, there are two things that I would have wished were brought onto the table when they met in both Geneva as well as Barbados. These are immigration as well as energy. Generally speaking, immigration as far as the Europeans and Americans are concerned, is seen from a security point of view. Any application for visas by citizens of the African Caribbean Pacific (ACP) countries to enter the European Union (EU) is seen and looked at with suspicion. Even before you are proved to be a terrorist, they tend to think that you are one and a security risk to their countries. There is, indeed, demand for services from the citizens of the ACP countries.

Mr. Speaker, Sir, as we discuss this Report this afternoon, a number of ACP country citizens, including Kenyan nurses and doctors, young men in the Information and Communication Technology (ICT) industry, are employed in Europe. They are providing legitimate and useful services to those economies and they are bringing in to our countries the much required and vital foreign exchange earnings. Mr. Osundwa has just been discussing it in his Question. Therefore, in our negotiations with EU and even our bilateral discussions with other trading partners, immigration should be considered as an economic issue and not a security issue.

In fact, just as we also negotiate on a quota system for sugar exports to EU, we should also negotiate for a quota system in terms of exporting human resources, so that when they are in Europe, the basic human rights of our citizens are guaranteed by those countries in which they are working. They should retain their basic rights to come back home on holiday just like we give the

expatriates who come to work for us there. Moreover, they should also retain their right to repatriate their income and invest in their home countries. This is an issue that should be taken up very seriously in all our negotiations such as with the EU.

Mr. Speaker, Sir, on the issue of professionals from developing countries, we have invested heavily in them in terms of their training without due compensation. Therefore, I would urge that once they migrate to those countries, they should be allowed to repatriate back their earnings, so that we at least recover some of the investment which we make as countries and governments to train them. This is another issue that should be discussed and brought on the table in terms of our joint discussions with the EU.

Mr. Speaker, Sir, high energy costs is one of the reasons why our products in Kenya, especially processed goods, remain fairly uncompetitive. Since under EPAs and WTO there is a development component, ACP countries, particularly Kenya, should actually bring on board the question of energy. We need to obtain affordable investment capital to expand our capacity to produce energy cheaply and be able to distribute it countrywide. This can, therefore, be used to increase our productivity and also give us capacity to add value to our raw materials.

There is also enormous opportunity for us to invest in renewable energy such as biodiesel, wind technology, hydro and solar. Now, these are opportunities that present themselves in a forum such as bilateral discussions with EU and within the WTO framework.

Therefore, I would urge our delegation that in future they should bring these particular issues of immigration and energy within the ambit of their discussions. By so doing, we can have development assistance and thereby increase our capacity to produce and add value. We can earn more from our exports to their countries.

With those remarks, I beg to second.

*(Question proposed)*

**Capt. Nakitare:** Thank you, Mr. Speaker, Sir. The ACP-EU Joint Parliamentary Assembly (JPA) is a very important organ for the purpose of communication internationally. We have heard what hon. Syongo has just talked about. It is the opening window for trade, diplomatic relationships and educational systems for our people.

We talked about the diaspora. What is this diaspora? Why is there human resources export from Kenya to other countries? What are these greener pastures that we keep on talking about? Kenya is a big country. If well managed, it can provide all the good things our engineers, doctors and teachers crave to get. However, because of disparities in salary structures in this country, our professionals go out to look for greener pastures. Why are we exporting human resources to other countries? We, as Members of Parliament, when we go out there, we meet parliamentarians from other countries in various forums.

Mr. Speaker, Sir, it is imperative that Kenyans are well educated. Kenya is well respected worldwide because it has invested heavily on human resources. Even if political parties clash over issues, they cannot cause anarchy in the country because we have a well educated population. We respect human values. However, there are glaring imbalances between the rich and the poor. Why do we have such a gap between the haves and have-nots? I think it is because of the poor distribution of wealth in this country. The greatest natural resource in Kenya is agriculture. If we had proper land distribution we would not be having land clashes.

**Mr. Speaker:** Order, Capt. Nakitare! What has all that got to do with the ACP-EU? You must be relevant to the Report!

**Capt. Nakitare:** I am very relevant, Mr. Speaker, Sir.

**Mr. Speaker:** Order! I discern it! Have you read the Report?

**Capt. Nakitare:** Yes, Mr. Speaker, Sir.

**Mr. Speaker:** Then talk about the Report!

**Capt. Nakitare:** Mr. Speaker, Sir, thank you very much for guiding me. I have read the Report and I know it. But charity begins at home.

**Mr. Speaker:** No! Order! When we are local, we are local. But when we are international, we are international. We are talking about the ACP-EU Report; the discussions that were held in Bridgetown, Barbados.

Now, talk about it!

**Capt. Nakitare:** Thank you, Mr. Speaker, Sir. As regards the African Caribbean and Pacific issues, we have to draw the lines. We had disarmament in these regions. When I talk about "charity begins at home," it is because of the poverty that these countries are facing. That is why we have the influx of small arms. These countries have talked about ways of solving the problems of small arms, through disarmament. They have also talked about trade. We cannot talk about the World Trade Organization (WTO), because it is a little further than where we are. But, as Kenyans, we have to start from home.

Barbados is in the Pacific Region. In fact, the dissemination of the information from that conference has not been done properly. As an hon. Member of Parliament, I have seen the document. But has the person in River Road seen it? How is it going to benefit him? That is why we need to examine ourselves and read between the lines.

We have a lot of things that we share with the ACP-EU countries, especially when it comes to marketing, tourism and trade. Trade also involves agriculture. We also have conventional trade which is called *Jua Kali*. How is our *Jua Kali* sector going to benefit from the ACP-EU partnership? Our own flower farming is experiencing problems, because of the carbon issues. What would happen if Kenya is told that her flowers are not necessarily allowed into the European market? Who will be our saviour or advocate, if we do not speak about these issues at home? We need to research and know how we are going to get the market.

We talk about the influx of small arms in Africa. Who is bringing them? It is not parliamentarians. When we talk about the purchasing power, but what purchasing power does Kenya have? We have to talk about these issues because they are all contained in the ACP-EU Report that was tabled in this House.

Mr. Speaker, Sir, we, as Kenyans, do not have an advocate to help us access the United Nations (UN) job opportunities. I know very well that West Africa has a cocoon where they campaign and "purchase" powers in terms of jobs created under the UN. How many Kenyans are working for the UN in New York? Therefore, while we address the issues of the ACP countries, those islands in Barbados look at us. If you look at the farms that are owned by the Europeans in this country, they resemble those in Jamaica. If you look at the farms where pineapples are grown in this country, they resemble those in Barbados and other islands.

Mr. Speaker, Sir, we are actually towing the line of Commonwealth countries. Since we have depended very much on the British Constitution and we had to follow what they do, are we benefiting? These are the areas that we have to look at. What are we getting from the Far East? Do we have any parliamentary relationship with the countries in the Far East? The Pacific Ocean has several islands. These islands have borrowed information from Britain and other European countries. Are we, as Kenyans, a stepping stone to those countries? We are looking at the same situation very conservatively. We have to be Kenyans. We do not have to be told what to do. Instead, we have to decide what to do.

*[Mr. Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, I talked about these issues yesterday while contributing to the ACP-EU Report that was passed. In fact, these two reports should have been merged together, because they talk about the same issues. We have no palatability on the issue of the dissemination of parliamentary knowledge. We, as hon. Members of Parliament, attend so many conferences. We come up with reports and table them in this House. However, they end up in the archives. Probably, the Media has access to these documents. But of what benefit are they to us?

We talk about international issues, for example, without talking about human resources. We are talking about exporting our human labour to other countries. This involves hon. Members of Parliament because it affects them. It calls for maturity. We have to mature when it comes to making laws and rules in this House. We are not going to look at issues the way butterflies fly in the air. They are blown towards the direction the wind is going. We are not going to be used as rubber stamps in this country. I take issue with most of the modalities that the parliamentarians use when they go out of the country. We do not do enough preparation at home. That is why I said charity begins at home. We get documents like the Report of the ACP-EU Assembly that was held in Barbados, for example. But who knows much about Barbados, except those people who have travelled internationally? We can talk about Jamaica also. Why can we not confine ourselves to the issues of public relations, as parliamentarians, and know what we are going to achieve when we go to those kinds of meetings?

Before we discuss a Paper, we have to ensure that it is has relevance. What is the relevance of the ACP-EU partnership? When I look at this partnership, I think it is talking about borrowing power. Are we using this to gain borrowing power? Are going to be borrowing from the European Union (EU) all the time, or do we have something that we want to sell to them?

**The Temporary Deputy Speaker** (Mr. Syongo): Order, Capt. Nakitare! I agree with the hon. Speaker. I think it is important for us to be relevant to the particular topic under discussion. This Report is very specific on the issues that have been brought on board and I would like to urge you to restrict yourself to the issues which are in this Report.

Thank you very much. You may continue!

**Capt. Nakitare:** Mr. Temporary Deputy Speaker, Sir, the issues in that Report are Africa-based issues and as Africans, we have an issue here. We have problems that we want to deal with. But if we confine ourselves to the document that you are talking about, we will not get anywhere. We are becoming rubber stamps in this country. However, I agree with you that I have to confine my mind to the document which was drafted by other people, and I have to follow what that draft talks about.

**The Temporary Deputy Speaker** (Mr. Syongo): Order, Capt. Nakitare! This Report was drafted with the participation of Kenya's delegation to that particular conference. So, it was not drafted by "other" people. So, could you, please, withdraw that statement?

**Capt. Nakitare:** Mr. Temporary Deputy Speaker, Sir, I withdraw that statement. But I will not apologize because I know very well that the document drafted and compiled may have had other essence. But I am talking about where we are; the focus of Africans in the parliamentary fora that we go out to attend. With the experience that I have, having attended such kind of fora, I know that we become mere rubber stamps if we do not become extravagant and talk about issues that affect our country.

As I said earlier, in this case of the ACP-EU JPA, we remain to be borrowers. But there has to be some purchasing power density. What is our purchasing power density? If any other speaker

can talk about it, then I support the Motion, waiting to hear what other hon. Members are also going to talk about.

Thank you.

**Mr. ole Ntimama:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the ACP-EU JPA. This is a great idea; that nations from Africa, Caribbean and the Pacific have come together to form a parliamentary assembly to decide and plan for their economic, political and environmental welfare. Although the whole report is very complex, multipurpose and multicultural, I think it is very important to point out that certain aspects of this Report and the ACP-EU JPA are very important for Africa and for East Africa in particular. Mr. Temporary Deputy Speaker, Sir, I have read the Report that we are now debating. Apart from the environment, which I will come back to later, first and foremost, it talks about conflict. We have had our share of conflicts in East Africa. In this country in particular, there are very few areas which have not had conflicts among groups of people, tribes and all these other things. But I have been wondering what has been causing these conflicts. First of all, there is the question of resources, which I think the Government must address properly, because resources are one important issue that can cause conflicts, disagreements and total chaos in any country. If some people have all resources and some are left without any resources, then definitely, you can be sure that there is going to be serious conflict among those people.

Mr. Temporary Deputy Speaker, Sir, there is also a question of Government ineptitude; the Government being unable to control or sit down and advise their own citizens on what to do. This Government ineptitude can be seen in many things, for example, what we are now seeing in Mt. Elgon. Just the other day, a majority of hon. Members in this Parliament, apart from the Government side, were saying: "The Government has neglected the people, it is not listening to the voice of the people, it does not go right to the ground to find the cause of the problems". It is true that some Ministers have not been able to go there, or they have left it carelessly and said: "It is their own business, they can go on killing themselves". That is a Government which is unable to control this conflict and advise their own citizens on the right way to take.

Mr. Temporary Deputy Speaker, Sir, I am not going to talk about the big conflict in Somalia, although we are seriously affected by it. But it is very good to talk about the Tharaka-Imenti conflict, which is already being published in our Media. I thought that the Minister of State for Administration and National Security was going to make a Ministerial Statement today about the Tharaka-Imenti conflict, where two communities are fighting. In fact, they are almost the same communities like it is in Mt. Elgon! They are all Merus, so to speak. What has the Government done? In fact, I was expecting to hear a Statement from the Minister of State for Administration and National Security or his assistant to tell us, as he said and it was published in our print Media, that the Minister was going to make a Statement about the Tharaka-Imenti conflict.

**The Temporary Deputy Speaker** (Mr. Syongo): Order, Mr. ole Ntimama! You should know that the matter was raised yesterday and the Minister of State for Administration and National Security made an undertaking to make a Ministerial Statement tomorrow.

**Mr. ole Ntimama:** But, Mr. Temporary Deputy Speaker, Sir, it is a conflict, like what is talked about in this Report. This is not the only conflict, it is a question of whether the Government is really ready to tackle these problems, and whether they are apt to do it again. I have said earlier that it is a question of Government ineptitude. For example, the Tharaka-Imenti problem is as a result of the so-called "creation of districts".

I am talking about conflicts, which is in this Report. If anybody gets a little bit scratchy on the side, then he should know that I am, definitely, within the Report about conflict, water---

**The Temporary Deputy Speaker** (Mr. Syongo): Proceed, Mr. ole Ntimama!

**Mr. ole Ntimama:** Thank you, Mr. Temporary Deputy Speaker, Sir. I have talked about



ineptitude, unwillingness, and the readiness of the Government to tackle these conflicts. This issue has come out because of the so-called intention to create new districts. Truly, there are so many conflicts, including in Gatundu, Garissa and everywhere else. We have a very bitter conflict in Narok right now because some people want to grab the Maasai Mara, and we are saying: "No, this is a resource which the Maasai of all sides have shared for the last 60 years". The question is: "Is the Government really not a party to creating these conflicts?" They might not agree, but if it was properly examined, they could be part and parcel of the whole problem. I am saying this because if they push these ideas down the throats of the people without finding out what the people think and what they want, then definitely, they will be creating conflicts, disagreements and disharmony. Starting conflicts like that could blow up into a big problem.

My friend, hon. Matiba, kept on saying that the people must be listened to. Even in this situation, if we want to create liberal democracy and not dictatorship of a few individuals who are naturally greedy, then, let us listen to the voice of the people. Let the people speak. I do not mind if the people say that they want a district. That will be fine. But if the people say they do not want a district, that is also fine. Let the people decide. You should not push issues down their throats because you will be creating conflicts.

In Tharaka and Nithi, people were fighting over the district boundaries. This is another interesting thing. The district boundaries in this country are entrenched in our Constitution since 1964. If you want to change the district boundaries, then you must bring an amendment to the Constitution. I am trying to explain ineptitude, unwillingness, disregard to the rights of the people and democracy, as the cause of some of these problems. I have given the two examples of Mt. Elgon and Tharaka.

Mr. Temporary Deputy Speaker, Sir, we have a bigger problem ourselves. This is why I think that the people must decide on some of these things.

**The Temporary Deputy Speaker** (Mr. Syongo): Order, hon. ole Ntimama! I think you have had your say, but the point is, as I told you, the Minister is going to make a Statement tomorrow. I would advise that you hold some of the very good ideas that you have, so that you can bring them out as you discuss and respond to the Minister's Statement tomorrow.

**Mr. ole Ntimama:** Thank you, Mr. Temporary Deputy Speaker, Sir. I was trying to support my case of ineptitude and total unwillingness of the Government to stop conflicts in this country. This report talks about conflicts and we have to talk in isolation about this.

Mr. Temporary Deputy Speaker, Sir, you have been talking about water just now. Water is a very important component in the ACP Assembly. This is true. It is simple and clear. No human being can live without water. It is only second to the air we breath. Let us look at the way we have been destroying our environment. Destroying the environment is destroying the sources of water and making sure that water does not flow to the right places. This country has been completely notorious in destroying the environment. If you look at our forests, you will find that it is either this Government or the former one that was allocating forest land in this country. This is a disaster. That is just a simple way of stopping water from flowing to the right places or to the lower grounds. They have been doing this with impunity.

Mr. Temporary Deputy Speaker, Sir, this is another area where there has been total impunity and greed. Forest land has been allocated to personal friends and relatives. We have destroyed the economy and the environment of this country and I think we cannot recover for another 200 years. For example, East Mau Forest was a big forest as any other forest in the Mau Forest or Mt. Kenya, but the whole of it was allocated to people, some of whom are still there farming and cutting down trees as we debate this report.

We have been told by experts, not only from outside this country, but also in this country, that Lake Nakuru is drying up because rivers like Makalia, Enterit, Molo and Njoro are dry. The

sources have stopped trickling even little water to go down into the lake. We have been told that the lake is silting and the flamingoes have run into Lake Natron in Tanzania. This does not seem to sink into the mind of the ruling elite of this country. Very little is being done. There is very little talking about this issue.

**The Minister for East African Community** (Mr. J. Koech): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is misleading the House and the nation. The Government is already doing something great on Lake Victoria Commission and machinery has already been set up for conservation. So, when he says---

**The Temporary Deputy Speaker** (Mr. Syongo): Order! That is a point of information.

**The Minister for East African Community** (Mr. J. Koech): Mr. Temporary Deputy Speaker, Sir, I would like to inform the hon. Member that the Government is doing something about it.

**Mr. ole Ntimama:** Mr. Temporary Deputy Speaker, Sir, if the Government is doing anything, it is too little, too late.

I know the area very well because I live around there. I have been championing the whole process of saving the forest, almost second to my friend hon. Maathai, who, unfortunately is not here today. With regard to Lake Victoria, we were told yesterday by an hon. Member that the water has receded about six metres in and three metres down. This is just because the rivers on the Mau Forest have been interfered with.

It is only the international community - I am glad we have some people in Africa, the Caribbean and the Pacific - who must be helping, including the European Union, which is an integral part of the ACP. These groups are trying to help, but you cannot help people who do not want to help themselves. You can only help somebody if he is really willing to move as well and help himself. The water is very important. It is simple: Just preserve, protect and save the environment and definitely, everything will start flowing.

Mr. Temporary Deputy Speaker, Sir, I have a lot of respect for my friend, hon. Koech, but I know more about Lake Nakuru than he knows, because I am so close to it. He knows that he is on the other side of the lake. Probably, he is more close to Lake Victoria than Lake Nakuru. As I said, the Government has done too little too late or nothing.

So, it is important that we look after the watering system for the benefit of our people. We should take care of our environment including the wildlife. People think I am rather parochial when I say that it is only certain communities who have protected, preserved and protected the wildlife kingdom in this country. These are people in the north; our relatives in Samburu and the Maasai of Narok and Kajiado. We have taken upon ourselves to protect these animals for the benefit of the local and the international community. In fact, the consumers of wildlife right now are from the international community.

Mr. Temporary Deputy Speaker, Sir, although you want to tell me that I should wait for another day to talk about some of these issues, the Mara today is being targeted by all the greedy people who want to make quick money and do not care whether they are destroying the wildlife or the environment at all. This is actually what we must be careful about. As they say, the Mara is so special a resource that we cannot just put down a hammer to partition Narok District, essentially partitioning the Mara and doing all sorts of other things, because you will damage the ecosystem. I am saying so because it is very important. I support the Government in many respects. I hardly castigate the Government when it does the right things. However, when those in the Government do the wrong thing by failing to think properly and consider the future of our children then, definitely, it is a serious affair.

Mr. Temporary Deputy Speaker, Sir, as I said, this Report is complex and multi-cultural. However, I do not know whether this is what other people read. There are so many other things. It is a complex Report dealing with very many things, but one important thing I have seen is that about human rights. Human rights is a new development. All human rights issues came up after the

Second World War. When the Nazis and the fascists were defeated by the allied forces, there were no human rights issues. Subsequently, human rights issues started emerging. People started speaking about the rights of the people, particularly those of women, children and indigenous people. To this list, I would add the rights of pastoralists. The right to religious affiliation and other rights issues developed over a time.

Mr. Temporary Deputy Speaker, Sir, the question is: Are we, as the National Assembly and the people of Kenya, really, thinking about the rights of men? I have referred to the rights of men because the French Revolution, which was the second biggest revolution involving human rights after the War of Independence in America, was about the rights of men. Even in some parts of the Bible "women" also mean "men". So, the rights of men included the rights of everybody, namely, women, children and men. That is where we are today. We must articulate the rights of the people and those of communities. Probably, we are not articulating the rights of communities. Everybody must be given their rightful share of rights. Marginalisation is simply discriminatory, and it can only come from dictators and people who do not care about other people. It is perpetrated by looters.

Mr. Temporary Deputy Speaker, Sir, I do not want to speak for too long, but I would like to say that I am a real supporter of the African-Caribbean-Pacific Parliamentary Assembly, which will, definitely, help us to develop our own land like our partners in the Group of 77 countries and, of course, our development partners in Europe and Americas have done it.

Thank you.

**Mr. Angwenyi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this debate. From the outset, I would like to support this Report and commend our Members of Parliament who represented this country very ably in this Assembly.

Mr. Temporary Deputy Speaker, Sir, you have heard my senior colleague lamenting about things which have gone wrong in this country. That should be a warning to those who are in Government that they may end up lamenting next time they are no longer in Government, if they do not do the right things. They should learn from his statements.

Mr. ole Ntimama was a Member of the Cabinet for a long time, when our forests and industries were being destroyed, but he could not see it. So, this should be a warning to these Ministers to open up their eyes and minds, so that they do not allow destruction to be done on the scale it was done when Mr. ole Ntimama was a Minister of the Government of Kenya.

Mr. Temporary Deputy Speaker, Sir, this Report is very comprehensive. It addresses issues which are very important to this country. Let us take, as an example, the issue of tourism.

Today, tourism is the biggest foreign exchange earner for this country, but what portion of our Budget do we devote to tourism? Has this Parliament ever asked itself how much money is devoted to develop tourism wholly - tourism that benefits the communities that provide attractive areas for tourists? How much money is devoted to Narok? How many roads have been done? How much money has been devoted to roads in Narok and Trans Mara Districts? How much money has been devoted to Amboseli and Tsavo National Parks? How much money has been devoted to Manga Ridge in Kisii?

**Mr. Sungu:** --- (inaudible)

**The Temporary Deputy Speaker** (Mr. Syongo): Order! Order, Mr. Sungu! It is Mr. Angwenyi who is on the Floor!

**Mr. Angwenyi:** Mr. Temporary Deputy Speaker, Sir, this Parliament should scrutinise every cent of the Budget to see the cost benefit of its expenditure, and empower the communities that have provided the environment to earn money for this country. It is despicable that you cannot drive from here to Narok, which is only 142 kilometres away, in two hours. You must drive there in five hours, yet you will be driving to the Maasai Mara, which has been declared the Eighth Wonder of the World. How much money have we devoted to rehabilitate our forests in the Mara, Kiabonyoru and Manga, where the waters of Lake Victoria come from?

Mr. Temporary Deputy Speaker, Sir, actually, I should not be surprised to learn from Mr.

Sungu that Lake Victoria has receded by three feet. Now, I would urge the Members of Parliament who depend on Lake Victoria to contribute money from their Constituencies Development Fund (CDF) kitties, and make sure that the Government chips in, to reforest our Mau Escarpment, Manga Escarpment, Kiabonyoru and Sumita Mountains, so that we can have enough rainfall, which will throw more water to Lake Victoria to fill it up. In this way the people who live around Lake Victoria will get enough fish.

Mr. Temporary Deputy Speaker, Sir, this Report addresses the issue of the environment, particularly afforestation and our rivers, for example. How much money do we devote to provision of clean portable water to the densely populated areas of Kisii and Kipsigis, so that we can guarantee them good health, and also ensure that clean water will flow to the lake for use by the people around it? Have we ever thought of a lady in Kisii Highlands moving from the top of the hill, where her house is, to the bottom of the hill?

A lady who is pregnant - she carries somebody "in front of her" - goes down hill with an empty pot and climbs uphill with two loads - the pot on her head, or on her back, and the baby "in front of her! We should provide water to peoples' settlement. That is when we can know that our participation in ACP-EU conferences is beneficial to our people.

Mr. Temporary Deputy Speaker, Sir, have you ever thought about somebody in Kajiado South trekking 20 to 25 kilometres to fetch water and yet, that is where we earn a lot of money for this country? This Report also addresses the issue of small arms and light weapons. Today, Kenyan soil has become a killing field. It has become a killing field because people have easy access to small arms and light weapons. Some of those weapons are more sophisticated than what our security forces have. That is why we hear every other day that a policeman has been killed by thugs. Thugs have weapons which are more sophisticated than our security forces. It has taken six months now and we have not been able to control the situation in Mt. Elgon District. It is a small place. It is one of the smallest districts in this country. How about if that conflict spread to Pokots, Turkanas, Marakwets and the Kisiis, who have settled in those areas? Could this Government be able to control it, if it cannot control a small place like Mt. Elgon? I wish the recommendations of this Report on the control and management of small arms and light weapons were implemented to the letter. That way, we can be peaceful and secure. Today, when you leave this Parliament at 6.30 p.m., you are not sure whether you can arrive in your home safely. That is because everybody around us has got access to small arms and light weapons.

Mr. Temporary Deputy Speaker, Sir, this Report addresses the issue of economic partnerships. I serve in the Steering Committee of Inter-Parliamentary Union (IPU) on World Trade Organisation dimension. We have been grappling with an issue that could affect this country greatly, unless we solve it. That is the issue of patenting our production. A few years ago, our *kiondos* were patented by somebody in Japan. Today, I understand that our *kitenges* are being patented in England. Yet, England is a member of ACP-EU. Why can that organisation not advise and persuade England not to patent our *kitenge*? The lady who designed *kitenge* lives in Mombasa. She can earn something instead of transferring those earning to an Englishwoman who has not done any work towards the development of *kitenge*.

Mr. Temporary Deputy Speaker, Sir, a few years ago, we got STABEX funds from the European Union (EU). They were supposed to provide road network and rural electrification in areas that produced export for the European market. Some of those areas included Kericho, Thika, Nandi, most of Western Province and Kisii. But not a single penny of that amount went to those areas! Most of it - and I do not want to sound parochial - ended up in Murang'a and some parts of Kiambu. It was Kshs6 billion worth of aid. It was meant for all the areas in this country that made exports to the European Union. That is why we must address the issue of equitable distribution of resources in this country. I always hear year in, year out - that such and such area must get water, boarding school, relief food, seeds and fertilisers. But I have never heard, even for a single day, the people of Kitutu Chache receiving any funding from any of those issues. Last year, we were unable to get seeds and fertiliser on time. This year too, we were unable to get seeds and fertiliser on time.

Instead of the Government waiting to supply us with relief food, it should have given seeds and fertiliser to those poor women who wake up at 5.00 a.m. in the morning and work until 5.00 p.m. in the evening, before they go to the hills to fetch water. So, what I am saying is that some of those organisations should try to enhance the livelihood of Kenyans. That is the only benefit we can get from that type of organisation.

Mr. Temporary Deputy Speaker, Sir, you realise that the WTO is about to collapse. It is going to collapse mainly because of two trading blocks; the United States of America (USA) which has refused to stop subsidising its farmers and the European Union which has refused to stop subsidising its exports. The EU, for example, is part of the ACP-EU. If it were to agree tomorrow that they will not subsidise their agricultural production, we would compete. Our sugar would be able to compete with their sugar. Our carrots would be able to compete with their carrots. Our fruits would compete with their fruits. In fact, we could even be more competitive. That is when we can have world trade. But when it appears that any trade agreement is going to benefit the developing world, those developed countries go against it. That is why they want us to address trade issues that benefit them.

Recently, we realised that when this Government bent towards the East, the British were not amused. They do not want to support this country because they said we were leaning towards China. But when the President made a visit to the Peoples Republic of China - and I think he should make two or three more visits - aid started flowing into this country. That is because we showed them that we want to be independent. But we need to take that independent position for the benefit of our people, and not for the benefit of the people of England, France or Germany.

Mr. Temporary Deputy Speaker, Sir, finally, we can benefit from ACP-EU in the area of energy. As you know, in this country, the proportion of people who have access to electricity is less than 15 per cent. That is mainly in urban centres. I know that two years ago, the Germany Government set aside 500 million Euros to support renewable energy. I hope our representatives to the ACP-EU can negotiate for us to access that funding. That way, we can have small hydro-electric power stations in our countryside. We can support sugar producing factories to produce energy. We can also support the exploitation of our geothermal energy. That way, Mr. ole Ntimama and all his people in their *manyattas* can have cheap power. In fact, they can be provided with power free of charge. Without going haywire, I think the Maasai, as Mr. ole Ntimama lamented here, have got a short end of this country. All the settlement schemes in this country - and I conducted a research on that about ten years ago - have been established in Maasailand. But there is not a single Maasai settlement scheme in this country. There is nothing we have given to those people.

Why can we not get Messrs. ole Ntimama, ole Ntutu and ole Metito to some room and tell them: "We have taken so much of your ranches. How much shall we give you to satisfy you and your people?" If this Government can do that, the Maasai can provide a lot of revenue earning avenues for this country.

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

**Mr. Poghiso:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for the opportunity to contribute in support of this Report. I need to declare my interest from the very outset that I am a member of the delegation. So, I would like to say a few words on this Report.

I continue to lament that when reports like these are being presented in the House, the attendance in the House is normally very poor. I will also continue to encourage hon. Members to take keen interest in these reports because, as I said, in one of the reports, these things do not happen for nothing. We do not go to Barbados, Brussels or Germany for these meetings in vain. By presenting and tabling these reports in the House, this is a way of domesticating the proceedings, conclusions and resolutions of the goings-on at the ACP-EU JPA. For the benefit of hon. Members, the 77 countries from the African Caribbean and Pacific have their own Assembly which is called the ACP Assembly. It is a parliament of all those who belong to the African Caribbean and Pacific region. They meet independently, first of all between the time we go to these sessions,

in order to agree on what to discuss with the European side. So, all the things that are done here are actually compromised resolutions. There is no one thing that comes from one side that is a bottleneck to the other side.

Mr. Temporary Deputy Speaker, Sir, the issues for hon. Members to begin to look at in these reports is begin to see how the world has become such a small village. It has shrunk so much that what affects Kenya is no longer a preserve of Kenyans. What affects Kenya in the area of tourism affects the rest of the world. If there is a problem with our flowers, it affects the rest of the ACP and the EU. It is, therefore, so important that hon. Members begin to take interest in what really is the business of the House in discussing reports like these ones.

From what the Report has said, our main issues, as Kenya - first of all I need to inform the House that Kenya happens to sit on the Committee on Economic Development, Finance and Trade. We are members of that Committee! However, there are other committees; the Political and Social Committees so that the Report includes the urgent matters that are dealt with in those committees. Kenya also happens to be in the Bureau. That means that we are in the Committee that sets the agenda. So, we are privileged and what we report to this House is basically to say that hon. Members need to benefit from the discussions and resolutions made by people from 77 different countries of the ACP and the countries that make up the EU.

**The Temporary Deputy Speaker** (Mr. Syongo): In what way do you communicate this kind of thing to the Executive arm of Government, for example, relevant Ministries?

**Mr. Poghiso:** Mr. Temporary Deputy Speaker, Sir, it is very disheartening sometimes, the way we do things in this country where one hand does not seem to co-ordinate well with the other hand. This is the political wing of relating to the EU. There is, of course, the Executive wing that goes on with the same thing. There is no way that we even have meetings. We should be having meetings with the relevant Ministers, especially when it comes to negotiating the Economic Partnership Agreements (EPAs) or the European Development Fund (EDF). When we come back from these meetings, we do not have a comparison of notes. We do not get together to compare notes. That is what we should be doing! I, therefore, want to challenge the Ministers in charge of trade and planning so that we know what both hands are doing. Thank you for the challenge, Mr. Temporary Deputy Speaker. However, there is no formal way except for tabling the issues. Our role is to table these things on the Floor of the House and hopefully through that, we communicate with the Executive arm of Government.

The main issues in this particular Report include tourism and that is a big thing for us. To know the thinking of the world today on tourism is important. It is good to read the Report, more so the resolutions. Some of the resolutions are attached but there are more documents which are not part of this Report. We should know what the thinking is so that we can adjust and tailor our tourism industry with what the world is expecting. It is, therefore, important that we do these things.

Mr. Temporary Deputy Speaker, Sir, just as a matter of cause the matter within tourism is affecting us. The critical issue is that it has become a place to even abuse young children in sex tourism. I think the Government needs to be alert about that. In the world today, there are people who come for tourism with other intentions. They should be watched so that they do not destroy our culture. Tourists are supposed to come and partake of what we offer them and design for them. However, they should not come and impose other cultural matters that are very unacceptable. We cannot accept some of the things that come that bring shame to the country. So, we need to be paying attention to what the world is thinking in terms of tourism.

The other issue is on small arms and light weapons. The Report on small arms is very disheartening, in that every year, at least, half a million people are killed with small arms and light weapons. The issues to be raised should not be how; not mostly how we control the use of small arms and light weapons. It should be more on how we are holding the manufacturers of those weapons to account. How does a small man in the North Rift get hold of this light weapon or AK-47? It is the manufacturers who make it possible for these weapons to be found in those places.

We have no

control of how they come in, although the Government can control it. Just like if you have an oil spillage in the ocean, you are held responsible for the mess and you clean it up. The manufacturers of these weapons need to be told to clean up their mess. They should actually be taxed so that these things are mopped out from our society.

Mr. Temporary Deputy Speaker, Sir, I think that some of the problems we are going through in terms of small arms and light weapons should be attributed to where they come from. There is no African country that manufactures these things. However, they are all over; this is the biggest market. So, who dumps them on the African Continent? Why are they not being held responsible? Why is our Government not taking that lead? We are the ones in this country who burn up these things. We light a bon-fire and throw the guns in it to burn. However, ever since we burnt them, I do not know how many lots now, somebody should tell us whether there is a reduction in numbers of the small arms and light weapons. I keep asking: "How come it is only Kenya that lights the bon-fire?" I do not see bon-fires in Uganda, Tanzania, the Sudan and the DRC. Are we trying to say that we are the end-user of all these small arms so that we are the ones who must burn them up? We must find a way of totally getting rid of the problem. The symbolising by burning up does not necessary cause us to look good at all. We must get to the root of the problem that brings small arms to destroy our people. It is not just destroying our people, but it is also beginning to destroy our national heritage. Poachers are beginning to emerge again. We can now see them destroy the rare species of wild animals that are good for our tourism.

Mr. Temporary Deputy Speaker, Sir, on the issue of economic partnerships and agreements, I have already said that we are not doing enough to co-ordinate our efforts as a country. It is the same scenario when it comes to seeking aid from the European Development Fund (EDF).

Mr. Temporary Deputy Speaker, Sir, I would like to take issue with the conflict hot spots of Africa. Throughout the discussion of this Report and the previous one, for the African Caribbean Pacific (ACP) and the European Union (EU), the trouble spots embroiled in conflict are all found in the Great Lakes Region. The discussions in this Report touch on Sudan, Ethiopia, Eritrea, Somalia, the Democratic Republic of Congo (DRC) and Northern Uganda. It appears to me that when it comes to dealing with conflicts and offering conflict resolutions within this region, it is really a priority. However, what are the root causes of these conflicts? Why are people not addressing issues of poverty, political discrepancies and the imbalances in the distribution of resources? Some of these small things are the ones that cause big problems. We must begin to study where we have gone wrong within our political class. Why is the Sudan having these problems even right after the Comprehensive Peace Agreement (CPA) of Southern Sudan? Now, there is conflict in Darfur. In Northern Uganda, the Lord's Resistance Army (LRA) is battling it out with the Government and yet we cannot sort out that problem. I hope that the DRC, after the just concluded elections, will, probably, head in a more positive direction.

Mr. Temporary Deputy Speaker, Sir, the countries I have mentioned surround Kenya. As much as we say that we are more peaceful than the rest of our neighbours, we must also realise that we are in the eye of a storm. We should become wary of the situation around us. We must be very alert to what is going on. The war in Somalia and Sudan should be very much our concern. Even the war that is going on in Northern Uganda should be discussed by this Parliament. The relevant Government organs must bring these issues to the fore so that we can get in touch with what is going on in Somalia. We need to get the latest information about what is going on in Somalia, Sudan and Eritrea. We need to make sure that our people in the rural areas are informed whenever they are in danger. These are some of the things one can garner from such a Report. So, when hon. Members do not read and understand the Reports or participate in debating them, they do not see the benefits of such Reports.

It is also good to see how the European countries look at these issues so that our public servants in the Ministry of Foreign Affairs or the Ministry of Trade and Industry may know what to do. especially when we negotiate for EDF or Economic Partnership Agreements (EPAs). That way,

we can easily know what exactly they think about this region. Who finances the troubles within the Great Lakes Region? Who are these people who want to see these places burn up? We need to find out that.

Mr. Temporary Deputy Speaker, Sir, we want to congratulate the African Union (AU) for having taken the lead to send peace-keeping forces to Somalia and Darfur. That is, indeed, a good trend that the AU has set. It is participating in the setting up of a peace-keeping force from within Africa to deal with African situations. That is something worth commending the AU for.

Mr. Temporary Deputy Speaker, Sir, we talk a lot about our own small trouble spots within our country. What is happening in Mt. Elgon, the North Rift and different spots in this country are simply smaller cases unlike the ones that we have in other countries. We often see things spill out in a small-scale so, we must stem these small issues before they get out of hand. When a problem occurs, say, in Mt. Elgon, which is on the border with Uganda, there is a spill over to the neighbouring country. Let us not take these issues lightly. When are we going to say in this country that the death of one Kenyan is important to all of us? Where is that culture going to come from unless it is inculcated in us by this House? When we say that the disappearance of one Kenyan is important and that we cannot rest until we find that Kenyan---When we say that a Kenyan has been hijacked by Somalis - so many Kenyans have been victims of this, but life just goes on. We only hear when they disappear and when they come back.

Mr. Temporary Deputy Speaker I think we need to develop a culture where we worry about the death of one Kenyan, say, from cholera in Sigor Constituency. Quite often we hear that there are deaths, say, of five, 10, 15 or 20 people. All we do is listen as a Kenyan dies after another and life for the rest of Kenyans goes on as if nothing has happened. After all we do not seem to care. When it comes to road accidents in this country, it is the same thing. We hear the number of deaths rise every day. Pedestrians, cyclists and motorists continue to die in large numbers on our roads. We keep getting the count all the time. However, we need to reach a point where the disappearance, suffering or death of one Kenyan means suffering to the rest of us. That is what the world has come to.

Mr. Temporary Deputy Speaker, Sir, as a result of what goes on at the ACP-EU, some of us within the delegation of the ACP-EU, who come from the remote and arid areas have also started on the sides, a working group, just to monitor the resources that come to Kenya and ensure that they reach the remote and arid areas of this country. This has not always been the case. The distribution of resources in any country starts at the centre and goes outside in concentric circles of short distances, but the further you are from the centre, the most unlikely you will benefit from any of the resources of the country. So, these are the things that we need to begin to address as hon. Members in this House.

Why is it that Kenyans, today, in Turkana District, North Pokot, West Pokot, East Pokot and other areas, have to depend on relief food? It is even made so well known that we take relief food to these areas. We call for food relief and invite the World Food Programme (WFP) to come and feed our people. These are our people. They belong to this country and, therefore, the cake belongs to them too. Why can we not simply share the same cake, that is, the resources of this country, in order to transform the lives of these suffering people? Why can we not transfer chunks of this cake to the northern part of this country in order to transform the lives of these people so that they do not feel like they are not part of us? The WFP is something external to us. It comes in to feed us and yet we are part and parcel of the people of this country who can feed themselves if only the Government could assist them. Why do we relegate members of our own society to the World Food Programme (WFP), the Red Cross and other external agencies, so that they feed and make them feel they are in trouble in their own country?

Mr. Temporary Deputy Speaker, Sir, I believe that the goings-on at the ACP-EU Assembly should provide for us avenues to learn, so that best practices in various areas are transported back to our country. We should see that we translate them to useful policies in our countries.

Mr. Temporary Deputy Speaker, Sir, I continue to be part of this delegation. I see that we



will continue to bring these reports. As I asked my colleagues, I hope we will look at what the world sees. Let us adjust to these things. Let us negotiate for the interest of Kenyans. However, when we get these resources to the country, let us not keep them at the centre. Let us bring the rest of Kenya towards the centre.

Mr. Temporary Deputy Speaker, Sir, I am one of those who, for along time, proposed that the top leadership of this country needs to be brave. They need to cut off a chunk of this "cake" and move it to the north. Let the people there taste it. Let them become part and parcel of this country.

I cannot end my contribution without talking about my constituency. Kacheliba Constituency got independence in 1970. Kenya, on the other hand, got her Independence in 1963. Uganda got independence in 1962. Kacheliba Constituency is the only area, within a country, that got its independence at a different time.

**The Temporary Deputy Speaker** (Mr. Syongo): Order, Mr. Poghio! From who did Kacheliba Constituency get independence?

**Mr. Poghio:** Mr. Temporary Deputy Speaker, Sir, when a country gets independence, the flag is hoisted. When Kenya got Independence in 1963, the Kenyan flag was hoisted on Mt. Kenya and everywhere else. Do you know when the Kenyan flag was hoisted in Kacheliba Constituency? It was in July, 1970.

**The Assistant Minister for Local Government** (Mr. Shaaban): On a point of order, Mr. Temporary Deputy Speaker, Sir. Kenya got her Independence in 1963. Could the hon. Member tell this House if Kacheliba was not part of this country when Kenya got her Independence? He cannot get away with this!

**Mr. Poghio:** Mr. Temporary Deputy Speaker, Sir, I do not know what the opposite of information is, but that would be it.

Kacheliba Constituency was left in Uganda. It was under Ugandan administration since 1931. So, in 1963 when Kenya got independence, the flag that was flying at Kacheliba Constituency was the Ugandan flag.

Mr. Temporary Deputy Speaker, Sir, in 1970, the Kenyan flag was hoisted and the Ugandan flag lowered. Mr. Nyachae was the Provincial Commissioner (PC) at that time and he presided over the ceremony. Is that not the same as getting independence that year?

**The Temporary Deputy Speaker** (Mr. Syongo): I think you are right!

**Mr. Poghio:** Yes.

Mr. Temporary Deputy Speaker, Sir, that is how far back we are. That is why the last time I was contributing on the President's Speech, I said that now that Kacheliba Constituency is a district, it was the beginning of the "Kenyanisation" of that constituency. Basically, that means we can now begin to have a "spoon" for reaching out and getting the piece of the national cake.

I believe that those who got Independence in 1963 forgot about Kacheliba Constituency. It was left under Uganda Government for several years. They did not think that it was part of this country, so as to be brought back and gain independence at the same time.

Mr. Temporary Deputy Speaker, Sir, the ACP-EU is trying to tell us that now that we have come of age, let us catch up with what the rest of the world is saying. Let us begin to spread resources to places, which hitherto, have not been benefiting. Therefore, we have formed an informal working group within the ACP-EU. It is known as the Remote and Arid Areas Working Group. I happen to be a founding member of this group. I know that when these resources come here, getting to the north is a problem. I do not know what is wrong with north, but getting anything to the north of anywhere, is a problem.

**The Temporary Deputy Speaker** (Mr. Syongo): Mr. Poghio, the Fiscal Analysis and Appropriation Bill has already been published. That will give this House the opportunity to influence the appropriation of budget. That is just a matter of interest.

**Mr. Poghio:** Thank you, Mr. Temporary Deputy Speaker, Sir. Basically, what I am saying is that many times big projects come from the ACP-EU negotiations. This is especially from the European Development Fund (EDF). We get projects for provision of electricity. May those

projects now be taken to the north.

Mr. Temporary Deputy Speaker, Sir, there is a facility included on this Report; the water facility of the EDF. I do not need to talk very much on what I mean. Another hon. Member had talked about it. However, when we get aid for water projects, is it not only natural that places most deprived of water get priority? We know that 75 per cent of this country is dry. We know the areas that do not have water and yet when it comes to distributing money for water projects, what happens? It is a big challenge to this Government, but we need to be fair. We need to begin thinking of Kenyans who do not sleep because they look for water the whole day and night. Some of us, however, simply need to turn on a tap and there is water. That is the unfairness that goes on.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I would like to encourage my colleagues to read, enjoy and domesticate it. I beg to support.

**Mr. Sungu:** Mr. Temporary Deputy Speaker, Sir, I would also like to associate myself with the sentiments expressed by hon. Members who have contributed. I rise to support this Report of the 6th Session of the ACP Parliamentary Assembly and the 12th ACP-EU Joint Parliamentary Assembly.

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

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

Mr. Temporary Deputy Speaker, Sir, some of the issues raised are obvious. I am only going to mention them in passing. I believe my colleagues have really hit the issues on the head.

Mr. Temporary Deputy Speaker, Sir, the Report addresses the situation in East Africa. It particularly talks about the situation in Darfur, Sudan. The major comment I would like to make is that, from time immemorial, African governments have continued to bury their heads in the sand when it comes to African issues. This happens to the extent that one would imagine that the Heads of State in Africa always want to support each other whether they are in the wrong.

Mr. Temporary Deputy Speaker, Sir, the Sudanese Government has been in a situation where it even turned away the United Nations (UN) officer seconded there to help solve their problems. Sudan is on record as having refused the UN troops as part of its peace-keeping process. This kind of thing will not help us solve some of these conflicts. The Government of Kenya has been at the forefront of working for peace in the whole of East African region. We have spent a lot of money and effort in Somalia, Ethiopia, Eritrea and Southern Sudan. However, when African governments fail to observe agreements, we will all fail.

Mr. Temporary Deputy Speaker, Sir, I would also like to comment on the situation in the Democratic Republic of Congo (DRC). There has been an effort to get peace and, progress has been made in that region. In fact, they had elections in that region recently. The other day, there was a situation where a small war developed because one part of the opposition failed to agree that having lost elections, they should have agreed to work with the Government. I would like to say that this kind of situation is not very good and this Report addresses that very well.

Mr. Temporary Deputy Speaker, Sir, talking about the Democratic Republic of Congo (DRC), it is well connected with the question of water, natural resources and the environment. The DRC is blessed with one of the largest natural rain forest in the world. The natural resources in that country are so enormous. The River Congo itself, that majestic river which is about five kilometres across, if harnessed for power, Africa would not be in need for power at all. It has the potential of providing about 90 per cent of Africa's power needs. Minerals in that country cannot be harnessed because of the conflicts in that country. We must also connect that to Kenya and my colleagues have addressed that issue.

I would like to say that the eco-system in Africa is very delicate. Whatever happens in the rain forest of the Congo, whatever happens in the Mau Escarpment or Nandi will eventually affect us all. As it has been said, the level of water in Lake Victoria is going down and that is because we have failed to address the issue of the forests that have been "raped and reaped" by various governments in the past.

Mr. Temporary Deputy Speaker, Sir, finally, there is the question of human rights. Human rights is of such importance and until Africa is able to address that issue properly, both in this country and elsewhere, we will never be able to progress as a country. The world has become a global village and in that respect, whatever happens here will affect other parts of the world. It is important that this Government should respect human rights of the people of this country including the indigenous people like the Maasai who have been marginalised in terms of resources that actually belong to them but are being reaped by other people.

With those few remarks, I beg to support.

**Mr. Mwiraria:** Mr. Temporary Deputy Speaker, Sir, I beg to support the Report of the 12th ACP-EU Joint Parliamentary Assembly. In supporting the Report, let me make a few comments on the topics discussed by that Assembly. A topic of great interest to us here in Kenya is tourism. I must say that the Government of Kenya took the right decision when they decided to give tourism the first priority in their first development programme after taking over as the NARC Government. That was an area where we had facilities which needed refurbishing and where all that was required was proper management. In fact, the work on tourism has been so effective and so successful that today it is almost impossible to get any hotel bed in this country.

For instance, it was not possible for Kenyans to get hotel beds at the Coast during the Easter holidays. So, many of them had to contend with the cooler climates up-country. For that reason, the Government has a duty to promote the establishment of more hotel facilities in the country. In doing so, the Government should also re-examine the whole tourist sector, particularly with a view to ensuring that tourists see other parts of Kenya. That will call for introduction of new circuits in areas which may have been forgotten. There are areas where we have national parks but people have killed most of the animals but because of good management, the Kenya Wildlife Service (KWS) is now able to translocate elephants, rhinos and many other animals from one park to another. So, for the parks like the one next to Kacheliba, the Government should re-stock it and introduce a new circuit which could include Kapenguria, through Sidiloi, then come back to Kapenguria where the late Mzee Jomo Kenyatta was imprisoned and move on to the other areas of the country.

We could also have another circuit in western Kenya where the lake region forms a special circuit. That will be for those Kenyans who cannot go down to the coast to do what *watalii* come to do here. We can move around and get to understand our own country.

Mr. Temporary Deputy Speaker, Sir, another aspect of tourism which we have ignored in Kenya is cultural tourism. Here, we need to take people to see how various ethnic groups in Kenya live, what their primary food items are and so on. We need to develop African cuisine which could be the primary offer for those coming from outside the country. In order to establish new hotels and other places for tourism, the Government needs to consider incentives which should be given to developers such as tax waivers. We also seriously need to consider what to do with sex tourism. Although they say that prostitution is as old as mankind, we have to grapple with the question of whether we want to have young under-age prostitutes and how to stop it.

Another aspect of tourism which we should guard against is the introduction of drugs by some of the tourists to our young people. In addition, we should guard against the use of this country as the transit point for drugs, particularly by some of the tourists who have come and settled here in Kenya as has been the case in the past.

Mr. Temporary Deputy Speaker, Sir, let me say a few words about that part of the Report dealing with small arms. I could not agree with the Report more than to say that small arms are, in fact, the true weapons of mass destruction in our small developing country. These weapons, in a

country like Kenya are the enemy number one to development because without security there can be no meaningful development. It is not enough for a country like Kenya to ask people to surrender small arms without attacking the source of the small arms. So, our Government should see to it that the international community, through the United Nations (UN) and other UN agencies get to grips with the sale of small arms and their distribution to countries which cannot control them. It is through that system that Kenya has suffered from the acquisition of small arms.

Mr. Temporary Deputy Speaker, Sir, let me make a final comment on water, which is, in fact, one of the human rights. Kenya happens to be one of the few countries on the continent that do not have enough water for its population. For this reason, we should, as a country, begin conserving water and using it appropriately, because we cannot afford the desalination process whereby we distil water and remove salt from it.

The Report states categorically, I do not know whether it is correct, that most children die of diarrhoea and other water-borne diseases. The Report talks of 1.8 billion children. But I do not think this could possibly be correct. Nonetheless, it is true that we do have deaths from cholera even here in Kenya. Even you, Mr. Temporary Deputy Speaker, Sir, mentioned deaths from cholera which occur from consumption of bad water.

**The Temporary Deputy Speaker** (Mr. Poghisio): That was the Member for Kacheliba.

**Mr. Mwiraria:** Yes, indeed, that was the Member for Kacheliba; I beg your pardon.

I was saying that the Member for Kacheliba said that one of the water-borne diseases, namely cholera, continues to kill people there, and the Government should take immediate action to stop these deaths and the spread of the disease.

One of the problems that Kenya, like many other developing countries, is going to face, because of the climate change which we are experiencing, is lack of water. Most of our rivers, particularly those from mountains like Mt. Kenya, are already beginning to dry up. There is, therefore, need for us, as a country to go back to the forests, replant trees and ensure that catchment areas are well protected.

One of the desires of the developed world, when it comes to developing countries, is that we introduce privatisation of water distribution in our countries. Personally, I am totally opposed to privatisation of water, particularly when we begin giving that privatisation to individuals from outside the country. If we form companies of our own here, whose interest is to ensure that water is fairly distributed and shared and properly controlled, I will have no objection to its privatisation. But I would have an objection to bringing in multinationals to come and control such an important item as water.

The other point I want to make is that during the environmental meeting which took place here in Nairobi, developed countries confirmed and agreed to the establishment of what we call "the carbon sink", where countries such as Kenya can grow trees, which would be accepted and paid for because they help to absorb carbon dioxide. Although the payments which come out of this carbon sink are not really good, I think Kenya should take advantage of it. It is in our interests to grow trees everywhere, including in the arid and semi-arid areas, so that we can avoid turning this country into a desert in the very near future.

Mr. Temporary Deputy Speaker, Sir, let me conclude by saying that the ACP-EU joint meetings are useful, but the direction in which the EU is moving where they want to stop most of the assistance they have been giving to ACP countries is not a good move. What our country should be demanding from the EU are better terms of trade, particularly trade which is in our favour. The other day, I was horrified to hear the British say that Kenyan flowers produce a lot of carbon, because they are carried by aeroplanes to their country and, therefore, they should stop buying them and start growing their own flowers. I could not understand the logic. I believe our Government should, in fact, begin talking to the traders in Europe to avoid such an eventuality, where we may lose our market on the basis that, because our goods are transported by air they produce a lot of carbon, and are, therefore, not acceptable in Europe, whereas Europeans themselves transport their manufactured goods by air, and we, the people who are not producing as

much carbon dioxide, are not opposed to air transport.

With those few remarks, I beg to support.

**Mr. Raila:** Thank you, Mr. Temporary Deputy Speaker. I would also like to add my voice to that of those who have spoken in support of this Report. I am very happy to note that the issue of the situation in Eastern Africa was discussed at the ACP-EU meeting.

Mr. Temporary Deputy Speaker, Sir, I will begin by saying that I am a Pan- Africanist. I am an afro-optimist as opposed to an afro-pessimist. In other words, I believe in the ability of the people of Africa to develop Africa. I have been saying year in, year out that time is gone when we kept on lamenting about our colonial past. We have kept on blaming the colonialists for our under-development. Just last month, Ghana celebrated her 50th independence anniversary. In the life of a human being or a nation, 50 years is a long time. That is the time African countries began becoming independent.

Mr. Temporary Deputy Speaker, Sir, the history of the independence of Africa is a sad one. Today, we are still talking about instability, ethnic clashes, inter-ethnic wars and so on. It is so sad that we are still witnessing situations like the one in Darfur. Likewise, we have seen a very terrible situation in Somalia where a super power has even come in and became a friend, to try to bring the so-called order in that Government. That is a clear indication that Africans have failed, in a number of ways, to govern themselves properly. The issue of governance is so crucial to the instability that we are witnessing in the rest of Africa, whether it is in Eritrea, Ethiopia, Somalia, Sudan and so on. Therefore, we, as the newer generation of leaders, need to have vision and be much more proactive in coming up with solutions to that problem.

Mr. Temporary Deputy Speaker, Sir, for a long time, we had the Organization of African Unity (OAU), which had tied its own hands through a clause in its Charter which said that it should never interfere with the internal affairs of a sovereign state. So, for a long time, we had African dictators who were rubbing rub-shots over their populations and the rest of Africa was not able to move in and assist the people who were suffering. During that time, the Cold War was ranging on. During the Cold War, so long as you said that you were an ally of the West in the war against communism, nobody cared how you ran your country. That is how we created dictators like Mobutu Sese Seko, Idi Amin Dada, Kamuzu Banda and Jean-Bedel Bokassa of the Central African Republic. Idi Amin could lynch hundreds of thousands of Ugandans and yet, he could still be elected as the Chairman of the OAU. That was a big shame! After the end of the Cold War, things changed. The West began to apply a different criteria for Africa. New words were invented in the Western vocabulary. There were words such as "transparency", "accountability" and "good governance" in the management of public affairs. Those words were unknown during the era of the Cold War.

Mr. Temporary Deputy Speaker, Sir, some of the progressive people who have been fighting against political dictatorship on the African Continent must come up now and consolidate the gains that have been made at a great cost to the people of Africa. We must not allow the retrogressive forces to roll back the gains that have been made at a great cost. We must move forward. That is why I fully support the recommendation that has been made here with regard to the Government of Sudan. What is happening in Darfur today is nothing short of genocide and racism of extreme magnitude. It must, therefore, stand condemned by civilised progressive Africans.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, we would also like to see the Government of Sudan respect and facilitate the full implementation of the Comprehensive Peace Agreement (CPA) that was signed between it and the Government of Southern Sudan. This Government has the responsibility to ensure that the Khartoum Government implements the CPA. I know that they are having difficulties in doing so.

Mr. Temporary Deputy Speaker, Sir, this country remained very complacent when a very volatile situation was developing in Somalia. We had the Islamic Courts Union and the Transition Government of Somalia. There was a stalemate which is actually recorded in this Report. We waited until it was too late! It is only when the Ethiopian troops moved in from the North and the United States of America (USA) came from the sea that the Islamic Courts Union fighters were driven southwards. That is when the Government of Kenya was prompted into action. Actually, the Government was pushed by the USA to act and seal the border. We did not seal our border to prevent the fleeing forces of the Islamic Courts Union from entering into our country. We sealed our border after being prompted by the Government of the USA. The understanding was that Kenya was going to move in to assist in dealing with the situation in Somalia, and the USA was to look the other side with regard to the rigging of elections in this country. That is the unholy alliance that we see unfolding right now in the border. Kenya has exerted itself in the so-called war basically because of self interest. This Government wants to perpetuate itself in power.

I would like to say a few words about tourism. Tourism is something that can really benefit the economy of this country, if it is handled properly. But for many years, we have continued to scratch---

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! The consultations at the corner on the Government side are too loud. Please, consult in low tones!

**Mr. Raila:** Mr. Temporary Deputy Speaker, Sir, we have continued to scratch the surface of that very great potential. We have got comparative advantage in that particular industry. We keep on looking at what we call "sun and sand tourists", and those tourists who come to look at our wild animals in the country. We have not looked at the other potential that we have, such as cultural and eco-tourism. We have not tried to tap the potential that we have in those other areas. We also have the advantage of commercial tourism. Mr. Temporary Deputy Speaker, Sir, look at Dubai! If you visit Dubai, it is just a piece of desert. When you are landing in Dubai, you just see sand. There is nothing much in Dubai. Yet, in that kind of very hostile geographical environment, they have managed to create conditions that attract 10 million tourists every year. Those are people who go to Dubai to do shopping. The Government of Dubai estimates that every person who goes to Dubai spends an average of US\$1,000 for visa processing, local transport, accommodation and food. That has nothing to do with the other profit they will get as a result of shopping. If you relate that to 10 million tourists, that translates to US\$10 billion per annum! That is what Dubai gets from that kind of tourism. With that kind of money, the Government of Dubai does not need assistance from the International Monetary Fund (IMF) and the World Bank. The goods that people go to buy in Dubai are not manufactured there. Those goods are manufactured in Japan, China, Taiwan, Europe and so on. Nobody has realised that we can create a "Dubai" in our country, especially in Mombasa. Commercialising the Port of Mombasa, privatising it and making it a free port can create a mini Dubai here. I have gone to the extent of doing research in that particular area. I know that it can be done. We can expand the Port of Mombasa up to an area called Dongo Kundu. When I was the Minister for Roads and Public Works, I even came up with a proposal for a Likoni bypass, for the purposes of creating that free port. If we did so, the Nigerians, Cameroonians and people from the Democratic Republic of Congo (DRC) who travel aboard Kenya Airways to go and shop in Dubai, would not need to go there. Kenya Airways is doing a roaring business transporting Nigerians from Lagos to Dubai because they allow more luggage than Air Emirates. These people need not go to Dubai. Kenya Airways can be flying them from Lagos directly to Mombasa. If we did so, we would create regional tourism. This is the kind of tourism that does not depend on travel advisories from the US State Department which we are subjected to all the times. We always hear them say Kenya is an unsafe destination and that Americans who come here do so at their own risk. We would be able to have tourists from the region of Africa coming to Mombasa

City. These tourists do not need to be told not to go to Kenya because it is unsafe. We will be able to get at least 2 million more tourists. However, nobody is thinking out of the box here. People just keep on looking at what has been done in the past. With this kind of volume of tourists, we will be able to expand hotels. A lot of job opportunities will be created. The 500,000 job opportunities that this Government has been unable to create will be created that way. This is free advice. I know that they are unable to do it, but we will do it when we come to power next year.

Mr. Temporary Deputy Speaker, Sir, we, as a country, must take the critical steps to move towards industrialisation. We must move this country away from poverty and take it to where the founding fathers of this nation wanted it to be. We find that the vision of the founding father of this nation is to be found in our national anthem. The first stanza of our national anthem says:-

"Bless this our land and nation,  
Justice be our shield and defender,  
May we dwell in unity, peace and liberty  
Plenty be found within our borders".

That vision is one of a developed, prosperous and democratic country. That is the Kenyan dream that has eluded us for all these years since we became independent. This is because we have been ruled by mediocrity since Independence. That is the reason why we have not been able to attain the Kenyan dream.

Mr. Temporary Deputy Speaker, Sir, ethnicity has been the order of the day in our country. A country that is torn along ethnic lines is a country that is at war with itself and it cannot expect to develop. That is why we need visionary leadership like Mwalimu Nyerere did in Tanzania by creating better values that Tanzanians could aspire to. He managed to unite those spread ethnic communities. Tanzania has got more tribes than Kenya. However, Mwalimu Nyerere united them in one strong united nation called Tanzania. If you go to Tanzania and ask somebody: "*Wewe ni kabila gani?*", he will tell you: "*Wewe ni Mkenya. Hapa Tanzania hatuulizi hivyo. Hapa tunauliza unatoka jimbo gani*". We must move away from looking at each other as coming from this or that other tribe, and create a united Kenyan nation. Unless we do so, the Kenya we all desire and want will not emerge. We must create the Kenyan personality by uniting our people. That is the only way we will be able to do away with things like ethnic clashes. How can people continue fighting, killing each other as it is now happening in Mount Elgon? It is a pity that Kenyans are killing each other, 43 years after Independence. Basically, this is because of poor leadership and bad governance. I want to see a united Kenya where we respect each other. I want to be part of that Kenya. I would like to see that Kenya emerge before I die. If that happens, I will be the happiest person in my grave.

With those few remarks, I support.

**The Minister for East African Community** (Mr. J. Koech): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to say something on the Report.

Mr. Temporary Deputy Speaker, Sir, this is a good Report. I appreciate the fact that various meetings were held by the Members of Parliament to discuss issues affecting human development. This Report has very good recommendations. If these recommendations were to be implemented, Kenya will realise greater mileage in development. I urge the Chairman and Members of those committees to meet the representatives of various ministries, discuss their views on those recommendations and see how best to implement them.

Mr. Temporary Deputy Speaker, Sir, such meetings are very important in solving conflicts in different countries. In most developed countries, the Members of Parliament play very crucial roles in discussing various issues with the Government. We find that the position taken by the Government is not quite different from that of hon. Members. So, I would urge hon. Members who attend meetings in different parts of the world to be meeting with representatives of respective ministries to discuss the recommendations made at such meetings and the way forward. The Ministries can also read those reports and make use of their recommendations.

I am very happy that various Committees of this Parliament are doing a lot of work. It is not

like before when Members of Parliament could not travel and share their views with other parliamentarians. In fact, the Kenyan Parliament is very active all over the world in various inter-parliamentary committees.

Mr. Temporary Deputy Speaker, Sir, I think we should commend ourselves on our level of political development. We should not continue lamenting that we are not doing very well. Instead we should congratulate ourselves for what we have achieved. We should face all challenges and seek solutions to our problems. This is because if we continue criticising and not offering constructive criticisms, we will never succeed. Sometimes we blame our Government for quite a good number of issues. What role do we, as individuals, play in the development of this nation? What roles are we playing as Africans in the economic development of our people or improving their lives in our own small ways? Are we only there to complain and blame other people instead of doing something for ourselves?

Most of the manufacturing industries in this country and in East Africa are not run by indigenous people despite the fact that we have highly qualified Africans. We have left trade to foreigners.

Why do we have people who are highly educated in the region; many professors, doctors and businessmen, yet, there are very many backward people? Does it mean that we go to school for the sake of it? Do we get degree certificates and put them in boxes? I think the time has come for us to be practical in whatever we say. We should not just criticize everything. Why is it that the Asians or non-indigenous Kenyans are dominating the business in this country? Are the Africans' hands tied, so that we do not develop? Is it because we do not have patience and honesty among ourselves? We only talk about governance. Even if we had the best governance, we can never develop.

Some of the countries in Asia which, in fact, are very much dictatorial, have advanced so much when it comes to economic development. However, in this country we always "cry" about the need for good governance. What are we doing, as individuals, to develop our people? We have many resources in this country, and yet, we only talk about the need for good governance. If we continue doing so, this nation will not develop. It is the entrepreneurial ability of our people that can bring about development in this region. But if we continue crying about the need for good governance, yet, we have not initiated anything---

I am impressed by the Asian community because their amount of networking in the world when they are doing business is wonderful. Some of the products manufactured in industries run by Asians in Mombasa are sold in Europe. The *sufurias* which are manufactured in Mombasa are being sold in Europe. Likewise, some of the products which are manufactured in Kisumu, for example, *mabatis*, are sold in the United States of America (USA). This is happening because these people are very serious. Under which political situation are they working, for them to do all this? Let us be true and re-assess ourselves. Let us take stock of our failures, take a challenge from them and see how we are going to develop.

Mr. Temporary Deputy Speaker, Sir, when it comes to trade, of course, the negotiations have been a problem. We have been driven by the West, because they have got their own interests. But we need to come up also, as regional groups, and see how we are going to negotiate with the European Union (EU) and other organizations, so that we can find practical solutions; not just theories. In terms of negotiations, we must make sure that we not only speak, but also know how we are going to link ourselves and work with the rest of the world.

I have had a chance to go for negotiations in some of the programmes in several parts of the world. During such negotiations, you will find that the Europeans can negotiate the whole night until morning. But by midnight, you will find that all the Africans have disappeared from the negotiations. It is only the whites who are negotiating among themselves. Why is that so? Why can we also not take time and be patient during negotiations? You cannot have your cake and eat it yourself. If we want to enjoy ourselves, yet, we are not patient in whatever we do, we shall always be crying about development in this nation.



I am happy with what the group has negotiated on Economic Partnership Agreements (EPAs). However, despite the negotiations we still have a problem, because we have not come up with a tangible agreement. But we do not need to worry about this. Everything has its own time. We will continue negotiating until finally we get something out of it. We should not expect to negotiate overnight and agree. We must have different stages of negotiating. If we find out that the negotiations that we are undertaking are not practical, let us change tactics. Let us how we can negotiate with Europe, so that we also get an advantage. But if we do not create time and be very serious in our work, we shall always be overcome by the European countries. This is because they have got programmes, time and patience, which we do not have. So, I think most African countries have to be patient among themselves. Whatever we do, let us do it with the seriousness it deserves.

Mr. Temporary Deputy Speaker, Sir, I want to say a few things about the regional blocs, which are, of course, very useful. In the East African Region, we have the Common Market for East and Southern Africa (COMESA) and the East African Community (EAC). In the EAC, we are going on very well with the establishment of the Customs Union. I think we will soon negotiate on a common market. I hope that we shall succeed in the negotiations. Kenya is bound to benefit from these negotiations, because the East African region is very important to us, given that Kenyans are very enterprising and industrious.

I want to assure hon. Members that we are gaining a lot of momentum and success from economic integrations. But we need a little bit more power at the centre, so that the implementation of the programmes which we come up with in Arusha, become visible. There should be more power in the regions. That is why we are talking about political federations. We should not be worried so much about political federations. It does not mean that we have got to cede power at the national level. We could have sufficient power in the region, which is going to make the implementation of programmes which we have, to be possible. This is because without some authority at the regional level, we shall not be able to implement quite a good number of programmes. So, I would like to urge the hon. Members to find time to talk about the East African region and the federation of the three states, because that is going to bring development in this region and usher in a new era of greater economic development.

Mr. Temporary Deputy Speaker, Sir, as I end, I want to reiterate further that Kenya is a wonderful country, and we are moving forward. As we move towards the General Elections, let the sentiments which are not for development not override the good work that we have already done. Let us not over-emphasize the issue of tribalism. We talk about tribalism sometimes, because it benefits us politically. If we are honest about tribalism, we should not dictate to our people as to what they should do. Let us have tribalism on the positive aspects. There will be no time when I will stop being a Kipsigis. With many inter-marriages, people will realise that tribalism is not necessary. But let us not talk about tribalism, as if we can eradicate it today. Hon. ole Ntimama seated over there is a Maasai and there is no time he will stop being one.

Mr. Temporary Deputy Speaker, Sir, the other friend there is a Luo and there is no time that he will stop being one. So, let us not belabour the obvious. We have different tribes in this country. But let us find practical ways and means of ending tribalism. We will not end it through hatred. Let us be friendly and talk to each other, so that we can remove the negative aspects of tribalism. Otherwise, tribalism itself is not bad. It is only the negative aspects of it that are, of course, affecting us. Let us remove those aspects. Let us not have a lot of hatred against other tribes. Let us talk and work together.

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

**Mr. Ahenda:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

Mr. Temporary Deputy Speaker, Sir, first of all, I would like to thank the hon. Members of our august House who attended this Joint Parliamentary Assembly in Barbados. However, this Joint Parliamentary Assembly should not be used merely as a chance of touring other countries. When we go out of the country, we get exposed and learn a lot.

A report on such exposition should be brought back here, so that we learn something from them. Let me quote the famous English poet and playwright, William Shakespeare, who once said:

"The whole world is but a stage, and all men and women are merely players. They enter through the entrance and leave through the exit".

The ACP-EU is actually a stage for all of us. Then, we go and act and the act we get from that stage should be disseminated.

Mr. Temporary Deputy Speaker, Sir, the whole world or globe has become but a small village whereby, as the hon. Koech has said, even in the East African region, we should see beyond East Africa. In fact, we should now be thinking of the United States of Africa rather than the East African region. We should learn some things from the ACP-EU forum and bring them here. We can even take from the shelves some of the laws, come here and panel beat them to suit the whims of our country and practise them the way they are.

Mr. Temporary Deputy Speaker, Sir, I have in mind a country like Cuba that invested heavily in human resource. Some countries are not endowed with natural resources, but there is no better natural resource than a human being. Cuba invested heavily in education so that they produced more doctors than they need. Today, doctors from Cuba are found all over the world. Just this afternoon, an answer came from the Minister about the US\$600 million that is being remitted by Kenyans in the diaspora. This could be increased tenfold or even a hundredfold if invested in education, by educating more Kenyan professionals than we need, for export even to the ACP, AU and even EU countries, for that matter. But we are doing things here haphazardly and in a narrow-minded way, whereby we do not look beyond our noses. Even in the expansion of our airports, as hon. Raila said while making his contribution, Kenyan airports can handle all the aeroplanes in Africa, thus making Nairobi the hub, controlling all other airports in Africa. But this can only happen if we plan properly.

Mr. Temporary Deputy Speaker, Sir, recently, we had the privilege of meeting some of the airport managers of the world. One of the busiest airports in the world is an airport in Atlanta, Georgia, whereby they cry that Kenya is actually losing out. Kenya is well placed to control all planes coming into Africa and the regional countries could only be picking their passengers from Nairobi to their countries. All aeroplanes from the ACP, EU and AU could be landing in Nairobi. Kenya Airways, for that matter, could even be flying the rest of Africa into ACP and EU countries from Nairobi if they could expand their fleet and look at trade, not only in the African region, but in the ACP and EU countries. Trade could be expanded-- When we make something, we should not make it for the Kenyan or African market only, for that matter.

We should look at the ACP and EU as a small basket for Kenya. We should think of what Kenya can do to them. This could actually greatly expand our economy and create the 500,000 or more jobs as promised if we were looking at the labour market in all ACP and EU countries, and not only in the Kenyan market. Here, we have been a bit narrow-minded in only developing the labour market for the Kenyan region. Recently, our teachers were going out to Seychelles and other African countries. We should have taken a cue from that and produced even more doctors, economists and all other professionals for the ACP and EU countries. By doing that, we could have expanded a number of employment opportunities that we have been looking for.

Mr. Temporary Deputy Speaker, Sir, allow me to also look at the ACP as a small basket for Kenya in terms of trade, tourism and other things that can help our country. Even in our horticultural sector and the flower market, when a Kenyan businessman gets a point, like in Europe, all heads look at Europe as if it is the only market, leaving other countries within the region or in ACP countries that can offer even better prices than the European market. It is just recently that China came to tickle us up so that we can double our efforts of trade between Kenya, China, Japan and other Asiatic countries. We should not wait until those countries come to us looking for what we can produce for them. Time has come when we should actually go out and see what we can send to those countries before they come looking for what we can send to them. This is where we have gone wrong for many years, but time has come when we must wake up.

If you go through the resolutions passed during the ACP-EU JPA, none of them has been implemented to date, yet they are for the benefit of countries like Kenya and are for the benefit of the people of Kenya. Various departments that should implement those resolutions take the Report and keep it on their shelves, where it gathers dust. It is high time those reports were taken off those shelves and all the relevant resolutions passed therein implemented, one after the other, for the benefit of our country and the people of Kenya. Time is coming when Kenyans will not sit back, but will break the barrier between Kenya and other countries because the people themselves are winning. Hon. Koech has just said that the people of East Africa alone are looking forward to having a United States of Africa sooner than later, yet our governments are holding back this union which should have come yesterday rather than today because of their selfish ends. Many people have been to the East African region. All the people of Uganda, Tanzania and Kenya; the ordinary, common man is wishing that this union was realized yesterday. This union will expand our market and we will have over 100 million people looking for resources and trade. This could create great employment opportunities for us.

Imagine travelling from here to Uganda or going across the border without being asked for a visa or passport as if you are going into your own country. Indeed, it should be your own country! This type of trade is what this region should have embraced many, many years ago. Time has come for us to stand up and stop being selfish. If you want to be in your own cocoon, you will never trade with others outside your own cocoon and as such, you will never develop, for that matter.

Mr. Temporary Deputy Speaker, Sir, in conclusion, I would like to appeal to all my colleagues in Parliament and, of course, all those who attended the joint assembly in Barbados that, when they come back with such a Report, they should organize a seminar for hon. Members so that we can dig deep into the details with a toothcomb to see what we can implement from the resolutions which were passed in such joint parliamentary assemblies.

With those few remarks, I beg to support.

Thank you.

**The Minister for Planning and National Development** (Mr. Obwocha): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to support the Report of the 6th Session of the ACP Parliamentary Assembly and the 12th ACP-EU Joint Parliamentary Assembly.

I have a few comments to make on this Report. I commend the hon. Members for producing this Report because many of our hon. Members go out to attend various meetings and yet we do not see their reports. I want to challenge the hon. Members of the Pan-African Parliament (PAP), where I was an hon. Member once and we laid a report here. Since the hon. Members were re-nominated and others filled our positions, I have never seen a report being laid on the Table of this House.

It must be told to hon. Members that when they go out for these meetings, it is not leisure they are going to look for. They represent the Kenya National Assembly. They must come back with reports. We must know what is happening. Under the African, Caribbean and the Pacific, there are certain issues that are eminent. For example, the sugar quota for Kenya is only 5,000 metric tonnes, while Mauritius has 490,000 metric tonnes. These are the issues the hon. Members should raise there. Recently, some of the islands in the Caribbean, for example, Saint Kips and Navies, surrendered 15,900 metric tonnes. We tried to get them to Africa, but we could not. There is even 40,000 metric tonnes that is coming from Trinidad and Tobago.

Certain issues that should be articulated by these hon. Members should come out clearly in their reports. There is going to be a meeting in Fiji at the end of this month and I hope we will be able to bargain as Members of the African/Caribbean and the Pacific.

One issue that comes out from this Report is about tourism. This is extremely important because we know that in our country, tourism plays a major role in terms of income generation. We want to commend the people of this country for turning around the tourism sector. Many of us who went even to Mombasa at the end of last year for Christmas and new year holidays, could not even get accommodation in hotels. I had to change hotels twice to be able survive until 1st January,

2007. This means that the sector has been turned around by our people.

However, we need to address the issue of the road infrastructure to our parks. An hon. Member like the old man from Narok who was contributing here was in charge of the Narok County Council. What did he do with the millions of shillings they were collecting in terms of revenue, to improve the road infrastructure in Narok? Now he has turned around and he is complaining about what the Government has not done, and yet he was the one who was controlling that revenue.

Mr. Temporary Deputy Speaker, Sir, the forest cover of this country is only 2 per cent when 85 per cent of the Congo is covered by forest. What a pathetic situation! Our rivers are drying up and we cannot get any water. I have even challenged my own people in Kisii to address the issue of the gum trees that they have planted in water catchment areas. This is not a simple issue. We, as leaders, must address this issue.

Goal No.7 of the Millennium Development Goals is about environmental sustenance, access to water and better environment. In fact, even the vision we are crafting for this country, other than being a just society, we need to have a clean and secure environment. That is how Kenya can develop. It should economically develop at 10 per cent. Socially, we need to have a just and clean environment, and politically an issue-based, people-centred and democratic system and not these characters who are preaching tribalism. We should not have these characters who are preaching about tribalism. One of the fellows who was contributing here---

**Mr. Omingo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I am wondering whether the hon. Member on the Floor is in order to refer to hon. Members as "characters". Is he in order? This is a Minister of long standing experience in Parliament.

**The Temporary Deputy Speaker** (Mr. Poghishio): Mr. Minister, I think you have done that. You have called hon. Members "characters" and "fellows". We do not have characters here.

**The Minister for Planning and National Development** (Mr. Obwocha): Mr. Temporary Deputy Speaker, Sir, I do not intend to malign anybody. Some of these hon. Members do not carry themselves with dignity.

**The Temporary Deputy Speaker** (Mr. Poghishio): Order! I think we should actually learn to respect all Members who are in this House as hon. Members in their own right. The rules are very clear that unless you have something against them or you have something that makes them less honourable, and by the way, you have to bring that to the House through a Motion, they are all hon. Members who are dignified.

So, you do not need to say those things. You just need to withdraw those references and proceed.

**The Minister for Planning and National Development** (Mr. Obwocha): Mr. Temporary Deputy Speaker, Sir, I respect all hon. Members.

However, I wish to proceed and say that some hon. Members do not carry themselves with dignity. When an hon. Member stands up and says that this country must fight one group of people and yet he is seeking to be the President of this country, what kind of an hon. Member are we talking about? What is this? How can we carry on with the politics of this country---

**The Temporary Deputy Speaker** (Mr. Poghishio): Order! We are discussing the Report of the ACP-EU Joint Parliamentary Assembly.

**The Minister for Planning and National Development** (Mr. Obwocha): Mr. Temporary Deputy Speaker, Sir, I am talking about the issue of governance which hon. Members represent.

Let me move to the issue of small arms, which is covered in the Report.

**Mr. Ahenda:** On a point of order, Mr. Temporary Deputy Speaker, Sir. You requested the Minister to withdraw his remarks and apologise to the House. He has refused to do that. Could he withdraw the remarks and apologise to the House?

**The Minister for Planning and National Development** (Mr. Obwocha): Mr. Temporary Deputy Speaker, Sir, this hon. Member stood up in this House and said that the only man who can plan for this country is Prof. Anyang'-Nyong'o. How illiterate can you find a man like this? I was

here listening to a man lecturing this country that--- I said here again that if you have gone to school, with the correct stuff---

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mr. Obwocha! What has got to you today? You normally try to keep above these individual conflicts and personalised things. I do not expect you to continue "raining" on an hon. Member when he rises on a point of order. The hon. Member is the one who rose on a point of order and he cannot again be the one out of order. Indeed, I thought hon. Obwocha had withdrawn his remarks and apologised. Are you saying he did not?

**The Minister for Planning and National Development** (Mr. Obwocha): Mr. Temporary Deputy Speaker, Sir, you heard me well. I said that I am going to refer to the hon. Members as hon. Members.

**The Temporary Deputy Speaker** (Mr. Poghisio): Did you withdraw those other references?

**The Minister for Planning and National Development** (Mr. Obwocha): Mr. Temporary Deputy Speaker, Sir, if you want me to withdraw the references, I withdraw them. I am addressing them as hon. Members of Parliament.

As you know, the issue of increase in small arms is troubling this country. When a number of our people were killed, including some eminent professors who were killed in Ongata Rongai, a commentator in one of the FM radio stations, which I listened to very carefully, said that he wished that one Member of Parliament, who is a Minister, should be killed, so that the Government can take the necessary action. Then I was left wondering what this FM radio station was up to. Whether one is a Minister or an ordinary person, it is a Kenyan who has been murdered, and we need to be concerned. One need not kill a Minister or a Member of Parliament for the Government to know that we need to do something about insecurity. All this is because of the small arms that have found their way into this country. We need to do something about it.

Another thing I want to talk about is the Economic Partnership Agreements (EPAs). As we all know, the EPAs are coming to an end in December and African nations need to come together to be able to negotiate with the European Union and have new agreements sorted out and signed. These economic partnerships are important for the development of our nations. We need to do something about this.

I want to end by saying that the ACP arrangement is a useful configuration. We need to make use of it, because when you deal with a bloc of countries, you enjoy an advantage in issues of trade. The ACP is going to help Africa on issues of trade. As we know, the COMESA region has a population of about 400 million people. With a bloc like this one, we know that we can do a lot in terms of trade. Therefore, we need to co-operate with it, and also with the ACP.

I would like to conclude my remarks by saying that we support this Report and our membership to the Assembly. We expect that all other hon. Members who belong to other blocs and associations outside this country should also bring their Reports to this House

With those remarks, I beg to support.

**Mr. Omingo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. From the outset, I want to congratulate the hon. Members who participated in this forum, and particularly the Mover, who has made it possible for us to deliberate on this very important Report on the Floor of the House today.

Mr. Temporary Deputy Speaker, Sir, my key point is on increase in small arms. A good neighbourhood is the best comfort that one can get. It does not matter how secure you are within your home, so long as your neighbourhood is not safe, you are not safe. As one hon. Member said, we can only resolve the problem of existence of small arms if we have a peace arrangement within our neighbourhood. We should also address the issue of our porous borders, so that we do not have infiltration of small arms into our country. This will ensure that we can have a safe environment.

I recall with emotion the death of the professor who was shot in my neighbourhood in Ongata Rongai. Some young boys were holding guns, which had probably been hired to them for

as little as Kshs10,000. Guns are hired out to execute murders that leave families in anguish. The information we got following that incident was that the man was shot dead as he struggled to get out of a car on his crutches. A young boy who shot him said: "*Anatuwestia time*". So, he was shot as he struggled to get out of his car on his crutches. That is how casual we have become with our security.

The casual manner in which this Government has dealt with security matters is obvious. It is not even serious with itself. It is, in fact, a shame that the rural home of the Minister of State for Administration and National Security was at one time invaded. Sometimes, lessons can wake us up from slumber, although most of us sometimes hardly wake up, because we happen to be in deep slumber. Recently, Mr. Michuki moved round the country, holding meetings with the Provincial Administration, teaching them how to exercise a colonial mentality and deal with the Opposition in order to take away the democratic gains we have made since Independence in the name of maintaining security, and at the expense of major issues like the Mount Elgon clashes. It is a shame!

We do not know whether this Government is competent enough to continue being in office beyond tomorrow. It is amazing! You know as much as I do that there is no single stone that has ever been turned to unravel the many murders that have happened in this country. For the information of hon. Members, this country's intelligence system is the best in Africa, yet we have not brought to book a single culprit who has killed people. That tells you that this Government is in confusion, particularly in the sunset days of its term. It is, therefore, important that as we address security matters within our borders, we also address them in relation to our larger neighbourhood.

Mr. Temporary Deputy Speaker, Sir, I want to relate tourism to security. The other day, two American volunteers were shot dead by armed thugs but nothing has ever been done to apprehend the culprits. We then keep on complaining that other countries are kind of declaring this country unsafe for their citizens. It is as if we are, ourselves, comfortable with the kind of insecurity around us. It is for this reason that we want the Tourism Police Unit strengthened, so that we can create confidence in our tourism industry.

Mr. Temporary Deputy Speaker, Sir, we boast of receiving 1.5 million tourists a year. That is a big joke. This country can receive up to 15 million tourists in a year if we have good roads. I do not want to imagine for a moment that a Government Minister can say: "They did not do---" What they are confirming is that the kind of primitive thinking that was perceived to exist continues to be perpetuated by the system. Why do you want to believe in history when we had elections?

**The Temporary Deputy Speaker** (Mr. Poghisio): What have you just said, Mr. Omingo?

**Mr. Omingo:** Mr. Temporary Deputy Speaker, Sir, what I said is that a Minister of this Government insinuated that this side of the House did not do what it was supposed to do when it was in Government. I am imagining that to be primitive---

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! You can only imagine within acceptable language!

**Mr. Omingo:** Mr. Temporary Deputy Speaker, Sir, I withdraw the word "primitive". They are not doing the right thing, so to speak. This Government was elected on a platform of reforms, zero tolerance to corruption, secure environment and provision of employment. But the same, same "forest" remained intact, as it was. What, indeed, changed was the inhabitants of the forest. I sympathise with them, particularly the last hon. Member who spoke. They came in with a manifesto that was different from that of the NARC Government. Sometimes, compatibility of the same policies is a problem.

So, what we are saying is that, if you were elected as a reform agent, are you going to measure your performance with the past or the new fresh thinking? Sometimes, that is why I find it difficult to say that I am proud to be a Kenyan. It is not true. If you look around, you will see nepotism, tribalism and insecurity all over. It actually paints a very dark image of this country. As much as we say this is a wonderful report, do we have the capacity and willingness to implement and do exactly what is expected of us? Kenya is a wonderful country. It is a mother willing to give

birth to babies every year. A wonderful mother called Kenya! Babies in the name of a fantastic climate. A fantastic mother with wonderful resources. A wonderful mother with beautiful beaches. A wonderful mother with rich agricultural land. But what happens? This country has been "raped" left, right and centre by a plague called corruption and complacency. That is why, instead of sacking somebody who is incompetent, you transfer him or her to a better place to enjoy even more comfort. So, sometimes, I wonder whether I am proud to be a Kenyan.

We got Independence the same time with Korea and Malaysia. Today, if you go to Malaysia, if there is a power blackout for a minute, a Minister will pack and go. The equivalent of the Kenya Power and Lighting Company Managing Director will also pack and go. The Permanent Secretary will also pack his bags. But in Kenya, you beg for power to be returned. Even after you have paid your bills, you will be forced to beg for power to be supplied! That is happening in a country that got Independence at the same time with Korea and Malaysia! What is the problem? The problem has been the plague called graft, complacency, impunity and carelessness. That is what has made us remain in the level that we are. We could have done better.

I have seen reports about glaring corruption being brought before this House. But no action has been taken. That is because the person committing the same graft and eating the money meant for our roads cannot be touched simply because he is in the system and politically correct. That is an issue we need to address, so that we can be proud to be Kenyans. But, unfortunately, there is a plague that is eating mother Kenya's children - our wonderful resources.

Mr. Temporary Deputy Speaker, Sir, we are talking about economic negotiations. We have made ourselves slaves of the West because of our carelessness. I remember a Minister of the Government in the previous regime confessed on the Floor of this House and said: "I am sorry I signed on the dotted line". That means you have no capacity to think because you are completely compromised. Reason? You have a basket which you are supposed to use and be independent. You plunder it in terms of graft to the extent that you must borrow to fill the holes that you have dug. I pray to God that one day, things will be better. I can tell you that Kenyans are optimistic.

Mr. Temporary Deputy Speaker, Sir, about six to seven months down the line, we hope to see light at the end of the tunnel. You signed on the dotted line because you must depend on an uncle from the West to give you food and fill your jacket that you tailored bigger than your body. That is the kind of primitive thinking that I was talking about, although it is unparliamentary to use the word "primitive". That is the unreasonable way of relating. You must do things--- It is like putting the cart before the horse.

Our trade imbalances stem from graft and mismanagement of our Treasury. In that past, there were people who used to control the foreign exchange rate. They just chip in and create an artificial shortage. They then increase the supply of dollars for convenience, and what they want to achieve. We are seeing the same things in our stock exchange. It is mismanaging the Treasury for convenience. That is why we cannot have a financial stand. We cannot stand up and say no to our western big brothers! It is critical that, as we gain our political independence, financial independence is mandatory. Otherwise, you will continue signing on the dotted line for the simple reason that your Budget must be supported, courtesy of a Kshs750 billion public debt acquired dubiously. It is applied primitively.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! What is this thing that you are talking about all the time?

**Mr. Omingo:** Mr. Temporary Deputy Speaker, Sir, I am sorry! But I cannot comprehend any other language to describe that archaic thinking. I am talking about misapplied resources. A road is built on paper. It is designed on paper, approved on paper, built on paper and paid for on paper! That is what I am saying. Those are actually donor funds or loans that we acquire. Then, our children will continue to pay the same loans. Yet, you want to negotiate at par with people who have used their Treasury money efficiently. If that is not primitivity, I do not know what it is in any other language. We do not have any other language to use as opposed to primitivity. But I want to be more civilised and say: "In a very awkward manner!"

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mr. Omingo! Even if you want to use that word, is that really what suits that particular description?

**Mr. Omingo:** I am sorry. Let me give you another description. If you find, for instance, an african adult man, particularly of Kisii origin, taking money from one pocket and stuffing it in the other pocket and then runs away pretending to have stolen it, what do you call him? If he is not primitive, then he must be very uncivilised. That is what we are doing! We borrow in the interest of the nation and eat that money. Our children will pay those loans to extent that 70 per cent of our Gross Domestic Product (GDP) will be debts payments.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, I do not want to take away your time. But try to avoid being insulting in your language. That is unparliamentary language!

**Mr. Omingo:** Mr. Temporary Deputy Speaker, Sir, I withdraw. But I am not addressing anybody. I am only trying to draw a parallel and giving an example of what primitivity is. But it is not within the House but in another context. I am only trying to explain how bad it is. But from now on, I will not use the word "primitivity". But that is how, unfortunately, we have become. Truly, at the level of the international fora, we have no stake. We cannot negotiate properly because our ground is financially shaky.

As I move to conclude, let me comment on the resolution about water distribution. Water is life. I remember the Nile Treaty that was signed with the Egyptian Government. I am glad to note that there are concerns about re-negotiating that treaty, so that we can also use that water. That way, we will not buy oranges from Ethiopia. We still have plenty of water resources that are going to waste. If we do not manage our resources properly, they will be a source of conflict. That is why our great brothers lost their lives when they went to the North Eastern Province in search of lasting peace by trying to address the issue of insecurity and conflict. That is also why we are clamouring for a new constitutional order that is going to give this country equity and fairness in distribution of resources beyond water. We are saying that if we did not have that particular order, nepotism, "special" boy, "blue-eyed" boy and special favourable regions, we will continuously get fair resource allocation.

I am surprised today, and I want it to be put on record that even as we have developed so far, today, some regions are being denied resources distribution and allocation because they are perceived to be politically incorrect. On this matter, I have a true living example. I had a road to be constructed in South Mugirango; Kamagambo-Nyansembe-Etago Road. That money, Kshs84 million, has been re-allocated to another politically correct area. That is how unfair we have become. We are rolling backwards to be given resources depending on whether you sing the highest tune of a political mass. That is why we are saying that we require a proper constitutional dispensation that devolves resources to the grassroots where Kenyans benefit. I am telling you this because it actually opens up wounds that are cancerous. People can actually be subjected to pain because of their political position or perceived political position. We must stand to be counted, lest history will judge us very harshly. I am saying this with an open heart; that, it is high time that we stopped thinking in the past and thought into the future. The unfortunate thing is that most of us live in the past. We do not live for tomorrow. That is why this Government has refused to shake off the KANU regime. They keep referring to the KANU regime every other time. We must think in the future.

Finally, notice is hereby given that if we do not appreciate each other in this country, we are brewing trouble; we are brewing further insecurity. This Government knows well that we are actually becoming worse than we were when this Government took over power. We are more tribalistic than we were. We are more selfish in terms of taking "my child, my wife, my land, my school and my resources", as opposed to our resources that should be the guiding principle for this nation!

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

**Prof. Maathai:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. I want to congratulate the delegates who represented us



in Barbados and to thank them for an excellent Report.

I want to emphasise on the issue of governance and say that as much as we may not want to critique ourselves, I think we must continue to challenge ourselves, to provide ourselves with good governance. When we critique ourselves, we are not criticising a third party. We are criticising ourselves and challenging ourselves so that we can improve governance. We all know that we cannot perform properly if we do not have good governance and respect the rule of law and human rights of others. I want to commend our leaders, especially, at the regional level. I have been very impressed and encouraged by the type of governance that African leadership has been giving, especially within the African Union (AU). As you know, the AU has created a very important organ called the Pan-African Parliament (PAP) in order to encourage and institutionalise good governance and create institutions that can help us govern ourselves better in this part of the world.

Mr. Temporary Deputy Speaker, Sir, the other organ that the AU has also created as a way of improving governance is the Economic, Social and Cultural Council (ECOSC). This organ is intended to bring the African people to the table so that as African leaders discuss on how best to govern Africa, that the African voice can be present and heard. This is very much in contrast to what we had before when we had the Organisation of African Unity (OAU), for example, when we had an organisation which was essentially a club of the Heads of States of Africa. The AU is emphasising the need to bring in the African people.

As we all know, you cannot have good governance even at the national or regional level unless you have the involvement of the people as we call them, the civil society. The civil society in any country is extremely important because it is what supports the institutions of governance. It is the civil society that ensures that the Legislature, the Executive and even the Judiciary does not run away with the mandate that they are given; that they are checked and held accountable for what they do. For this reason, I think this is a very important organ of governance. I would like to say that it is also the civil society that eventually helps the governments. The Government is not just the people in State House, the Ministers, hon. Members and other organs. The Government is the people.

It is very important that we educate our people to play their role as good citizens and demand good governance. However, at the same time, they should play their part as citizens who are willing to obey and respect the law and who are not encouraged to take the law into their own hands.

Mr. Temporary Deputy Speaker, Sir, it is in that connection that I want to mention an issue that is of concern to all of us. The fact that in this country, I know the Minister of State for Administration and National Security the other day said and he has repeated twice that he has never said: "Shoot to kill!" I want to accept that he never said that. Nevertheless, we still see people being shot when they are innocent.

We have an example of one young boy who is lying in Nyeri literally maimed and was shot by mistake. There is absolutely no reason why anybody should be shot by mistake. If we want to arrest somebody we suspect is breaking the law, a person should be arrested, taken to court and charged accordingly. We must try to encourage a culture of respect for the rule of law.

Mr. Temporary Deputy Speaker, Sir, there is one thing that really bothers me on television. Whenever people are killed, they are labelled thugs and gangsters, even though they have never been taken to a court of law to be so judged. They are portrayed or their bodies are displayed on television.

Sometimes, we see those bodies being displayed in front of children. I was viewing television the other night about the topic known as, "making of a gangster". I thought: That is how we make gangsters when you reduce death to nothing serious; when you cannot respect even the dead.

With those few remarks, I beg to support.

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, hon. Members! It is now time for the interruption of the business of the House. This House is, therefore, adjourned until tomorrow, Thursday, 12th April, 2007, at 2.30 p.m.

The House rose at 6.30 p.m.