

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 16th April, 2003

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.251

INVOLVEMENT OF SECURITY AGENTS IN CRIMINAL ACTIVITIES

Mr. Deputy Speaker: Is Mr. Ethuro not here?
We will come back to that Question later.

Question No.191

UNDER-UTILIZATION OF SIO-PORT POLICE STATION

Is Dr. Ojiambo not here?

An hon. Member: She is here.

Mr. Deputy Speaker: But she is not seated at her place!
Next Question!

Question No.264

SERVICING OF GOVERNMENT EXTERNAL DEBT

Mr. Sambu asked the Minister for Finance:-

- (a) what the Kenya Government's total external debt is; and,
- (b) what the total amount re-payable yearly for the years 2002, 2003 and 2004 is.

The Minister for Finance (Mr. Mwiraria): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Kenya Government's total external debt at the end of March 2003, was Kshs366,674,000,000.

(b) The total amount repayable yearly is as follows:-

In 2002 the principal amount repaid was Kshs17,603,000,000. Interest was Kshs7,012,000,000. The total was Kshs24,615,000,000. This year we will repay a total of Kshs18,773,000,000 in principal amount. Interest will be Kshs5,828,000,000 and the total will be Kshs24,606,000,000. Next year we will repay Kshs17,601,000,000 on which we will pay an interest of

Kshs5.2 billion totalling to Kshs22,801,000,000.

Mr. Sambu: Mr. Deputy Speaker, Sir, although I have not received a written answer, at least I have written the figures. Considering that we are repaying about Kshs24 billion each year, what steps is the Minister taking to ensure that we are forgiven these debts because even the donor aid we take does not go anywhere near a quarter of what we are repaying? Considering that neighbouring countries have been forgiven their debts, could the Minister take serious and urgent steps to see that we are forgiven these debts?

Mr. Mwiraria: Mr. Deputy Speaker, Sir, that is a good supplementary question, but it raises a very fundamental issue; that countries which get debt waivers are what we call Highly Indebted Poor Countries (HIPC). Fortunately, Kenya is not yet a HIPC. Let me caution here: When you are rated as a HIPC, you get debts waived, but at the same time you get other disadvantages. One of them is that you cannot borrow concessionary loans from the people who are waiving your debts nor do you get additional money. Debt waiver is considered to be the assistance you get. The worst bit is that you cannot borrow concessionary loans for development. Kenya has suffered in the past because we have not been able to invest in development. We are now addressing the question as to whether we want to be rated as a HIPC and have our debts waived together with the other disadvantages or whether we do not want this.

Mr. Muiruri: Mr. Deputy Speaker, Sir, Kshs366 billion is a lot of money. First of all, I would like to thank the Minister for his effort, especially in reducing the Treasury Bill (TB) rate to about 6 per cent, but could he tell us when Kenya will be debt-free and stop relying on foreign aid?

(A cellphone rang)

Mr. Deputy Speaker: Whose cellphone is that? There is nobody who is honest enough to own up.

Continue, Mr. Muiruri.

Mr. Muiruri: Mr. Deputy Speaker, Sir, Kenya is a very rich country. It has all the resources that one can think of. So, could he tell us when Kenya will be debt-free and sustain itself economically? What is the programme of the National Rainbow Coalition's (NARC) towards that objective?

Mr. Mwiraria: Mr. Deputy Speaker, Sir, we do not have a programme to make Kenya a debt-free country. We want Kenya to develop first. As a country, we cannot develop without borrowing.

Mr. Gitau: Mr. Deputy Speaker, Sir, you are probably aware of the existence of something known as "international debts swapping". Kenya's debts can be swapped with development funds. Is the Minister willing to explore that avenue with a view to swapping Kenya's debts with development funds? For instance, if we owe the United Kingdom Kshs10 billion, a certain organisation in Europe can underwrite that debt on condition that the equivalent of the debt will be spent in Kenya for development purposes. A case in point is Tanzania, where a debt swap arrangement has worked for that country in the past. Is the Minister willing to explore that avenue, so that Kenya's debts can be cancelled and their equivalent amount used for development purposes?

Mr. Mwiraria: Mr. Deputy Speaker, Sir, we are already exploring that avenue.

Mr. Deputy Speaker: Could you ask your last question, Mr. Sambu?

Mr. Sambu: Mr. Deputy Speaker, Sir, unless the Minister says that our debts are going to be forgiven, our country will continue to be highly indebted and become poor. I do not know at what stage we can say that we are poor. We are already saying that half of Kenya's population is poor. In my constituency, there is not a single project, since Independence, in which part of this debt money has been invested, except for a few kilometres of tarmac road. So, could the Minister take the route

suggested by Mr. Gitau or accept that we be rated as a highly indebted and poor country, so that we can be forgiven these debts?

Mr. Mwiraria: Mr. Deputy Speaker, Sir, I have already said that this matter is receiving attention. I have even explained why we do not want to become a highly indebted poor country (HIPC) at the moment. Even if we wanted to be considered a HIPC, given our current level of indebtedness, our development partners would not consider us a HIPC.

Mr. Deputy Speaker: Very well. Let us proceed to Mr. Wario's Question.

Question No.050

RECOGNITION OF MUNYOYAYA
/MALAKOTE AS TRIBES

Mr. Wario asked the Minister for Planning and National Development:-

- (a) when minority communities such as the Munyoyaya and Malakote will be recognised as tribes; and,
- (b) when these communities will be granted the right to a tribal code.

The Assistant Minister for Planning and National Development (Mr. Kombo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) From the legal and constitutional standpoint, every community in Kenya has a right to be recognised by the Government. So far, the Government has always taken numerical numbers as the unique feature for identifying tribes. It has also relied on the general recommendations issued by the United Nations Statistical Office on this specific variable. Based on the above considerations, all minority tribes are identified and assigned a common identifier but under a major tribe.

(b) The Questioner will observe that from the censuses published in 1948, 1962, 1969, 1979, 1989 and 1999, the Munyoyaya and Malakote communities were neither allocated unique identification codes nor reported as distinct tribes. That is mainly because of their implied numerical numbers.

Mr. Wario: Mr. Deputy Speaker, Sir, I am very perturbed to know what constitutes a tribe. Is a tribe determined by the number of people constituting it or its identity as created by God?

Mr. Kombo: Mr. Deputy Speaker, Sir, it is determined by the number of people constituting it, and not its identity as created by God.

Mr. Sasura: Mr. Deputy Speaker, Sir, the issue here is about recognition of a community and granting it a tribal code. I believe that the Government recognises the existence of a community by granting it a tribal code, for instance, in national census exercises. So, is the Assistant Minister telling us that these small tribes, which he said are recognised under major tribes, cannot be recognised because of their small numbers? He is talking about numerical strength. So, is he saying that if a community comprises of a few people it cannot be recognised by the Government or identified as a separate tribe?

Mr. Kombo: Mr. Deputy Speaker, Sir, under the Kenya African National Union (KANU) regime, tribes were so much glorified. However, the NARC Government is trying to demystify tribes, so that all Kenyans can be treated in the same way. Identification of persons will be based on the fact that they are Kenyan and not on their tribes.

Mr. J. Kilonzo: Mr. Deputy Speaker, Sir, could the Assistant Minister consider coming up with a new term like "ethnic" and disregard the term "tribal", which was used by our colonial masters to degrade Africans?

Mr. Kombo: Mr. Deputy Speaker, Sir, I totally agree with the hon. Member. Since we shall soon be resuming the Constitution of Kenya review process, the Government hopes that the right

principles for enshrining more meaningful people's rights in the Constitution and addressing the issue of classification will be debated and approved.

Mr. Deputy Speaker: Could you ask the last question, Mr. Wario?

Mr. Wario: Mr. Deputy Speaker, Sir, I am very sad that the Government, which is supposed to protect the rights of every individual Kenyan, has today denied the existence of Munyoyaya and Malakote as tribes. After the colonial tribal listing, has the Government, in Kenya's Independence history, conducted a research on the existing tribes in this country?

Mr. Kombo: Mr. Deputy Speaker, Sir, I want to be very categorical that Munyoyayas and Malakotes have never been denied their rights as Kenyans. Services have been provided to them as Kenyans. That is the route we want to take.

Mr. Deputy Speaker: Let us proceed to Mr. Omingo's Question.

Question No.220

TARMACKING OF KAMAGAMBO

-NYANSEMBE ROAD

Mr. Omingo asked the Minister for Roads, Public Works and Housing:-

- (a) when the Kamagambo-Nyansembe Road, D203, will be tarmacked; and,
- (b) what plans he has to ensure that the road is linked to Roads D204, E203 and RAR25, which connects Gucha and Trans Mara Districts, to reduce transport costs between the two districts.

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

(a) My Ministry has no immediate plans to tarmack the Kamagambo-Nyansembe Road, which is classified as Road D205 and not D203. However, adequate routine and periodic maintenance will continue being administered to ensure that the road is motorable throughout the year.

(b) Maintenance of Roads D204, E203 and RAR25 is the responsibility of Gucha District Roads Committee (DRC). My Ministry does not, therefore, have any immediate plans of linking Road D205 to these roads since this is the responsibility of the DRC.

Mr. Omingo: Mr. Deputy Speaker, Sir, it is a very sad day for my people of South Mugirango, who do not have even a kilogram of tarmac in their constituency. In the previous system, under KANU, we were being told: "Until you reform, you cannot get development". I am seeing a continuation of that character!

Mr. Deputy Speaker: Have you reformed?

Mr. Omingo: Mr. Deputy Speaker, Sir, we reformed KANU and if NARC is not toeing the line, we shall reform them equally. Nonetheless, we are saying that, that is a very serious matter. That road traverses Gucha District, through Trans Mara, where we share a border with Mr. Konchella. That is a very important road.

Mr. Sungu: On a point of order, Mr. Deputy Speaker, Sir. Did you hear the hon. Member refer to a "kilogram" of tarmac? Is he in order to say that?

Mr. Omingo: Mr. Deputy Speaker, Sir, of course, it is the volume that forms the length of the road! We are saying that, that is a very critical road. I am pleading with the NARC Government because I suffered under the KANU Government. Let me not suffer under the NARC Government. Could the Assistant Minister consider re-classifying the Kamagambo-Nyansembe Road because the District Roads Committee (DRC) money cannot even provide the murraming. That way, that road will be passable to link the Maasais and Kisiis, in which case we shall have less insecurity problems in the two districts.

Eng. Toro: Mr. Deputy Speaker, Sir, I think the Ministry is taking the condition of that road seriously. The hon. Member is aware that this year, when the DRC money was sent, the District Roads Engineer under Local Service Order, issued Kshs920,000 to Wananchi General Contractors on 30th March, 2003 to grade that road, so that it is passable and motorable. On the other request about the classification, I would like to advise the hon. Member that a consultant has already been identified to look into the re-classification of the road network in the entire country. I would like to request the hon. Member to liaise with Trans Mara, so that D205 can be taken as an inter-district road for classification purposes.

Mr. Manoti: Mr. Deputy Speaker, Sir, that is a very important road which covers over 20 kilometres. It is used to transport sugar-cane to SONY Sugar Factory. It is also used to transport tea from tea buying centres to Ogembo Tea Factory. Could the Assistant Minister undertake, since he is not able to tarmack the road this time, to allocate some more money, apart from the district funds, to gravel it properly?

Eng. Toro: Mr. Deputy Speaker, Sir, you can see that almost half of the Kshs2 million sent to the district is being used on that road. Once the grading of the road has been completed, and the Kshs920,000 utilised on that road, we will look into it and see the scope of work that needs to be done. Maybe, at that time, the DRC could ask the Ministry to inject some more funds.

Mr. Koech: Mr. Deputy Speaker, Sir, every year, the DRCs receive Kshs5 million for every constituency. The Assistant Minister has said that, that money could be used in all the roads that are classified under that programme. Is he satisfied that the Kshs5 million could be used sufficiently for all the roads, or does he have another alternative Fund for the maintenance of those roads?

Eng. Toro: Mr. Deputy Speaker, Sir, the hon. Member is aware that classification of those roads into categories A, B and C is handled by the Department of Roads. Categories D, E and other classified and unclassified roads are handled by the DRCs. That is as per the Kenya Roads Board Act. As long as the Act remains the way it is, without amendments, that is what is being followed. However, in emergency cases, the Ministry has an obligation to even move into any classified road for maintenance purposes.

Mr. Omingo: Mr. Deputy Speaker, Sir, that road covers a stretch of about 27 kilometres between the two districts. I want to state here that the declassification of those roads was deliberate in some areas, so that we do not benefit from funding from the Central Government. Could the Assistant Minister, in answering this Question, at least confirm that he is going to gravel that road to link the two districts and, if possible, in the future, he gets funds to tarmack it? That is because the money we receive is Kshs2 million per constituency. To murrum the road requires Kshs1 million per kilometre. Could he confirm, for the sake of the people of South Mugirango, whether he is willing to give that constituency an additional Kshs20 million to do the murraming of that road to an all-weather road? That is the only road that I have!

Eng. Toro: The hon. Member is aware that there was a time when constituencies would receive nothing. So, for the constituencies to be receiving about Kshs5.5 million now, is a big improvement. The road in question---

Mr. Angwenyi: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to keep on telling the hon. Member that the money for the constituency should only be used for that type of road? We have got 24 per cent that should be distributed equally among the districts in the country! Why can he not get the money from there and give it for that road? Is he in order to mislead the House?

Mr. Deputy Speaker: Mr. Angwenyi, that would have been a very good supplementary question. Obviously, you missed a chance to ask it! Eng. Toro, could you finish answering the question from Mr. Omingo?

Eng. Toro: Mr. Deputy Speaker, Sir, I would have gladly replied to the issue of the 24 per

cent. However, what I was saying was that there was a study for total re-classification of the road network. The policy on the re-classification will be to open up some more roads in Kenya. It is very clear that Kenyans travel longer routes when shorter routes have been neglected. When we will be doing the re-classification, that will be taken into consideration. The shortest routes connecting the districts will be given priority in the re-classification.

Question No.239

DESILTATION/REHABILITATION
OF YATTA CANAL

Mr. J.P. Mutiso asked the Minister for Water Resources Management and Development:-

- (a) whether she is aware that the Ministry had set aside Kshs29 million during the last financial year for desilting and rehabilitating the Yatta Water Canal; and,
- (b) whether she could confirm if the canal was desilted and rehabilitated and give a breakdown of how the Kshs29 million was utilised.

The Assistant Minister for Water Resources Management and Development (Mr. Munyes): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that during the last financial year, 2001/2002, Kshs22 million, and not Kshs29 million, was set aside for desilting and rehabilitation of the Yatta Canal. The amount was later reduced to Kshs17 million by the Treasury due to funding constraints.

(b) Mr. Deputy Speaker, Sir, through competitive bidding, a contract was awarded to rehabilitate the Yatta Water Canal at a total cost of Kshs16,190,476.15. The breakdown of the work carried out is as follows:-

(i) Peripheral items comprising of:-

- (a) Supply of a new vehicle including insurance at a cost of Kshs2,150,000.
- (b) Cost of mobilisation, was Kshs600,000.

(ii) Rehabilitation of canal intake works which cost Kshs1,578,647.65.

(iii) Rehabilitation of canal in form of re-shaping banks, replacement of sip flaps, desilting, upgrading capital drains and capital traps construction, draining of Mathwata Diversion at a total cost of Kshs11,143,332.40. Contractual fees and operating expenses at a total cost of Kshs718,469.22.

Mr. J.P. Mutiso: Mr. Deputy Speaker, Sir, although I have not received a written answer to the Question, I wish to thank the Assistant Minister for attempting to answer it. However, Yatta Canal is the life-line for about 150,000 residents of Yatta and their livestock. As I speak now, there is no water in the Yatta Canal because of silting. The canal measures about 60 kilometres long and there is water in only about 20 kilometres.

Mr. Deputy Speaker: Mr. J.P. Mutiso, you are not asking a question!

Mr. J.P. Mutiso: Mr. Deputy Speaker, Sir, I will ask my question now.

Mr. Deputy Speaker: Ask your question now!

Mr. J.P. Mutiso: Mr. Deputy Speaker, Sir, how can the Assistant Minister explain the lack of water in the canal to the residents of Yatta Constituency?

Mr. Deputy Speaker: Mr. Assistant Minister, you have said that you awarded a contract worth more than 15 million to desilt the Yatta Canal, and desilting took place. Why is there no water in the canal?

Mr. Munyes: Mr. Deputy Speaker, Sir, I am not aware that more silting took place after the Ministry spent Kshs11,143,332.40 to desilt the canal. More run-off might have occurred and more silting taken place. The Ministry has already spent this amount of money to desilt the canal.

Dr. Galgalo: Mr. Deputy Sir, the Assistant Minister has said that, out of the total amount of

money, more than Kshs2 million was used to purchase a vehicle. What was the rationale of purchasing a vehicle when the Ministry was required to use the money to desilt the canal?

Mr. Munyes: Mr. Deputy Speaker, Sir, in huge contracts which involve big sums of money, such as this one, you need people to co-ordinate and supervise the work. There was no vehicle in the area and, therefore, part of the money was used to purchase a vehicle to be used by the people who were co-ordinating and supervising the work.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, this is a very important canal to the people of Yatta. Some people have been interfering with the canal and obstructing the flow of the water, so that people at the far end of the canal do not get water. Could the Assistant Minister assure this House that he will ensure that the canal is not interfered with and people will allow enough water to flow to the other end?

Mr. Munyes: Mr. Deputy Speaker, Sir, we have already taken action to this effect. We have written to all our departmental heads in the country to stop any illegal obstruction of water flow in canals and rivers until the Ministry issues permits.

Mr. J. Nyagah: Mr. Deputy Speaker, the poor people of Ukambani desperately need the water in the canal. Could the Assistant Minister consider visiting the area to verify what Mr. J.P. Mutiso has said? Mr. J.P. Mutiso has said that although some money was spent to desilt the canal, the job was not satisfactorily done. This will give credit to the Assistant Minister. If he visited the area, he would earn some political mileage, and this would also help the poor people of Ukambani.

Mr. Munyes: Mr. Deputy Sir, I will be happy to visit the area. The project cost the Ministry a lot of money.

Mr. Deputy Speaker: Let us be serious with the answers we give to hon. Members. A contract was awarded to desilt the canal and even a vehicle was bought to supervise the work, yet the canal is still silted. Mr. Assistant Minister, would you not like to visit the canal and see whether the desilting was actually done?

Mr. Munyes: Mr. Deputy Speaker, Sir, I have said that I will be happy to visit the area. I will discuss the issue with the hon. Member and decide on an appropriate time when I should visit the area.

Mr. J.P. Mutiso: Mr. Deputy Speaker, Sir, Ukambani is a very dry area, and I do not think that the Assistant Minister has justified the use of Kshs22 million, yet the canal is still silted. I would like to request him to accompany me, at a date of his convenience, so that we can go and visit the area.

The National Rainbow Coalition (NARC) Government should make a difference from the former KANU Government.

Mr. Deputy Speaker: The Assistant Minister has agreed to accompany you to the area.

Mr. J.P. Mutiso: Mr. Deputy Speaker, Sir, could he tell me when he will be visiting my area?

Mr. Deputy Speaker: Mr. J.P. Mutiso, liaise with the Assistant Minister! I do not think the House should be subjected to an exchange of diaries here. The two of you should agree when you want to visit the area.

Question No.254

SERVICING OF GOVERNMENT
EXTERNAL DEBT

Mr. Deputy Speaker: By the consent of the Minister and Mr. Sungu, this Question is deferred.

Mr. Sungu: Mr. Deputy Speaker, Sir, the Question should be deferred until the first week after recess.

Mr. Deputy Speaker: The Question is deferred until next time.

(Question deferred)

Question No.251

INVOLVEMENT OF SECURITY AGENTS IN
CRIMINAL ACTIVITIES

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

(a) what action he has taken against gunmen who shot at houses of two residents of Turkana Central on the night of 26th November, 2002; and,

(b) since the Government security agents were implicated in these acts, what investigations he has carried out to rule out their participation in the two incidents.

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

(a) Investigations were commenced immediately after the two incidents. So far, investigations have not established the identity of the gunmen.

(b) I am not aware of any Government security agents having been implicated in the shoot-out.

Mr. Ethuro: Mr. Deputy Speaker, Sir, I am extremely saddened and disappointed by the answer. One of the two residents who were shot at is me. The shooting took place at 2.30 a.m., and at 8.30 p.m., my bodyguards were withdrawn by the Government. It is obvious that there was a link between the withdrawal of the bodyguards and the shooting. The next morning, the Officer Commanding Police Division (OCPD) came to the scene of the shoot-out. Where I come from, there is a better way of monitoring people's movements through their footprints. The footprints led my watchmen, and the police, to a certain place. **Mr. Deputy Speaker:** Ask your question!

Mr. Ethuro: Mr. Deputy Speaker, Sir, four months later, the NARC Government has not taken any action against the District Commissioner (DC), who ordered the withdrawal of the bodyguards, and who might have been privy to information about the attack. For the Assistant Minister's information, the other resident was a NARC presidential election co-ordinator.

Mr. Deputy Speaker: Mr. Ethuro, ask your question! You have not asked a question!

Mr. Ethuro: Mr. Deputy Speaker, Sir, justice delayed is justice denied. Could the Assistant Minister go back and reinvestigate the matter?

Mr. Tarus: Mr. Deputy Speaker, Sir, this incident took place on 27th November, 2002. It appears that the hon. Member has a lot of information which could help us to track down the culprits. I wish to ask him to consult with the necessary authorities with regard to this matter.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to continue misleading this House? The work of the police is different from the work of an hon. Member of Parliament. So, Ministers cannot be coming to this House to tell us that we have more information. What are their policemen doing?

Mr. Tarus: Mr. Deputy Speaker, Sir, I have said that this matter is under investigation, and the hon. Member should trust that it is truly under investigation.

Mr. M. Kariuki: Mr. Deputy Speaker, Sir, this is a serious matter which affects the life of one of our hon. Members in this House. I expected the Assistant Minister to take the matter very seriously. It would appear that the suspects are the very people in charge of security in that district. Could the Assistant Minister consider appointing independent police officers to investigate this matter and come up with a report before this House?

Mr. Tarus: Mr. Deputy Speaker, Sir, since the matter is already under investigation, I would like to inform the House that unless we prove that, indeed, they are not doing their job, we cannot conclude otherwise. I would like to request that this matter be investigated by the police. I also request that the police be given time to do their work.

Mr. Deputy Speaker: But, Mr. Assistant Minister, the issue is that the same people who Mr. Ethuro suspects to have been involved in this incident are the same ones investigating the matter. Given that suspicion, Mr. M. Kariuki asked whether you could appoint other police officers, who were not suspected, to investigate the matter.

Mr. Tarus: Mr. Deputy Speaker, Sir, we shall do that.

Mr. G.G. Kariuki: Mr. Deputy Speaker, Sir, could the Assistant Minister explain to this House whether the officers in charge of that area are still there or they have been transferred to allow independent investigations?

Mr. Tarus: Mr. Deputy Speaker, Sir, we have had transfers but I am not sure whether all the police officers at that particular police station have been transferred. Perhaps, I should check this and ensure that I have done what the hon. Member has requested me to do.

Mr. Deputy Speaker: Let us move on to the next Question by Dr. Ojiambo!

Mr. Ethuro: Mr. Deputy Speaker, Sir, let me ask the last question.

Mr. Deputy Speaker: You want to ask the last question, and yet, you have been sitting! What do I do?

Mr. Ethuro: Mr. Deputy Speaker, Sir, it was because Mr. G.G. Kariuki was on the Floor.

Mr. Deputy Speaker: It is okay!

Mr. Ethuro: Thank you, Mr. Deputy Speaker, Sir. We passed a Motion for the establishment of a Select Committee to investigate the murder of the late Dr. Ouko. Does the Assistant Minister want us to continue engaging this House in Select Committees because the police have failed to do their work? This was an attempt on the lives of people and, four months down the road, investigations are not complete. Could the Assistant Minister, if he wants justice to be done to our people, order a total overhaul of the police officers and Criminal Investigations Department (CID) officers in Turkana District because they are implicated? Could he also order fresh investigations to be carried out?

Mr. G.G. Kariuki: On a point of order, Mr. Deputy Speaker, Sir. Am I in order to say that the Assistant Minister is not aware of what has been happening? He does not even know whether the officers who are carrying out the investigations are still there or not.

Mr. Tarus: Mr. Deputy Speaker, Sir, it is not true that we are not aware of what has been happening. I am saying that transfers have been made and this does not mean all the officers in those particular stations have been transferred. I have said that, if by any chance, some officers who may have been involved in this particular act are still in the station, of course, we shall ensure that they are transferred to facilitate effective investigations.

Question No.191

UNDER-UTILIZATION OF SIO-PORT
POLICE STATION

Dr. Ojiambo asked the Minister of State, Office of the President:-

(a) whether he is aware that there exists a police station at Sio-Port in Busia District which is under-utilised;

(b) whether he is further aware that civilians have occupied some of the houses built

for the security officers at the said station, thereby compromising the effectiveness of the security machinery; and,

(c) whether he could explain why, for over 20 years, the Ministry has not commissioned the Sio-Port Police Station.

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

(a) Indeed, I am aware that there exists a police station at Sio-Port, but I am not aware that this police station is under-utilised.

(b) Indeed, I am aware that two civilians, a police contractor and a businessman were residing within the senior police station quarters but arrangements for their eviction have been made.

(c) Sio-Port Police Station has not been gazetted because the land where the station is built has not been transferred to the Police Department.

Dr. Ojiambo: Mr. Deputy Speaker, Sir, this is a very rare police station on the border. The Assistant Minister knows that, to date, there is not even a Land Rover at that station. That station is next to Lake Victoria, but there are no patrol boats. The question of insecurity on the border has been raised in this House. The said police station is under-utilised because there are no patrols being made along the lake by it despite its size. This is the case, and yet, we need surveillance. People from that area have been complaining of rampant crimes. Uganda police officers have been harassing fishermen on the lake and nothing is done. There is reason to believe that the police station is not utilised fully. Could the Assistant Minister tell us how soon he will commission adequate equipment to the police station so that his officers can work for the community?

Mr. Tarus: Mr. Deputy Speaker, Sir, my Ministry will assess the police station to determine the optimum requirement for that particular station.

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

Mr. Deputy Speaker: Hon. Members, I would like you to give Ministers a chance when they are answering questions. The Assistant Minister was about to finish answering this Question and you have risen on a point of order! If you wish to say something, I now give you a chance! Ask your question!

Mr. Muiruri: Thank you, Mr. Deputy Speaker, Sir. You have heard the Assistant Minister admit that there is a police station in Sio-Port. He went further to say that the police station is not gazetted. How can the Assistant Minister tell this House that there is a police station which is not gazetted? We know that if the police station is not gazetted, the police cannot arrest and detain anybody there. So, basically, the Assistant Minister does not know what he is talking about.

Mr. Tarus: Mr. Deputy Speaker, Sir, these are some of the painful mistakes that were made by the former Government.

(Applause)

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

Mr. Deputy Speaker: No, Mr. Muiruri! You have made your point!

Mr. Mwanzia: Thank you, Mr. Deputy Speaker, Sir. I think I heard the Minister say that this police station is not gazetted because the land on which it stands has not been transferred to the Police Department. Could he tell us why the land on which this police station stands has not been transferred to the Police Department?

Mr. Tarus: Mr. Deputy Speaker, Sir, I have said that some of the most painful realities we have had to experience are issues like this. How the Government even constructed the police station without ensuring that, that land belonged to the Government is, indeed, an unimaginable act by that particular Government. It was taxpayers funds which were used to build this police station. So, the

current Government will have to consider the circumstances under which this police station was actually constructed.

Dr. Ojiambo: Mr. Deputy Speaker, Sir, the Government did, indeed, know what it was doing when it sent the Police Commissioner to Busia District, identify that land, convene meetings with the community, purchase land from it and thereafter set up that huge police station in the area. That land belongs to the Government. Could the Assistant Minister tell us when he will come to Busia District and commission that police station because the gazettelement is not an issue for the community to discuss?

Mr. Tarus: Mr. Deputy Speaker, Sir, I did say that my Ministry will visit this particular police station and also assess it with a view to making sure that it is provided with adequate facilities so that it can serve the area adequately.

QUESTIONS BY PRIVATE NOTICE

MEASURES TO SAFEGUARD *OMIERI*

Prof. Olweny: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Environment, Natural Resources and Wildlife the following Question by Private Notice.

(a) Is the Minister aware that a large snake in the name of *Omiere* with its eggs, is being subjected to unnatural conditions like feeding on *ugali* and bread in Lower Nyakach of Nyando District?

(b) What steps is the Minister taking to save the reptile from the undue stress that may lead to its death?

(c) Since the area where the snake was found with its eggs seems to be harbouring such large snakes, what urgent arrangements is the Minister taking to create a small park for tourist attraction?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that the members of the community provide *ugali* and bread to the snake, but the snake cannot feed on *ugali* and bread. Usually when the rock python is incubating, it is normally docile and it rarely feeds.

(b) The python lives in the neighbouring swamp and has come to hatch its eggs at the edge of the swamp. After the eggs hatch, the python will go back to its natural habitat which is the swamp. Currently, the local community has been advised not to go very close to the snake as this may cause it undue stress and may become harmful.

(c) I have constituted a committee comprising Kenya Wildlife Service (KWS) and the National Museum of Kenya personnel to carry out a viability study on the area to determine whether it can be turned into a snake sanctuary. I propose that the Member of Parliament be a member of this committee.

Prof. Olweny: Mr. Deputy Speaker, Sir, I hope the Minister is aware that sometime back there was another *Omiere* in this area which was mishandled and later died. What steps has the Government taken so far to take stock of the population of such large snakes in Nyakach area so that such a sanctuary the Minister is proposing can be built there much earlier?

Dr. Kulundu: I do not know to what extent that other *Omiere* was mishandled, but I can assure the hon. Member that this particular *Omiere* will be taken care off. I suppose it will end up in a snake sanctuary somewhere around Nyakach.

Mr. Sungu: Mr. Deputy Speaker, Sir, I am a bit worried for the people of Nyakach because the other day I saw this snake on television and it has a wide mouth and very sharp fangs. This kind of reptile feeds on animal flesh and some of these animals can be subject to misuse by people who do not

believe in God. Some of them have been known to be used for witchcraft. What action will the Minister take to protect this snake? Could he sort of fence it off to make sure that it does not hurt anybody particularly when it hatches its eggs and becomes very irritated?

Dr. Kulundu: Mr. Deputy Speaker, Sir, the two hon. Members seem to be experts in *Omiere* but let me say this: As a temporary measure, we have proposed fencing off that site where this pregnant *Omiere* is, but we know that after it has hatched its eggs, it will go back to its natural habitat. However, there is a plan to fence the area where it is now at a cost of Kshs25,000.

Mr. Lesrima: Mr. Deputy Speaker, Sir, can the *Omiere* also feed on the people of the area?

Dr. Kulundu: Mr. Deputy Speaker, Sir, yes, unfortunately a python can feed on small animals including human beings.

Mr. O. K. Mwangi: Mr. Deputy Speaker, Sir, the Minister says that the Government is making arrangements to fence the site where this *Omiere* is. Could he tell this House, and the country, what is the importance of *Omiere*? Is it a god? Why is it being accorded special and preferential treatment from other snakes?

(Laughter)

Dr. Kulundu: Mr. Deputy Speaker, Sir, this Government respects people's spiritual beliefs and if the people in Nyakach believe that *Omiere* is some kind of a god to them, we as a Government cannot interfere with their spiritual beliefs. However, as far as the Government is concerned, this python is just like any other snake and it will be cared for as such.

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

Mr. Deputy Speaker: Order! There is no such a thing during Question Time.

Prof. Olweny: Mr. Deputy Speaker, Sir, Western Kenya has other respected sites in addition to this snake; like *Simbi Nyaima* the legendary volcanic lake which actually sunk. This could also be turned into another tourist attraction for the economic growth of that region. What arrangements is the Ministry making in liaison with the Ministry of Tourism and Information to create tourist sites in this region?

Dr. Kulundu: Mr. Deputy Speaker, Sir, I have just said that the hon. Member of Parliament from Nyakach will be a Member of this committee of experts that will come from the KWS and the National Museums of Kenya. So, the Government will act accordingly on the ideas that will come from that committee.

Mr. Deputy Speaker: Next Question, Mr. Angwenyi!

MEASURES TO PREVENT RECURRENT OUTBREAKS OF MALARIA

Mr. Angwenyi: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that there will be the annual outbreak of malaria epidemic in Kisii, Gucha, Nyamira and Bomet districts with the onset of the long rains this month?

(b) What urgent measures is the Minister taking to prevent the outbreak of this deadly disease?

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

(a) The Ministry expects an upsurge of malaria cases in Kisii, Gucha, Nyamira and Bomet districts with the onset of the long rains.

(b) The Ministry has ensured an adequate supply of anti-malaria drugs, spray pumps and

insecticides for indoor spraying, and nets and chemicals for net treatment. The Ministry is also conducting health education activities to enlighten the communities on how to prevent malaria.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, I think we should associate untruthfulness with this Assistant Minister because he is not telling us the truth. The truth is that there is no medicine in the health facilities in the affected areas including Trans Mara, where he comes from. There has not been any activity on educating the people on how to prevent the outbreak of malaria. Could he tell us today, how much money has been allocated for medicine for health facilities in those areas?

Mr. Konchella: Mr. Deputy Speaker, Sir, there are adequate drugs, sprays and nets in the districts. I have figures here, which the hon. Member can look at. For Gucha, the Ministry sent 125 pumps and three types of medicine to the district for the spraying of nets and indoor spraying, and supplied adequate mosquito nets. The Ministry also provides mosquito nets to pregnant mothers when they report to the clinics for check-ups.

Mr. Omondi: Mr. Deputy Speaker, Sir, Kisii District has been known for a very long time for the outbreak of highland malaria. I wonder if the Assistant Minister is aware also that malaria has caused the people a large toll of life. Do they have any measures in place, probably, to stop this outbreak in future?

Mr. Konchella: Mr. Deputy Speaker, Sir, I did not get the question properly.

Mr. Deputy Speaker: Mr. Omondi, could you use the other microphone to see whether the Assistant Minister can hear? I agree we have a problem.

Mr. Omondi: Mr. Deputy Speaker, Sir, I was saying that there has been an outbreak of highland malaria in Kisii District for a very long time and it had taken a very large toll on the people living in Kisii District. Could the Assistant Minister tell us whether they have any measures in place to put a stop to the recurrence of this highland malaria?

Mr. Konchella: Mr. Deputy Speaker, Sir, we can only prevent malaria because this is something which keeps on recurring. Mosquitoes lay eggs in millions and it would be very difficult for the Ministry to eradicate this outbreak in time, but we are trying to prevent an outbreak with the funds that are available.

Dr. Manduku: Thank you, Mr. Deputy Speaker, Sir. I hope the Ministry is aware that malaria in the southern parts of Kenya is endemic. There is no question of saying that it only escalates during the rainy season. Could the Assistant Minister think of putting up a malaria control centre with adequate personnel, who will be working there throughout the year? Malaria kills people throughout the year and it only escalates during the rainy season.

Mr. Konchella: Mr. Deputy Speaker, Sir, the Ministry undertakes training of health workers and community spray agents in all the 15 districts that are affected by the malaria in western Kenya. So, this is ongoing on a yearly basis.

Mr. Deputy Speaker: It is a serious matter, Mr. Assistant Minister!

Dr. Kuti: Thank you, Mr. Deputy Speaker, Sir. Could the Assistant Minister tell us the drugs that are available in those kits, because I know most of the drugs in those kits are outdated like chloroquine, which does not kill malaria parasites any more? Could he consider putting in those kits medicine that is effective for treatment of malaria? Part of the problem is because of these drugs which are put in the kits and which malaria is already resistant to.

Mr. Konchella: Mr. Deputy Speaker, Sir, the use of chloroquine was banned in 1999 by the Ministry because of side effects on the people. But the ones that we are using now for spraying indoor and the nets are---

Dr. Galgalo: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister telling us that we use chloroquine for spraying as an anti-malaria parasite?

Mr. Konchella: I apologise, Mr. Deputy Speaker, Sir. The hon. Member had alleged that

we are still using chloroquine, which was banned. But we use three types of chemicals for spraying and I have their names here. One is ICON 10WP. The other one is K-Othrine. Indeed, for Gucha, ICON 10WP, 780 units were sent to the district.

Dr. Kuti: Mr. Deputy Speaker, Sir, the medicine, in the kits is not the one used for spraying. Most of the medicine, including Fansidar, which is put in the kits, these days is not effective against malaria. My question was: Which medicine is used for treating malaria is put in the current kits supplied to health centres and other health institutions?

Mr. Deputy Speaker: Mr. Assistant Minister, answer the question! Which medicine is in the kits?

Mr. Konchella: Mr. Deputy Speaker, Sir, the first line drug in the treatment of malaria now is Fansidar. But there are others being developed and they will be in the market soon.

Mr. Deputy Speaker: But, Mr. Assistant Minister, they are not asking about the medicine being developed; they are asking about what is in that kit!

Mr. Konchella: Mr. Deputy Speaker, Sir, it is Fansidar.

Dr. Ali: Mr. Deputy Speaker, Sir, when somebody cannot even pronounce the names of drugs that are given by the Ministry he is supposed to serve, it is a big problem. What he is being told here is that Chloroquine, Fansidar and Metakelfin do not work. What alternative does the Ministry have for the people of Gucha and these other areas where malaria is endemic so that this disease does not continue killing people?

Mr. Konchella: Mr. Deputy Speaker, Sir, the doctors have approved the use of Fansidar and Comaquin for the treatment of malaria in those areas.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, malaria is a killer disease in those 15 districts. I thought the Government would be concerned about the welfare and the health of our people. I asked the Assistant Minister how much money has been allocated for the supply of medicine to these areas, but he did not answer the question. He has also been asked which medicine is being applied for the treatment of malaria, but he has failed to answer the question. In fact, Fansidar now is a killer itself! So, they are enhancing the killing process of our people. Could the Assistant Minister undertake to supply adequate and effective medicine to all those areas this month?

Mr. Poghisiso: On a point of order, Mr. Deputy Speaker, Sir. Did you hear Mr. Angwenyi say that Fansidar is a killer?

An hon. Member: Yes, it is! It kills instead of curing!

Mr. Poghisiso: Mr. Angwenyi could be misleading this House because today, Fansidar is being sold to millions of our people in the shops! If it is a killer, could that be declared!

Mr. Deputy Speaker: Yes, indeed, we need some clarification from the Assistant Minister. First of all, on that bit of Fansidar and also the issue raised by---

An hon. Member: Ask Dr. Kulundu! He is just there!

Mr. Deputy Speaker: Order! Dr. Kulundu is not the Minister for Health.

Mr. Konchella: Mr. Deputy Speaker, Sir, Mr. Angwenyi will have to provide evidence that Fansidar is the cause of death and not malaria.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, let me explain that point. This is the reason why we want professionals in various Ministries; like Dr. Kulundu or Dr. Ali. Dr. Ali has just said that he is a medical doctor and even Dr. Manduku has said Fansidar is no longer effective. In fact, Fansidar now kills! So, it is a killer which is being added to malaria. That is what I am telling the Assistant Minister! Could he supply effective and adequate medicine to our people?

Mr. Konchella: Mr. Deputy Speaker, Sir, all medicines develop resistance between five and 10 years. Therefore, if Fansidar has developed resistance, we are now combining it as a cocktail of Comaquin and Fansidar, and it is treating the people.

Mr. Deputy Speaker: Hon. Members, you would appreciate that I have given more time to this Question because it is really important; it affects the lives of Kenyans. I hope the Ministry of Health will take this matter very seriously, seeing how concerned the House is about this issue; not only in that particular area, but in the whole country.

Next Question, Mr. Koech.

FOOT-AND-MOUTH DISEASE
OUTBREAK IN BOMET

Mr. Koech: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Agriculture and Livestock Development the following Question by Private Notice.

(a) Is the Minister aware that there is an outbreak of Foot-and-Mouth Disease in Bomet District?

(b) What measures is he taking to arrest the situation?

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

(a) I am aware that Foot-and-Mouth disease outbreak has been reported in Bomet District.

(b) The following measures have been taken to arrest the situation:-

(i) Officers of my Ministry have been sent to the field to take samples from sick animals for classification.

(ii) A provisional quarantine has been imposed in affected divisions.

(iii) Vaccination campaigns will be carried out immediately the strain of FMD virus is identified.

(iv) The Ministry will continue with the new strategy of sensitizing the community and other stakeholders to participate in livestock disease control activities.

Mr. Koech: Mr. Deputy Speaker, Sir, while thanking the Minister for the answer he has given, the problem of Foot-and-Mouth disease in Bomet District has been recurring, and it has been on for more than three months. If the Minister will take measures after finding out the cause of the disease; which is giving a lot of problems to the people of Bomet, when will he start the vaccination exercise in the district?

Mr. Kirwa: Mr. Deputy Speaker, Sir, as I said, we are going to carry out a vaccination campaign immediately we identify the virus and, I hope that by this time, that situation must have been ascertained and we will commence that particular work in the course of next week.

Mr. Poghiso: Mr. Deputy Speaker, Sir, when these outbreaks start in one place, most likely they spread to other places because cows get transferred from place to place. Does the Minister have the capacity to handle these situations in various places where there might be outbreaks?

Mr. Kirwa: Mr. Deputy Speaker, Sir, as of now, there is no situation that warrants any serious alarm. I called all the District Veterinary Officers (DVOs) and District Agricultural Research Officers (DAROs) in the Rift Valley Province over the last one week to appraise them about the situation, and also for them to inform me of the situation on the ground. I do expect that if there is anything that warrants serious vaccination, we will treat the situation immediately we notice it.

Mr. J.P. Mutiso: Mr. Deputy Speaker, Sir, it is now 40 years since Kenya got Independence, and Kenya is purely an agricultural country. There has been a lot of outbreaks of Foot-and-Mouth disease. Could the Minister confirm the preparedness of his Ministry to cope with such outbreaks in the country?

Mr. Kirwa: Mr. Deputy Speaker, Sir, for effective vaccination and to ensure that we are almost a disease-free zone, as a country, we need to have Kshs500 million every year for the next five years. That effectively means that we need close to Kshs3 billion for that work to be done effectively.

This is the situation we are trying to reflect in our budgetary provisions for the year 2003/2004. That is when we can say, we are on top of things.

Dr. Galgalo: Mr. Deputy Speaker, Sir, the Minister appreciates the fact that animal diseases have hampered the ability of this country to fully utilize the potential of exporting beef and beef products to other countries. Could the Minister develop a vaccination programme free to all livestock farmers so that, as he has just said, there is a plan to create a disease-free zone in our country? Could he undertake to supply free vaccines to all livestock farmers so as to eradicate all immunizable diseases?

Mr. Kirwa: Mr. Deputy Speaker, Sir, as a Minister, that is the situation I would like to see in the Ministry and in the country. But as it is now, we are limited by financial constraints. But still, because one dose of FMD vaccine costs Kshs48 to manufacture, we are asking farmers to give us only Kshs10. We are thinking of ensuring that it is free, but we are limited by financial constraints. This is a situation we are addressing with other Government Ministries, particularly the Ministry of Finance.

Mr. Nderitu: Mr. Deputy Speaker, Sir, a lot of veterinary services have been given to the private entrepreneurs. What is the Government doing or what are the Government plans to make sure that these services are returned to the Government so that such immunizable diseases could be eradicated in animals?

Mr. Kirwa: Mr. Deputy Speaker, Sir, we cannot reverse the will of privatization. But, as a Government, we are reviewing the policy position to ensure that we reflect the wishes and aspirations of the people of Kenya. That is the situation. I cannot give an undertaking as of now, but we are seriously considering ensuring that in some of the services, which have been turned private, the Government does impact in a way to assist the farmers and all livestock producers.

Mr. Koech: Mr. Deputy Speaker, Sir, while I appreciate the Minister's predicament, because this problem has persisted for a long time, could he assure this House that, during the next financial year, he will get some funds, at least, to start this programme of immunization? This is because a good number of farmers have been made very poor because the Government has not been providing these services. Are we going to have additional funds this year to start immunization programmes, not only for Foot-and-Mouth disease, but also for all immunizable cattle diseases?

Mr. Kirwa: Mr. Deputy Speaker, Sir, I do agree with the hon. Member that there is need for us to do that. In our budgetary estimates, that we have sent to the Treasury for the financial year 2003/2004, we will do that. I hope our budgetary estimates will get some favourable reply from Treasury and that this House will approve them accordingly.

Mr. Deputy Speaker: Next Question, Mr. Mganga!

MEASURES TO CONTAIN WILD ANIMALS IN GAME PARKS

Mr. Mganga: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Environment, Natural Resources and Wildlife the following Question by Private Notice.

(a) Is the Minister aware that a pride of lions has in the last three weeks been on the rampage in Mbololo Location, killing cows and goats, and that despite reports having been made to the area Game Warden, no action has been taken?

(b) Is he further aware that the area residents have been held captive and live in perpetual fear and danger of being mauled by the animals?

(c) What urgent measures is he talking to contain the animals in the parks and compensate residents for loss of their livestock?

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware of any continuous incidents of lions in Mbololo Location. The last report in our Occurrence Book (OB) was on 13th March, 2003, in Irima and Ndome areas. Rangers patrolled the area, but did not spot any lion, neither have we heard of any other reports from that time.

The last other incident, before this incident of 13th March, 2003 was on 17th April, 2002. Due to the presence of elephants in the area, we have constant patrols in Mbololo, on a daily basis, and we would have picked any incident of marauding lions.

(b) Part "b" of the Question does not rise.

(c) The KWS has constructed the Ndi, Ndara and Bura Mwakitau electric fence which runs for a total of 60 kilometres to contain the animals in the park. Any animal reported to be a threat to human life is shot. Additionally, the park rangers conduct patrols on a daily basis in the area.

Mr. Mganga: Mr. Deputy Speaker, Sir, either the Minister has deliberately been misled by his officers on the ground or he does not just want to admit what is happening in Mbololo area, Voi Constituency. Lions have been marauding in that place, and they have killed many domestic animals. They have killed a number of cows and goats to date. When this matter was reported, one very disappointing statement that came from the area warden was: "Kwani simba zimeua mtu?". This means that they were waiting for a person to be killed before they take action. Previously, when a lion or a small animal was killed, two or three helicopters accompanied the Director of KWS, but when a person is injured no action is taken. Is the Minister, therefore, in order to give a misleading answer when I know, for sure, that a total of 13 cows, 24 goats and two sheep have been killed? In that connection, could the Minister consider compensating the area residents? When will this compensation be paid, and how much?

Dr. Kulundu: Mr. Deputy Speaker, Sir, I am definitely not misleading the House. In fact, I would even go further and advise the hon. Member to inform his constituents to report to the nearest chief and the DO, at Tausa, of any cases of problematic animals. The current Wildlife Conservation Management Act does not provide for compensation for loss of crops or livestock.

Mr. Wario: Mr. Deputy Speaker, Sir, when there is damage of property, particularly the killing of animals, always the Minister says he is not aware, and that they are not in a position to compensate the owners. If they are not in a position to compensate, could he consider telling Kenyans to stand up and kill these lions?

Dr. Kulundu: Mr. Deputy Speaker, Sir, definitely that would be a very unwise step as wildlife is our national heritage. Much as we value human life more than wildlife, I would like to assure hon. Members whose communities live around national parks to also understand that national parks are set aside for use by wildlife only. If domestic animals and human beings stray into the national parks, they will be doing so at their own peril. We are in the process of revising the Wildlife Conservation and Management Act. Hon. Members will be invited to make an input into that Bill when it comes before the House.

Mr. Ndile: Bw. Naibu Spika, nimeshangaa kutokana na jibu la Bw. Waziri kwa sababu kule Kibwezi wanafunzi wengi hawaendi shule kwa sababu ya wanyama hawa hatari. Tukipiga ripoti, hakuna hatua yoyote inayochukuliwa. Je, Bw. Waziri anaweza kutupa ruhusa ya kuwaua wanyama hawa kwa sababu wanatusumbua sana? Ni jambo gani utafanya kuhakikisha wanyama hawa hatawasumbua wananchi wetu? Inawezakana kuwahamisha maofisa wazembe kutoka sehemu hiyo?

Dr. Kulundu: Mr. Deputy Speaker, Sir, let me advise hon. Members that killing of wildlife is a criminal offence under the current Wildlife Conservation and Management Act. But what we want to do as a Ministry is really to fence off game parks from those highly densely populated areas. We need money to do so. I will beseech hon. Members to ensure the money that we are asking for will be given to the Ministry in order to undertake this very expensive exercise of fencing off wildlife from human habitat.

Mr. Mganga: Mr. Deputy Speaker, Sir, a while ago, an hon. Member said that some

Ministers in the House are lost. This is a clear example of a walking lost Minister. There have been several cases where the Minister in charge of KWS comes and gives a different answer from what is pertaining on the ground. Is it in order for me to ask the Government to consider appointing a group of incorruptible officers to go on the ground in all the areas where people live within the vicinity of national parks, and get the real facts on the ground and report so that this matter can be dealt with once and for all, conclusively?

Dr. Kulundu: Mr. Deputy Speaker, Sir, I want to assure the hon. Member that this Minister is definitely not lost. He is very wide awake and around. It is, in fact, the hon. Questioner who seems to be lost because he has not provided us with any documentary evidence that 13 cows, two sheep and three goats were killed. Could he provide that documentary evidence--

Mr. Deputy Speaker: Order! I just noticed that the Minister was addressing Mr. Mganga directly. Please, address him through the Chair.

Dr. Kulundu: Mr. Deputy Speaker, Sir, all I was asking the hon. Member is for him not to look like he is lost and provide documentary evidence that, indeed, 13 cows, two sheep and three goats were killed on the date he alleged. If that is the case, then we will take action. I am definitely not lost.

Mr. Deputy Speaker: Very well! End of Question Time.

MINISTERIAL STATEMENT

RICE GROWING IN KENYA

The Minister for Agriculture and Livestock Development (Mr. Kirwa): Mr. Deputy Speaker, Sir, I wish to give the following Ministerial Statement. On April 2nd, 2003, the Member for Mwea, hon. Alfred Nderitu, rising on a point of order, sought a Ministerial Statement from my Ministry on rice growing in this country. I, therefore, beg to give the following Statement.

On desilting of canals, the National Irrigation Board (NIB) has carried out limited desilting of the main canals in Mwea Irrigation Scheme and proper arrangements to carry out various operations in the scheme for the current session have been made.

[Mr. Deputy Speaker left the Chair]

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

In this respect, a committee comprising of my Ministry officials, Ministry of Co-operative Development, the Ministry of Water Resources Management and Development, the National Irrigation Board (NIB) and Mwea Rice Growers SACCO, farmers and outgrowers representatives and others is already in place and deliberating on the modalities and logistics of the same. However, farmers will have to bear the requisite cost thereto.

Perkera and Bura Irrigation schemes are not rice-growing schemes. Nevertheless, the water distribution structures are under repair and canals are being desilted. Participation by the private sector, in promotion of irrigated agriculture that is taking place in Bura, is laudable and should be encouraged in other irrigation schemes, including rice-growing schemes.

As to the provision of quality seed, I have the following to say: Quality seed is available from

Mwea Irrigation Agricultural Development Centre which, if expanded, is capable of producing sufficient quality seed for all existing rice producing areas. Seed will also be produced in Ahero Irrigation Scheme Research Station once the scheme resumes its operations. As to the supply of fertilizer and other farm inputs, the market for fertilizer and farm inputs is liberalised and farmers are expected to purchase fertilizer and other inputs individually or through their co-operative societies on cash basis or on credit.

As for the appointment of directors, the Board of Directors of NIB was selected in accordance with the provisions of Section 3(1) of the Irrigation Act, Cap.347 of the Laws of Kenya. The Board consists of representatives of various relevant arms of Government who are of benefit to the Board and one representative from each province in which a national irrigation scheme exists or is being planned. The programme that we have as a Ministry is that we are already compiling the list, in consultation with various arms of the Government on the ground, with a view to submitting the same for transmission to the public. As the way forward, the new draft Policy Paper on Irrigation and Drainage Development in Kenya has been put in place and is ready for approval by the Cabinet.

It is envisaged that with the adoption and implementation of the policy, the country will experience improved performance in the agricultural sector.

Mr. Nderitu: Thank you, Mr. Temporary Deputy Speaker, Sir, for that detailed answer. However, that answer is really wanting because the NIB has not been dredging the canal; it is actually the farmers who are fuelling the excavator of the NIB and they are doing it on a small-scale basis. Here, we are talking of more than 250 kilometres of canal and the farmers are supposed to have started land preparation at the moment so that they are ready to plant in August.

Would the Minister be available to discuss these details with the members of the society or the farmers concerned because I tend to think there is some delay of some sort which is emanating from the officers in his Ministry? This could be the only way that the Mwea Scheme would plant rice this season. The farmers are not willing to work hand-in-hand with the Ministry officials who are meeting them as we talk at the moment. That is why I would request the Minister to make some arrangements and meet the leaders of the rice farmers group.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Minister for Agriculture and Livestock Development (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, that is a request that I can oblige and I will be able [**The Minister for Agriculture and Livestock Development**] to consult with the hon. Member for that to be facilitated.

POINTS OF ORDER

GROWING OF BHANG IN KENYAN FORESTS

Dr. Khalwale: Thank you, Mr. Temporary Deputy Speaker, Sir. I stand on a point of order to demand a Ministerial Statement from the Minister of Environment, Natural Resources and Wildlife. This is in respect of the growing of marijuana otherwise known as "grass" or bhang in our forests. We would like the Minister to tell the House---

The Temporary Deputy Speaker (Mr. Poghiso): Which forest are you talking about?

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I am talking of forests generally in the country. I would like the Minister to tell this House whether he is satisfied that the growing of marijuana in our forests is incidental instead of being a syndicate that is under serious grass lords, who this House would wish to be named. He should tell us how many of those lords he has arrested. We would also like him to tell us in respect of this growing of marijuana, how many District Forest Officers he has arrested. He should also tell us if he has sacked any chiefs or assistant chiefs in

connection with the growing of bhang.

The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu): Mr. Temporary Deputy Speaker, Sir, I undertake to give a Ministerial Statement on Tuesday, next week.

ALLEGED THEFT BY NCC EMPLOYEES

Prof. Olweny: Thank you, Mr. Temporary Deputy Speaker, Sir. On Thursday, last week I stood on a point of order, seeking a Ministerial Statement from the Ministry of Local Government relating to two incidents in the Ministry. So, far I have not received any response. I wish to repeat my request.

The Temporary Deputy Speaker (Mr. Poghiso): What are you seeking?

Prof. Olweny: I am seeking a Ministerial Statement from the Ministry of Local Government.

The Temporary Deputy Speaker (Mr. Poghiso): On what?

Prof. Olweny: About two incidents in that Ministry. One was about an alleged theft of some millions of shillings by city council workers who stuffed money amounting to Kshs10 million or more in their jackets. There was also another incident where the Minister was offered a briefcase-full of money which he did not take. So, I need a Ministerial Statement on this. So, far I have not received any response.

The Temporary Deputy Speaker (Mr. Poghiso): Is there any one here from the Ministry of Local Government? Is the Leader of Government Business here? I hope he will take note of that.

The Minister for Agriculture and Livestock Development (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, I do undertake to communicate with my colleagues.

MOTIONS

ELECTRICITY SUPPLY TO RURAL TRADING CENTRES

THAT, being concerned with the increasing number of unemployed trained youths from youth polytechnics and other technical institutes; this House recommends that all trading centres in rural areas be supplied with electricity to enable the graduands to establish small-scale industries instead of migrating to major towns and cities in search of employment.

(Mr. Manoti on 9.4.2003)

*(Resumption of Debate interrupted
on 9.4.2003)*

Mr. Temporary Deputy Speaker: Who was on the Floor?

Eng. Nyamunga: Thank you, Mr. Temporary Deputy Speaker, Sir.

I beg to support the Motion and carry on from where I left.

My concern was the way in which the Rural Electrification Programme is being implemented in the country. We know that we contribute over Kshs150 million per month in levies towards this programme. This programme is implemented by the Kenya Power and Lighting Company (KPLC) which enjoys the monopoly of information and technical know-how. The Ministry through which this money is spent has no capacity to question what it does.

Rural electrification is an infrastructure and we need to pay particular attention to it because it

is through it that we shall give good life to our people who live in the rural areas. The Motion is calling for the extension of power services to small trading centres so that *Jua Kali* artisans can get occupied and this will create employment opportunities. This will even go further to provide electricity to health facilities and boarding schools in the rural areas. It means that we must work out a new way of implementing rural electrification programmes.

Mr. Temporary Deputy Speaker, Sir, in my view, time has come when we should establish a rural electrification corporation and have it structured to take over already operational assets from the incumbent parastatal and run them. A rural electrification corporation will utilise levies that we pay to accomplish its mandate. A rural electrification corporation will also be in charge of operations and maintenance of the assets of the Rural Electrification Programme. Currently, the assets are maintained by the Kenya Power and Lighting Company (KPLC), which charges fees we do not have the capacity to question.

Therefore, I would like a rural electrification corporation to take charge, so that the Kenyan public can be aware of what is happening. The Public Investments Committee (PIC), and the Kenyan public can also audit the activities of the rural electrification corporation. For some time, we have had donors such as FINIDA, DANIDA, CIDA and the KFW supporting the Rural Electrification Programme. Through a rural electrification corporation, these donors, I believe, will continue to support the Rural Electrification Programme.

We are talking about providing electricity to boarding schools in arid and semi-arid lands (ASAL) in order to facilitate the free and compulsory primary education. Also, we are talking about providing electricity to health facilities in those areas. We will not do so effectively if the KPLC continues to be in charge of the Rural Electrification Programme. Through a rural electrification corporation, we can have a hybrid stand-alone system, which combines solar, wind and diesel generation of electricity. That will go a long way in improving the quality of teaching and provision of health services in ASAL areas. We, as the public, will be in charge of what will be going on in those areas. As far as I am concerned, the existing arrangement is not acceptable. So, I might bring a Motion to this House to ask the Minister to set up the rural electrification corporation that I am talking about.

Mr. Deputy Speaker, Sir, I beg to support.

Mr. Wario: Bw. Naibu Spika wa Muda, ningependa kuchukua nafasi hii kumshukuru mhe. Mbunge aliyelita Hoja hii. Hoja hii ina faida ya moja kwa moja kwa Wakenya. Hoja hii si kama Hoja zilizotangulia ambazo zimetokana na ushawishi mkubwa kutoka nchi za nje. Hoja hii imeletwa na Mkenya kwa manufaa ya Wakenya vijijini. Kupitishwa na kutekelezwa kwa Hoja hii kutaiwezesha kila sehemu ya uwakilishi Bungeni kuwa na umeme na kumaliza tatizo la uhamiaji kutoka sehemu za mashambani hadi mijini, ambalo limekumba nchi hii kwa miaka mingi.

Bw. Naibu Spika wa Muda, mimi ni mkaazi wa mji unaoitwa "Madogo", ambao uko kilomita tatu kutoka mji wa Garissa. Sikitiko kubwa ni kwamba umeme kutoka Garissa umepitia Madogo hadi kwenye stesheni ya kurushia matangazo ya shirika la utangazaji nchini, KBC, ambayo iko kilometa 15 kutoka Madogo. Watu wanaoishi karibu zaidi na mahali unapotokea umeme huo hawanufaiki. Iwapo sera mbaya kama hii zitatupiliwa mbali, wakaazi wa Madogo watanufaika kutokana na umeme kutoka Garissa.

Pia, ningependa kukumbusha ya kwamba katika wilaya yangu ya Tana River kuna giza tororo. Tana River ni wilaya pekee katika historia ya Kenya huru ambayo haijawahi kuwa na umeme. Nimefurahi kwamba Waziri wa Kawi yuko hapa na sisi, na ningependa kumkumbusha kwamba miaka 40 baada ya nchi hii kuwa huru, watoto katika Wilaya ya Tana River hawajapata kujua umeme ni kitu gani.

Sera ya Serikali ya kupunguza umaskini nchini itafaulu iwapo nguvu za umeme zitapatikana katika sehemu za mambani. Kuweko kwa nguvu za umeme katika sehemu za mashambani kutawawezesha vijana kujihusisha na shughuli mbali mbali za kiuchumi. Wananchi wa kawaida

watafanya biashara kadha wa kadha. Sera ya Serikali ya kupunguza umaskini nchini haitafaulu kama umeme hautawafikia wakaazi wa sehemu za mashambani. Licha ya kwamba teknolojia nchini imeimarika sambamba na mataifa mengine ulimwenguni, Wakenya wanaoishi katika sehemu za mashambani wameachwa nyuma. Bado wangali katika zile enzi za kale; hawajui teknolojia ni kitu gani. Watoto katika sehemu za mijini kama vile Nairobi wanapotumia mitambo ya komputa, watoto katika sehemu za mashambani hajawahi kuuona mtambo huo. Licha ya tofauti hizi, watoto kutoka sehemu za mashambani wanatarajiwa kushindana na wenzao katika sehemu za mijini, haswa katika mitihani ya kitaifa. Hiyo si haki.

Bw. Naibu Spika wa Muda, tukisimama hapa kuzungumza, baadhi yetu huzungumzia swala la kudhoofika kwa viwango vya elimu katika sehemu kame. Je, tunaweza kuboresha viwango vya elimu namna gani katika sehemu hizo kama watoto hawawezeshwi kupata mafunzo ya ziada? Watoto katika sehemu za mijini wanaweza kuamka usiku na kuendelea kusoma. Watoto katika sehemu za mashambani wahajawahi kuona taa inayotumia nguzu za umeme. Je, unatarajia watoto katika sehemu za mashambani washindane na wenzao katika sehemu za mijini vipi?

Ningependa kutamatisha mchango wangu na kuwaomba wahe. Wabunge wenzangu waiunge mkono Hoja hii.

Mr. Were: Mr. Temporary Deputy Speaker, Sir, I thank you for giving me the opportunity to contribute to this important Motion. I represent Matungu Constituency in Butere District, which is the only constituency without electricity in the whole of Western Province. It is a constituency in darkness.

Mr. Temporary Deputy Speaker, Sir, my constituents depend on sugar-cane farming. Right now, we are having a problem with the sugar industry. If it happens that the sugar industry collapses, where will my constituents go? I fully support this Motion because, once electricity is made available in our constituencies, many of our schools, which have been performing poorly in national examinations due to lack of electricity, will start performing well. We have health institutions within our constituencies which do not have electricity. I believe that availability of electricity in those areas will lead to improved health service delivery to *wananchi*.

Youth polytechnics in my constituency do not have electricity. The quality of training at such institutions has been so poor. I believe that once electricity becomes available in those areas the standard of training will improve. Provision of electricity to our constituencies will enable trained youth, who have been migrating to urban areas in search of employment, to remain within the constituencies and utilise their skills locally.

As I said, my constituents rely on sugar-cane farming. As I speak, the constituency provides the biggest number of sugar-cane outgrowers to Mumias Sugar Company, which has the capacity to produce electricity. If the electricity that is produced locally by Mumias Sugar Company could be distributed for use by the people, my constituency would have been much more advanced than it is now. Compared to all other constituencies in that region, my constituency lags behind in terms of performance in education. In terms of education, we are far much behind compared to the neighbouring Mumias Constituency as well as with Bumula and Nambale Constituencies. With supply of electricity in the constituencies, I believe small-scale industries, like milk cooling plants, could be started, so that our women groups could start rearing grade cows and sell milk to other areas.

We know that it is not possible to generate sufficient electricity in the country because of the high cost of production. If companies like Mumias Sugar Company were allowed to produce electricity and supply it to the national grid, we believe that supply to the whole country would be increased.

Mr. Temporary Deputy Speaker, Sir, I know that if the whole constituency is provided with electricity, there would be improvement in very many other things. I really do not have much to say.

With those few remarks, I fully support the Motion.

Mr. Magugu: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to say that the move by the hon. Member, who brought this Motion to the House, does not need much explanation.

It is so obvious and full implementation of the programme has been over-delayed. The Government should source a lot of income for the introduction of electricity in those areas mentioned in the Motion. One thing must be done here. You do not expect me - where I live - to start buying equipment. To start sourcing very important equipment to use in my garage, schools and other facilities is impossible. That is because the people, youths and women groups, do not have that kind of capital. We need to equip all the facilities that we want to be provided with electricity. We do not just want to provide electricity to all trading centres in the country and just leave them idle. The Minister for Energy must also take that into account. He should not just provide electricity.

We also need to equip our people with working capital. They are not going to be given free capital. They should be given soft loans, so that they can start on the right footing in the generation of income, both for themselves and the Government. I believe that can take the country way ahead.

Mr. Temporary Deputy Speaker, Sir, sources of energy are numerous. We have got electricity through hydro, that is water, wind, geothermal and also mechanical generation. We do not need to do the so-called research or investigations. Everything is there. The people are there and disciplines are there to be applied. I would rather say that, that project should be given top priority because, after all, it will count towards the generation of employment for 500,000 people every year. I would like to end there because the issues raised are so obvious and they do not need any effort to be clearly put across. That is because we know we come from those areas and we have seen the situation in some areas.

With those few remarks, I beg to support strongly.

The Temporary Deputy Speaker (Mr. Poghiso): Mr. Omingo, I had mentioned your name and, in that respect, you will have a few minutes.

Mr. Omingo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this very important Motion. It is important to note that, since the NARC Government came into power, there are a few things that it has done right and it should continue to do them right.

Mr. Temporary Deputy Speaker, Sir, Kenyans have been impoverished by lack of supply of electricity, simply because of the mega-corruption that was being practised in the energy sector. The Kenya Power and Lighting Company (KPLC) was one such monster that was involved in mega corruption in this country, to the extent that Kenyans were compromised in terms of getting any services. Indeed, if things were done right from the beginning, I want to believe that this Motion would not have been brought at this time. Kenyans would by now be having electricity. We are saying that the KPLC that was entrusted with generating and distributing power did not perform its mandate and through corruption, and most of the rural electrification fees they were collecting were used for protection at the State House. That should be a thing of the past.

Mr. Temporary Deputy Speaker, Sir, we are talking about the KPLC having failed in its mandate to supply power to an extent that some of the monies which were meant to go to the Rural Electrification Programme were actually being diverted to private power generating companies at no cost. You will find private companies trying to give proposals to generate power and pretend to be for the benefit of the people but, in essence, they were funded from the public coffers. I am asking the Minister for Energy to look into that element and, perhaps, if possible, move in quickly and claim back the monies that went to private power generating companies for the purposes of benefiting the people.

The imbalances in the distribution of power by the KPLC is an issue that needs to be looked into. You find that there is a power line that passes over a public institution and you wonder how you can skip a school and take power to a market centre. Secondly, the KPLC officers, in their inefficiency, would bring in a transformer, install it in a centre and because somebody must come to commission it, it took two years before power was switched on. Who loses? The public coffers. They should have switched on the power immediately, for the purposes of recovering the costs, even for installation!

Mr. Temporary Deputy Speaker, Sir, we cannot avoid talking about the STABEX funding. We know, for a fact, that those funds were meant to provide electricity to coffee societies. In so doing, the people would have benefitted. Those funds were misappropriated. I beg the Minister to look into that matter also. If he can apply those funds the way they were supposed to be applied, I think his work of providing power to the common people in every rural setting would be a reality. It is important to note that, upon providing power to the people in the rural areas, we will create jobs. The NARC Government intends to create 500,000 jobs. How will they do it? It will not be in the City Centre of Nairobi. We need to decentralise and decongest Nairobi by empowering the rural folks, so that they can be able to start small-scale welding businesses. They can be able to earn a living, create employment and, overall, the Kenyan population would benefit. We are saying that it is important for the policies of the new Government, through the Ministry of Energy, which I have a tremendous respect for--- I believe the Ministry of Energy is going to tick! It is only going to tick if we are going to empower the people. Let them consume and pay for the power they consume. That would improve the welfare of the people and, at the same time, the KPLC, would remit to the Exchequer, colossal amounts of money. We do not want the Chief Executive of the Kenya Power and Lighting Company to keep visiting State House corridors. This is a shame.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is now time to call upon the Government Official Responder to respond.

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Speaker, Sir, I wish to make it crystal clear that the Government is in support of this Motion.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Minister, before you respond, if you want to donate some of your time, you should do it now.

The Minister for Energy (Mr. Ochilo-Ayacko): Thank you, Mr. Temporary Deputy Speaker, Sir, for reminding me to be magnanimous. With your indulgence and permission, I would like to donate five minutes of my time to an hon. Member of your choice.

Mr. Mbau: Mr. Temporary Deputy Speaker, Sir, my names are Mr. Elias Mbau, the Member for Maragwa Constituency. I rise to support this Motion which urges the Government to supply electricity to all rural centres in the country.

I want to start by saying that the fact that power is used to drive machines and equipment is central to economic growth and development in this country and in any other country. I want to point out that whereas the bulk of electric energy is utilised and consumed mainly in urban centres, these centres only house about 20 per cent of our Kenyan population. This leaves out the bulk of our population, 80 per cent, in the rural areas. This essentially means that the greater proportion of our population that lives in the rural areas is deprived of the benefits of electricity. I want to remind the current Government that in a very beautiful policy document, popularly referred to as Sessional Paper No.1 of 1986, a number of upcoming and promising towns around the country were carefully selected and earmarked for special treatment and upgrading with a view to making them regional commercial centres, in order to tame the drift of population to major towns. These regional centres were baptised "rural trade and production centres", and included towns such as Kimilili in Western Province, Kapsowar in the Rift Valley Province, and Kutus in Central Province.

I want to submit that this was a very bright and noble concept of providing the requisite infrastructural facilities to potential and upcoming towns. Colossal amounts of money were pumped into these towns to provide sewerage facilities, water, abattoirs and other utilities. I want to note that although this was a very noble concept for developing our rural areas, today, I no longer hear of these towns.

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

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Mbau, your time is up. I will now

call upon the Minister to respond.

The Minister for Energy (Mr. Ochilo-Ayacko): Mr. Temporary Deputy Speaker, Sir, I had indicated that this is a very good Motion that will receive bipartisan support of both sides of the House. It is a Motion that intends to enhance the welfare of Kenyans without regard to other vices such as ethnicity and region. It is a Motion that intends to look into ways and means of improving the ability of Kenyans to fend for themselves, by availing electricity to them, so that they can be productive and contribute towards the generation of national revenue.

What has been the problem in the past is that a lot of power lines have followed political power. It has been past practice that power lines have been erected where powerful politicians come from. That has deprived certain areas in Kenya of access to this very important commodity. This is because without electricity, innovation cannot be a reality. The NARC Government intends to make the distribution of electricity equitable as possible. There is already a plan that is being worked out, and it is founded 34 per cent on population, 33 per cent on the size of the district, and 33 per cent on the existing electricity network. I am sure the details of this plan are in the Ministry, and will be made known by way of policy. In the past, there were avalanches of projects recommended by the District Development Committees (DDCs) from various areas. There were so many projects, but very few were implemented. I think there is need to look at the recommendations afresh and act on them.

Mr. Temporary Deputy Speaker, Sir, the only issues that will be militating against realising the intention of this Motion is, first, the fact that we do not have a very large generation capacity. At the moment, our generation capacity is just 1,100 megawatts. The level of consumption in the country is about 900 megawatts. That means that we have a surplus of about 200 megawatts. The other problem that we have, and this is very shameful, is that the rural areas in this country are 3.4 per cent electrified.

If you were to rank them in terms of population percentage, only 3.4 per cent of the people living in rural Kenya benefit from electricity. That compares very unfavourably with other African countries. If you go, for instance, to South Africa, you will find that 67 per cent of the rural areas in that country have electricity. If you go, for instance, to Ghana, you will find that 35 per cent of the rural areas in that country have electricity. Senegal has slightly over 25 per cent of its rural areas with electricity. It is quite shameful that about 40 years after Independence, Kenya can only talk about 3 per cent of electrification of the rural areas. If we look at the national situation, we will realise that only 14.5 per cent of Kenyans have electricity. In other words, most of the electricity is provided in urban areas. Even in urban areas the situation is still shameful. We have slums which do not have electricity. For instance, here in Nairobi, we have slums like, Kibera and Mathare which do not have electricity. This is the case, and yet, these slums house Kenyans who also need electricity.

Mr. Temporary Deputy Speaker, Sir, we have financial constraints but with the support of both sides of the House, and with the inclusion of adequate and substantial budgetary arrangements, we should effect provision of electricity to all our needy areas, including urban areas, particularly, the slums which house more than 50 per cent of the urban population. Currently, in order to improve from the poor 14.5 per cent national electrification to about 30 per cent, which is the agreed rate when we talk about developing countries, we need to invest in generation of electricity. We should complete projects like Sondu-Miriu Hydro-Power Project so that there is more electricity in our national grid. We also need to enhance the capacity of Masinga Dam by extending the walls so that it can have more water and generate more electricity. We need to increase our research and search for wind-generated electricity because it is sustainable. We also need to put more money in areas like solar. For instance, El Wak is one of the oldest towns in this country and it requires electricity. This town is so far, and yet, the people who live there require electricity. In order for us to provide electricity to people in that town, we need to build transmission lines, which will run into hundreds of millions of US dollars which we may not have. So, we need to institute measures like having stand-alone generators to cover such areas.

Once we have adequate generation of electricity to the tune of nearly 3,000 megawatts, we can build on distribution. When we build on distribution, we can provide electricity to basically all the small marketing centres in the rural areas. This is because the statistics we get from the Ministry of Planning and National Development is that 85 per cent of the population is rural-based. In order for this country to earn adequate revenue from the people who live in the rural areas, it would be proper to supply electricity to them as infrastructure.

Mr. Temporary Deputy Speaker, Sir, the new administration is working day and night to ensure affordability of electricity. It is not just enough to supply electricity to people. You could supply electricity to people but it may be unaffordable to them. So, the step we have taken to work out affordability of electricity is that we are currently re-negotiating power purchase agreements. We have actually done some, and very soon we will let you know about the savings we have made. We have also given adequate instructions to the Kenya Power and Lighting Company (KPLC) to retrench some of its staff. When the retrenchment measure is taken, there will be a lot of savings, which are likely to be reflected in the electricity tariff. We are also making sure that transmission lines are strengthened so that power losses associated with weak transmission lines, and also commercial losses arising from theft of power are reduced. Once that is done, coupled with the fact that we intend to have a wider electricity outreach, we want the public to enjoy the services of electricity at an affordable rate.

Mr. Temporary Deputy Speaker, Sir, with those very few remarks, I want to once more say that we are 100 per cent supportive of this Motion, and request all hon. Members of the House to also support the Government when it comes to the Budget, so that this is adequately budgeted for.

Thank you very much.

The Temporary Deputy Speaker (Mr. Poghiso): Well, with that hon. Members, it is now time to call upon the Mover to reply.

Mr. Manoti: Thank you, Mr. Temporary Deputy Speaker, Sir. I am very grateful to hon. Members of this House, especially the Minister, for the great support they have given to this very important Motion. I did say, in my opening remarks, that electricity is a very important element everywhere. Indeed, everybody has recognised that.

I do not have much to say except to make a few comments. If this Motion is passed and implemented, it will assist our people in the rural areas. This is more so for our dispensaries and health centres, where it becomes very difficult for the medical staff to attend to patients at night when emergency cases arise. If a patient is taken to a health centre in the rural areas at night, you will find the medical staff looking for lanterns and even candles to light, so that they can attend to that patient. If this Motion is passed and implemented, we will do a lot of good to our people in the rural areas where most of us come from. Transfusion of blood cannot be done in the rural areas because there is no electricity. Minor operations can also not be done in the rural areas because there is no electricity. As everybody knows, our roads in rural areas are very bad. So, to transport a patient from a distance of 30 kilometres to the district hospital becomes impossible. You will find most patients dying on the roads, while they are being taken to major towns for treatment. If electricity is supplied to the rural areas, as all of us have agreed here, we shall save many lives because major treatments will be done in our rural areas.

I would like to request the Minister to make some arrangements and import electricity from South Africa and Uganda since we do not produce enough electricity in this country. If we do this, we shall have enough electricity to supply to our people in the rural areas. Since we know that most of the electricity components are very expensive, we also request the Minister to ensure they are purchased tax-free. This should be the case for projects in the rural areas.

I do not want to take most of the hon. Members' time. I would like to thank the Minister and hope that he will implement this Motion when it is passed, unlike what used to happen previously

where, Motions would be passed and then kept in the National Archives. Mr. Temporary Deputy Speaker, Sir, with those few remarks, I would like to thank every hon. Member and say that this is great for the unity of this Parliament.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Poghiso): Next Order!

A BILL TO AMEND THE NCPB ACT

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:- THAT, this House do grant leave to introduce a Bill for an Act of Parliament to amend the National Cereals and Produce Board Act, Cap. 338, Laws of Kenya, in order to provide for the election of Board of Directors by maize and wheat farmers; replace the appointee of Kenya Grain Growers Co-operative Union with Kenya Farmers Association; empower the Board to fix the minimum purchase price of maize, wheat and other scheduled agricultural produce; and to introduce New Part VIII to provide for the establishment of a Cereals Development Fund; and for matters incidental thereto and connected therewith.

Mr. Temporary Deputy Speaker, Sir, farming, as has been stated before, plays a very central part in the development of our country and, indeed, close to 50 per cent of industries in our country use agro-based raw materials. Cereals - and by cereals, I have in mind maize, wheat, beans, sorghum, bixa, rice, cashew nuts and millet - are produced by the Kenyan farmers and are the primary source of food in the country. The staple food of our country is cereals. The National Cereals and Produce Board (NCPB) was set up to replace the Maize Board and the Wheat Board that were there before.

Mr. Temporary Deputy Speaker, Sir, the primary objective of setting up the NCPB was basically two-fold. One, to help the Kenya cereal farmer in his efforts to produce for this country. It is worth noting that the Kenyan farmer practises farming not as a business, but primarily as a way of life. It is important that this House and, indeed, the Government, should lend a hand to the farmer in his efforts to feed the country. This effort of the farmer is to make sure that each and every Kenyan has something to eat, and it is a national duty. Indeed, farmers make a lot of sacrifices to ensure that each and every one of us in this country has food on the table to eat. Through that, we can be able to perform our national duties.

Mr. Temporary Deputy Speaker, Sir, the other responsibility of the NCPB was to provide an effective marketing and purchasing incentive to make sure that whatever is produced in the farms finds its way to the market, and the farmer gets good returns for his efforts while the consumer gets good products for what he pays. Both efforts for which the NCPB was set up have seriously been hampered and now it is basically a toothless institution. By and large, it has dragged on with the efforts it was supposed to provide for the Kenyan farmer.

Mr. Temporary Deputy Speaker, Sir, the spirit of this Motion, as is the tradition now, is that the biggest stakeholder in the production of cereals is the cereal farmer himself. The Act, in its current state, empowers the Minister to appoint directors and only one director effectively represents farmers. It is unfair in an institution that deals primarily with farming, for farmers to be represented by such a minority. I am, therefore, recommending that we review this position and do it in consultation with the Ministry of Agriculture and Livestock Development so that farmers can have the greater say in the management and running of the NCPB as is the tradition in the other sectors.

Mr. Temporary Deputy Speaker, Sir, last year or the year before, we passed the Kenya Sugar Board Act here, and it empowered the sugar-cane growers to have say in the industry, in which they

are the greatest contributors. That is all this Act is asking for; that---

Mr. Chepkitony: On a point of order, Mr. Temporary Deputy Speaker, Sir. There is no quorum in the House!

The Temporary Deputy Speaker (Mr. Poghisio): All right! Let us see! There is quorum! Proceed, Mr. Samoei!

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, I was saying that although my Motion proposes that the Board of Directors should be elected basically by wheat and maize farmers, we will improve on that with the Minister for Agriculture and Livestock Development to make sure that the other stakeholders---

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! Whereas we would like to really have a quorum all the time, the hon. Member who wants to bring to the attention of the Chair that there is lack of quorum ought to first ascertain that there are at least 30 Members. If there are less than 30 Members, then you can raise the issue of lack of quorum. However, in this case, we have quorum. I say so just to lay that issue to rest.

Proceed, Mr. Samoei!

Mr. Samoei: Thank you, Mr. Temporary Deputy Speaker, Sir. Therefore, this Motion is proposing that farmers should have a say as the greatest stakeholders in this industry. Indeed, they should have a say as to who becomes a director of the NCPB.

Mr. Temporary Deputy Speaker, secondly, the Kenya Grain Growers Co-operative Union (KGGCU) has since been disbanded and there is still a provision in the Act that farmers should appoint a director. I think it is just a question of formality that it should be replaced by the Kenya Farmers Association (KFA). The gist of this Motion is on the issue related to the question of the pricing of cereals. That is where we have a very big crisis. In this country, the maize and wheat farmers are exposed to prices ranging from Kshs300 to Kshs1,500 per one 90-kilogramme bag of maize. That discrepancy is really unfortunate and it exposes the maize and wheat farmers to the whims of unscrupulous businessmen. These are people who can decide to buy maize at whatever price they want, without taking into consideration the pain the cereal farmers go through to be able to produce this crop. So, I am requesting that in the substantive Bill, we empower the National Cereals and Produce Board (NCPB) and it becomes mandatory that each year, they should, as is the tradition in other agricultural sectors, tell Kenyan farmers how much money they are going to get for the produce that they are going to produce that year. This Motion seeks that we bring a Bill to this House that empowers the NCPB, because as the Act stands right now, it is arbitrary that the NCPB can be directed by the Minister. It takes a lot of pleading some of the time, and I think it is only fair that we put in law that the prices of maize, wheat, millet and beans be set out by the NCPB and we empower them to do that. That will remove the discrepancy that is there currently in the market, that the farmers are at the mercy of traders and millers and other unscrupulous middlemen. I think it is time that we became reasonable and provided a legislative framework on how this is going to take place, and to make sure that we guarantee our cereals farmers that they will, indeed, have a good return for their efforts in trying to feed our country.

Mr. Temporary Deputy Speaker, Sir, the other issue that this Motion seeks to bring on board is the issue of a Cereals Farmers Development Fund (CFDF). As is the tradition in other sectors of agriculture; for example, in the tea, coffee and sugar sectors, we have development levies. We have development levy in the Tea Board and the Kenya Tea Development Agency; they charge a levy that helps to create stability in those sectors. In the sugar industry, we have the Sugar Development Levy.

Unfortunately, it has been mismanaged to some extent, but it should help in the stabilisation of that sector. I am proposing that we set up a Cereals Farmers Development Fund basically to assist stabilise this market so that we can have primarily two issues. We have the issue of seed, which is a serious borne of contention between those who produce seeds and the farmers. We can effectively

address that sector so that we can have the correct seeds for specific areas in our country. We can also provide money from the CFDF for research to make sure that the farmers get the correct seeds for production.

Secondly, we have the issue of fertiliser, which is a nightmare to many people. The fertiliser industry in this country is operated by a cartel. It is a very serious issue that the whole farming fraternity in our country is at the mercy of a cartel. I am sure that with the CFDF, we will demolish that cartel and the farmers can effectively be enabled by the NCPB to import fertiliser and get it to the farm at reasonable prices. It is, indeed, possible to get fertiliser to the farm at Kshs700 instead of the Kshs1,300 that is the case currently. The CFDF will provide the necessary capital base to enable the NCPB to engage in the business of importing fertiliser, to make sure that the farmers access that fertiliser at competitive prices.

Mr. Temporary Deputy Speaker, Sir, last but not least, and I concur with the statement that was made by the Minister for Agriculture and Livestock Development on Sunday, the law is insufficient in as far as punishing persons who engage in sale of uncertified seeds is concerned. We have crooks or individuals who allocate themselves the business of getting uncertified seeds, some of the time producing it in their own farms; putting some colour on it and selling it to unsuspecting farmers at unaffordable prices. The law should provide sufficient punishment to deter such personalities from engaging in that kind of exercise. Currently, the law says that such persons pay Kshs5,000 as fine. The whole industry can come to naught if we continue with that kind of effort. I am requesting this House that we provide stiffer penalties for such personalities so that they cease forever from engaging in such acts.

Mr. Temporary Deputy Speaker, Sir, in addition, currently, the law is miller-friendly instead of being farmer-friendly. We have had incidences where it has been declared that there is a shortage of so much wheat or maize. Because the penalties are not stiff enough, millers have imported millions of tons of maize and wheat into this country on the excuse that there is a shortage. There is no effective control of how much is imported and for what purpose. The penalty for millers who over-import is Kshs20,000. These are people who have a turnover of billions of shillings. If we put Kshs20,000 as a fine, we are unlikely to deter such people from importing maize or wheat into this country against the wishes of the Kenyan farmer. Therefore, we will be proposing also, in this Bill, to put stiffer penalties for unscrupulous personalities who import cereals into this country against the law.

Mr. Temporary Deputy Speaker, Sir, I am urging the hon. Members, because a majority of us are farmers, or represent farming communities, to join me in supporting this Motion so that we can put behind us the perils that have bedeviled the Kenyan cereals farmer for a very long time.

With those few remarks, I beg to move, and request Mr. M. Kariuki to second.

Mr. M. Kariuki: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to second this Motion and state that the review of the Act is long overdue. My earliest memory of this particular Act was sometime in 1984 when one of my clients was charged in court with stealing from the NCPB.

It was an interesting case because, at that point in time, the Act was not in place, and the NCPB did exist for seven years without legislation. It is only after that legal challenge to the Attorney-General that he found the need to legislate it. This was very hurriedly done. There was no consultation whatsoever with the farmers and other stakeholders. Consequently, the Act does not reflect the wish of the stakeholders. It is important to know that cereals are the staple foods of this country. While we can do without coffee and tea, we cannot do without cereals. They are so central to our security as a nation.

Mr. Temporary Deputy Speaker, Sir, sometime way back, I visited the United States of America and I had an opportunity to talk to farmers. One of the most interesting things that happen in that country, is that much of the agricultural activities are still under the control of the Government. It is the Government that decides whether a farmer will plant wheat or maize; the farmer has no choice.

Farmers are heavily subsidized, yet the same country, through the International Monetary Fund (IMF) and the World Bank, is appealing to us to drop subsidies to our farmers. In America, the issue of farming and the food the farmer produces is a matter of national security. That is why it is so highly treated in such a manner that the farmer becomes only an instrument of the state in carrying out functions of farming.

Mr. Temporary Deputy Speaker, Sir, here in Kenya we have a farmer who is vulnerable to the vagaries of price changes every other time. He does not get any subsidies whatsoever from the Government, yet our lives depend on that poor farmer and what he plants on the farm.

Today, we are under threat on our food security because every farmer is now moving towards subsistence. You just have to grow enough for yourself because going for commercial farming is a big risk. If at the end of the day, you produce 15 bags per acre, and those 15 bags go for Kshs400; yet the amount of input you have used on that one acre in terms of fertilizer, pesticide, labour, plus the cost of ploughing as these are not subsidized, you will find a cereal farmer in this country making losses. It is important that we revisit our policies regarding national food security, the way to secure our farmers, and the way to treat cereal farming as a matter of national priority and security.

Mr. Temporary Deputy Speaker, Sir, a farmer is as good, or probably better than a soldier who is armed in the barracks to defend the boundaries of this country. Without the farmer, we will not survive as a nation. Therefore, it is important that we have a second look at this particular Act and empower the farmer and ensure that he can carry on with his activities in order to sustain this particular nation.

Mr. Temporary Deputy Speaker, Sir, we are aware that the policy direction today is that we have to empower our people to be in charge. Stakeholders in every sector have to take charge of the destiny of the area in which they are working. We are now preaching about the concept of better governance, which means that the farmer has to be involved in the activities that affect his work. It is now time we ensured that farmers take charge of their activities. The Government should no longer take charge of appointing members of the Board. It has to deal with facilitation process in order to create a proper environment in which the farmer can go about his business. The farmer should be allowed to formulate policies as far as farming of cereals is concerned.

Therefore, I support this particular endeavour to amend the Act because the farmer needs to be in charge. The stakeholders in this particular industry are maize, wheat and other small-scale millet and bean farmers. They need to be given a place in the Board of Directors, as the Act is amended. This a commendable effort.

Mr. Temporary Deputy Speaker, Sir, you realize that the cost of agricultural inputs in this country is so high, yet if you look around in the world, because we are now in a global environment, you will find that the Australian farmer who grows wheat is heavily subsidised. The same applies to the USA and the Canadian farmer, yet we are supposed to market this maize in the same market. There is no way we will have a place in the international market, until and unless the Government steps in to ensure that the farmer is fortified from price fluctuations that adversely affect him. So, we should not be slaves of external forces. We are being told that, "if you want to be accepted by the IMF and the World Bank, please, drop subsidies for your farmers." Why does the USA, the main stakeholder in the World Bank, not drop its subsidy to its farmers? Why do Australia and Canada not do the same? This is a Question we should ask ourselves, and our policies should be guided by our national interest. Our national interests should come first not the interest of others who want to create a market for their farmers here at the expense of our farmers.

Mr. Temporary Deputy Speaker, Sir, in order to eradicate poverty, we must empower the maize peasant farmer because it is no longer possible for him to survive. The present circumstances are so harsh to him that he is moving towards doing other activities on his land. If we have to promote our strategy of poverty eradication, it is important that we review this particular Act so that the maize

peasant farmer can now step in and have a say on his efforts and sweat on the production of maize in this country.

I am aware that farmers have suffered adversely from poor quality seeds, yet the Kenya Seed Company has now gone to the private hands. Some people have transferred shares from the Kenya Seed Company to themselves. You cannot run the farming sector unless the farmer takes charge of the quality of the seeds that they have to plant. It is important to have a second look at this Act, to amend it so that we empower the farmer to take charge in the Kenya Seed Company and ensure that it has majority shares that are controlled by the farming community, because this is the only time they will ensure there is quality seed for purposes of sustaining proper farming in this country. Therefore, we need to have a second look at the Cereals Act. We need to look at the Kenyan Seed Company, the way it is carrying out its works, and see whether, in fact, farmers should not have a say in the kind of activities being carried out at the Kenya Seed Company.

Mr. Temporary Deputy Speaker, Sir, the question of marketing and storage of cereals is important because this has been the problem area. Each time there is a slight drought in this country, we find that our stores are empty because there are no storage facilities. It is important that the Act provides proper storage mechanisms to be under the control of the farmers, to ensure that, at any one time, the fluctuations in price are controlled, there has to be proper storage facilities to make prices stable and to ensure that the farmer is not adversely affected by price fluctuations.

Mr. Temporary Deputy Speaker, Sir, I appeal to my colleagues in this House to support this particular Motion. It is a well-intended Motion and long overdue. It is in line with the Government policy of empowering stakeholders in every other sector. This is timely.

I am happy to second this particular Motion. Thank you.

(Question proposed)

The Assistant Minister for Planning and National Development (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, I would like to support the Motion.

This is a timely Motion, as has been said by most of my colleagues. It is in line with what the Government has been doing since last year when Bills were passed in this House to empower coffee and tea farmers, and to some extent, to empower sugar-cane growers. So, in this category of farmers, the growers of cereals; maize, wheat *et cetera*, have been left out and, therefore, this Motion is seeking to bring them in line with what the Government intends to do for the farmers. I do hope when the Bill will be drafted, the Mover of this Motion will work closely with the Ministry of Agriculture and Livestock Development to make sure that we have a Bill that empowers the farmers as it is intended.

The cereals farmer in this country has gone through a lot of problems over the last 24 years. In very early times, when I grew up, my father who used to grow maize was able to get enough money out of the maize grown to educate his children. Today, a small-scale grower of maize cannot manage to educate his children or look after his family because the systems that have been in place over the last 24 years deny credit to the farmer. This means that this small-scale grower is totally unable to grow maize. It becomes very expensive for him to grow maize due to lack of credit. As you know, the prices of farm inputs have also been very high, indeed. One hopes that as we empower the farmer through this Motion and the Bill that will come thereafter, the farmer will be in charge of what happens. He should have a choice as to where to get inputs like fertiliser. The issue of seeds has been mentioned by the Mover and the Seconder. The maize and wheat farmers will be able to decide where the seeds come from.

Mr. Temporary Deputy Speaker, Sir, as you know, the research facilities and the farms that were used for research were grabbed by greedy individuals. All this has been done because the farmer had no control or say. But now we are saying that the empowered farmer will be in charge of his own

destiny and make sure that research facilities are available, so that the seed he is given is high yielding. One hopes that there will be sufficient research mechanism and funding through the Bill so that we concentrate on research. Without good seeds, our yield will always remain very low. I think that emphasis has got to be taken very seriously.

Mr. Temporary Deputy Speaker, Sir, the cost of production has been a problem. The farmer in charge of his own destiny will be able to import or bring in fertilisers and be able to supply them cheaply to the grower, so that we can go through that easily.

The question of marketing has also been mentioned. Therein lies the biggest problem. Today the maize farmer - this is the area I am very familiar with - and to a certain extent, the wheat farmer, also has the same problems. The farmer will grow his maize but he does not know where to sell it. Maize stays in stores or the price given is extremely low. To produce a 90-kilogramme bag of maize in Bungoma District, one spends about Kshs1,300 and yet you sell it at Kshs900. I think these are the issues this Motion and the proposed Bill will address, so that if I will spend Kshs1,300 to grow my maize, then the pricing has to be correct. Uganda is just our neighbour. As you know, at the end of the year, the Customs Union will come into place. This will allow a flood of maize from Uganda at very cheap prices into this country. So, we have got to prepare ourselves. We have got to prepare the farmer to be able to tackle these issues. These are the issues we, as signatories of the COMESA market, will suffer. So, we have got to prepare the farmer and make sure that he is in a position to compete and to fight in this hostile environment of liberalisation.

Mr. Temporary Deputy Speaker, Sir, you will find that a country like Egypt, because of COMESA, is bringing wheat into this country. All the Government can say is that because we are signatories to COMESA, there is nothing we can do. We go there and ask for one year's allowance to impose duties on wheat. As you know, in the case of wheat, in particular, by April next year we will not be able to impose duties any more. What will happen? I think we need farmers themselves to be able to say what they want to do and how to compete and to fight back in this environment. That is why I find that this Motion is worth supporting by all of us who are interested in the farmers.

The infrastructure in the maize growing areas, in particular, is wanting. The roads are so terrible that even the maize farmer is incapable of moving his products from the farm to the market. But if we have the Bill that has empowered the farmers, then they will make sure that part of whatever they get out of their produce will be used to repair, maintain or to make roads. Consequently, the farmer will be able to take his maize or wheat to the market. This happens in the coffee industry and the tea industry. Therefore, there is no reason why maize or wheat farmers cannot also be in a position to look after their own roads or infrastructures to be able to market their produce as time goes on.

We are also living in the period of privatisation and liberalisation. I hope the Bill will critically look into this. It is not just a question of putting farmers there; I think we should, perhaps, reduce Government presence quite strongly in that organisation. It should become a farmers' organisation and, perhaps, we should bring in the co-operative movement so that it is totally owned by farmers and not controlled by the Government because we are living in a liberalised economy.

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

Mr. Kones: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. The cereal farmer in this country has been the most abused farmer, therefore, this Motion has come at good a time. It is high time we gave some audience to cereal farmers. I would like to point out that we should not just address the plight of wheat and maize farmers; we should also include barley farmers because it is also a major crop within the cereal growing sector. This proposed Bill, when enacted, will make the cereal farmers feel, for the first time, that somebody is looking into their interests.

The importation of cereals into this country is totally unnecessary. We have had huge

importations of cereals, not because we cannot produce enough but because it is an area that everybody looks at all the time to try and make a little money at the expense of these farmers. The importation of maize into this country is something that started recently and it has taken serious root at the expense of the farmers. There is no reason why we should import maize into this country. Maize grows well almost in every part of this country except probably in the North Eastern region. It grows from the Coast to the west. It is only a question of assisting that maize grower to produce more.

There is no reason why maize prices in this country fluctuate from Kshs300 a bag to sometimes Kshs1,200 or Kshs1,500 a bag. Seriously, there should be some regulatory system to control the prices of maize. The farmers grow maize and it is a big risk all the time. They do not know how much they are going to get per bag. Sometimes they just hope that they will get Kshs1,000 per bag, but suddenly, the prices drop to Kshs300. The problem is that sometimes, when there is famine in this country, you will find that even the maize growing regions buy maize so expensively, yet, in fact, if that maize was bought and put in stores at a good price, it would still be circulated and given back to them at a good and affordable price.

Mr. Temporary Deputy Speaker, Sir, I think we have been a bit careless in the way we have been handling cereal farmers in this country. I suppose this Motion will be supported by the Government because it will empower the farmers. The NARC Government was talking about poverty eradication, and we would like to assist them to effectively address the issue. The only and most effective way of doing that is by targeting the biggest population in this country, who are the cereal growers. Almost every home grows cereals. If you empower these farmers, they do not need anything else to eradicate poverty within their door-steps.

The funds that are being talked about should be affordable and easily accessible. The problem with this country is that it is almost impossible to access loans. When you go to banks, they will tell you all sorts of things. They want you to give them your birth certificates, your mother's or even your grandfather's birth certificates. It is impossible! We would like to see farmers walk into a bank or a fund like this and get the loan easily so that they can go back to their farms and start serious farming. These loans should also be given at affordable interest rates. The Agricultural Finance Corporation (AFC) was trying to address this issue of giving loans to farmers. But the way they compound interest on these loans makes it impossible for farmers to repay them. Farmers today do not want to hear anything to do with the AFC because if one borrows Kshs10,000, it increases to 100,000 within three years. The interest keeps compounding all the time.

Mr. Temporary Deputy Speaker, Sir, when the Minister and the Mover of the Motion sit down to draft this Bill, they should look into ways of reducing, if not totally eradicating, interest on these loans because this Motion is meant to empower the farmer. We are using a lot of money to import these foods. If we can instead invest this money by lending it to the farmers at an affordable interest rate, the farmer should be able to produce quite a lot. On the issue of the board, farmers themselves should appoint the people who should sit on it. That way, farmers will have a say. Most of the people who sit on boards, such the Pyrethrum Board of Kenya, are appointed by the Government. The farmer should, in fact, have the power to appoint people to sit on such a board to take care of their interests. Farmers should also have the power to fire such people if they feel that they do not need them. There should be no reason why the Government should be appointing members of the boards of directors to look into the interests of farmers instead of letting the farmers do the appointing of such board members. Government-appointed board members are not answerable to farmers. So, this time round, the board must be appointed and be answerable to the farmers. The role of the Government should be minimal; it should be that of a regulatory and supervisory body. The Government should not be having a lot of control over farmers' affairs. That is a sure way of killing the voice of the farmers.

The introduction of this Motion is timely. I come from a cereals-growing region. Rift Valley is the largest cereals-growing region of this country. If we put these things right, we will not need a lot of

Government funding in that area. We will actually be generating our own funds. Farmers are looking forward to seeing these things put in place.

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

The Temporary Deputy Speaker (Mr. Poghiso): I would now like to give the Government Official Responder time to make his contribution.

The Minister for Agriculture and Livestock Development (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, I thank you for giving me the opportunity to respond to this Motion.

The mission of the Ministry of Agriculture and Livestock Development is to effectively and sustainably facilitate private sector involvement and assist in creating certain initiatives, with emphasis on providing strengthened and adoptive research, relevant extension services, quality control, regulatory and other essential services to the entire farming community. Therefore, this Motion is in keeping with the Government policy of trying to introduce clear promotion of food production as well as security.

Mr. Temporary Deputy Speaker, Sir, I would like to say from the onset that I support this particular Motion, and that as a Ministry, we are geared towards attaining the goals envisaged in it. There are a number of things and challenges that the Ministry of Agriculture and Livestock Development has faced over the last couple of years. One of these challenges has been the collapse of the institutions of farmers such as the Kenya Farmers Association (KFA), the Kenya Co-operative Creameries (KCC) Limited, and now the National Cereals and Produce Board (NCPB), which has been going through a lot of difficulties despite Government provision of the resources to run it.

Mr. Temporary Deputy Speaker, Sir, as a Ministry, we look at the NCPB as a very important tool in assisting farmers as well as the people of Kenya generally to have adequate food security. In the past, the NCPB has been acting as a store for maize, wheat and other grains, but we are now thinking of effective liberalisation of the same. As a step towards full liberalisation, the NCPB, for the last 100 days, has managed to move beyond being a store to a situation where it has some stocks for commercialisation. We have advised the NCPB that the Kshs954 price per bag of maize be the standard price of maize for all parts of the country. In the past, there have been price differentials from one region to another. So, I advised the Board to ensure that if it had paid any farmer in any part of the country less than Kshs950 for a bag of maize, it must pay to that farmer the difference. That is the only way we can ensure that farming is taken as a serious business. I do concur with the hon. Member who moved this Motion---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghiso): Order, hon. Members! Let us consult quietly! Let us give the Minister a chance to be heard.

The Minister for Agriculture and Livestock Development (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, you know when fishermen mix with farmers, it becomes a serious problem!

I do agree that the Act of Parliament which created the National Cereals and Produce Board should be amended in keeping with the changes that we have envisaged in the Kenya Tea Development Agency, Kenya Sugar Board and others. But I would like to caution hon. Members that, if we want to achieve that, we must also look at the mistakes that we made, when we were passing that particular Act of Parliament. I have in mind the Sugar Act, where some of the conditions therein are impossible to implement, such as paying the farmer according to the sucrose content of his crop, weighing of the crop in the field before it is delivered to the factories and others. Those are some of the things that we are going to iron out during the processing of the Bill. I feel it is important for us not just to create a body, but also ensure that the body works.

Mr. Temporary Deputy Speaker, Sir, I must emphasise that this Government is not interested

in controlling farmers' institutions. Even in the Pyrethrum Board of Kenya, as referred to by Mr. Kones, the Government is moving towards ensuring that the farmers are the ones who are going to elect their representatives in the Board. That is important because the only way you can ensure there is sustained productivity of any crop is to involve the people who do the production. That is because they understand the challenges and they would be the best placed to address them.

As to the question of credit facilities to farmers, which is also an in-built component in terms of production, we, as a Ministry, are thinking seriously, in keeping with the restructuring of the Agricultural Finance Corporation (AFC), of lowering the interest rates, according to the NARC Manifesto that we released to the public last year, to a figure below 10 per cent. That is because the AFC, in lending to farmers, will be performing a social function; that is the responsibility of the Government. That will be able to take care of the risk and inflation. That, as it were, would be moving towards what we used to call Guaranteed Minimum Return for the farmers. That is the only way we can ensure we are doing serious business as a country. Already, as a Ministry, we have released Kshs210 million to AFC to lend to farmers in all the over 30 branches in the country, ranging from Kshs3 million to Kshs13 million, depending on the capacity of that branch to lend, and the performance of the past. That is something that we want to do, in order to ensure that we do not import food.

As I am addressing the House now, we are importing 70 per cent of our wheat consumption and we are also importing between 10 per cent and 20 per cent of our maize because, at times, the supply does not commensurate with the demand in the sector. Those are some of the issues we need to address as a country.

Mr. Temporary Deputy Speaker, Sir, in the Government's objective of playing a facilitative process, we are streamlining all the 34 organisations and parastatals in the Ministry to see to it that those whose functions are no longer required by the public are phased out, and those whose functions do not have the capacity to impact on the environment be merged, so that we have a leaner number of parastatals that are effective for delivery of services, and mainly for the purposes of regulating the regime. That is in keeping with the policy position of the Government, and also in our desire that we do not have the taxpayers paying for things that do not matter to them. As far as we are concerned as a Ministry, the Motion should be passed as a matter of urgency, so that we can initiate the process of moving towards an Act of Parliament. We feel that this Motion is overdue, and I am happy that hon. Members seem to support it. We need to support the Motion to the end, and also to provide the requisite resources to ensure that the Motion is implemented as fast as it should.

With those few remarks, I beg to support.

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, I would like to support the Motion. I want to call upon the Minister for Agriculture and Livestock Development to do several things to assist the cereals farmers.

First, the liberalisation of the agricultural sector, and especially the cereals sector, was a mistake from the very beginning; it was a mistake which we continue to pay for. We need to stabilise the cereal prices and subsidise the cereal farmers for purposes of food security. A country that cannot feed itself cannot call itself an independent country or a sovereign state. We have to resist the Western policy, which requires poor Third World countries to liberalise all their economic sectors, when its countries are busy subsidising their agricultural sector. The developed industrialised countries want to turn the poor Third World countries into importers of food. From the beginning, when we were in control of our agricultural sector, we were able to feed ourselves, but due to the world trade policies that we are signatories to, we are slowly becoming importers of food. This is a very dangerous trend which we must resist.

The other important issue in the cereals sector is the ownership of the Kenya Seed Company (KSC). The Government owned 51 per cent of the shares of the KSC before the shares were

off-loaded and given to well-connected individuals in the former KANU Government. The transfer of these shares was illegal and irregular. The Minister for Agriculture and Livestock Development should take action quickly and revert the shares to the Government. We would want farmers to have a stake in the KSC and not private profiteers from the previous regime. The KSC has also been run down over the years. We would like to know what the Minister is doing. We would like to understand why Mr. Tum is still heading the KSC after the NARC Government took over power. We expect the Minister to take action against him because he is the one who organised the transfer to individuals of the Government shares in the KSC. We do not understand why Mr. Tum is still at the helm of the KSC.

We also expect the Government to assist the agricultural extension workers. Right now, most of them spend time in their offices doing nothing because they do not have the necessary facilities and equipment. They require motorcycles to enable them visit the farmers. Capacity building to enable extension workers to serve farmers must be carried out as soon as possible.

Mr. Temporary Deputy Speaker, Sir, we also have many problems which research faces because most of the land which was used for research has been grabbed. We have not yet heard from the Minister on the measures he has put in place to recover the Kenya Agricultural Research Institute (KARI) land, which was allocated to well-connected individuals. For instance, the Agricultural Development Corporation (ADC) farms in Ngata Complex, Nakuru, should be returned to the ADC for research purposes. The KARI land in Kitale should also revert to the KARI for purposes of research. You cannot carry out research if you do not have land which is meant for research. We know that this land has been allocated to well-connected individuals from the Moi regime.

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

Mr. Munya: Mr. Temporary Deputy Speaker, Sir, I have seen some people rise up to interrupt me whenever I make a core point.

Mr. Kipchumba: On a point of order, Mr. Deputy Speaker, Sir. In view of the fact that we are all in support of the Motion, and in view of the importance of this Motion, and the fact that the Bill will be brought here for debate, I would like to request the Chair to call upon the Mover to respond.

Hon. Members: What is your point of order?

The Temporary Deputy Speaker (Mr. Poghismo): Order! This is a new hon. Member! Basically, he is requesting the Chair to call upon the Mover to reply, if I have got him!

(Question, that the Mover be now called upon to reply, put and agreed to)

Mr. Samoei: Mr. Temporary Deputy Speaker, Sir, I would like to donate two minutes of my time to two hon. Members on the other side of the House and two minutes to one hon. Member on this side of the House. I would like to donate some of my time to Prof. Olweny, Mr. Sambu and Mr. Biwott.

The Temporary Deputy Speaker (Mr. Poghismo): Order! Mr. Samoei, you have to specify how much time you are giving to each hon. Member you have mentioned in view of the time left!

Hon. Members: One minute each hon. Member!

Prof. Olweny: Thank you, Mr. Temporary Deputy Speaker, Sir. One minute is just for saying "thank you". Anyway, this Motion, which I rise to support, is touching on food. When you talk about cereals in this country, you are not just talking about simple agriculture. The cereals which we are talking about here are the staple foods for this country; we are talking about the food which feeds all the 30 million Kenyans; we are talking about the food which creates employment in the rural areas.

I would like to support this Motion, and propose that farmers be given an opportunity to control their activities. The Government actually controls the farmers but it does not help them.

The Temporary Deputy Speaker (Mr. Poghisio): Order! One minute is over!

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, I beg to support this Motion strongly.

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, I want to thank the Minister for Agriculture and Livestock Development for supporting this Motion. I want to request him that now that he has supported the Motion since it is very important for enhancing food security, instead of waiting for hon. Samoei to be granted leave by the House, he should ensure that the Government takes over this Motion and converts it into a Bill. This Bill should amend the NCPB Act, Cap.338, because that will help the farmer particularly in solving the problems we are having with the NCPB. That will be another way of enhancing food security.

With those few remarks, I support.

Mr. Biwott: Mr. Temporary Deputy Speaker, Sir, I realise that I have a very very short time and I would have liked to talk at length. First, I think this is a very good Motion. It was a party Motion and, therefore, it has that importance. The most important aspect of this Motion is the food security because it is a must. Human life depends on food. Secondly, the farmer in this country is the worst taken care of person in the economy and what he has lacked as a result of liberalisation is a fixed price which he can respond to in producing his crop and a market to sell it.

Mr. Temporary Deputy Speaker, Sir, what the farmer also lacks as far as cereals are concerned is the credit. If you look at the discrimination cereal farmers have been subjected to as opposed to the cash crop farmers, you will notice that the latter are given STABEX funds and not the former. Even the sugar-cane farmers are also supported extensively, but the worst hit farmers are those in the Rift Valley Province who grow cereals. So, it is important, therefore, that we should pass this Motion as it has been agreed, so that the attention of the farmers, who have been neglected as a result of the NCPB inherited problems will be taken care of.

With these few remarks, I beg to support.

Mr. Samoei: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to take this opportunity to thank all the Members who have contributed to this Motion. I want to sincerely thank the Minister for Agriculture and Livestock Development for agreeing to support this Motion. I believe that the stakeholders, Members of Parliament, including the Ministry of Agriculture and Livestock Development, will participate in the formulation of the Bill that is already in the process of being drafted, for posterity and in the interest of the Kenyan cereal farmers. I think we will strive to add barley in the list as requested by the hon. Members.

Mr. Temporary Deputy Speaker, Sir, in the spirit of this House to empower the Kenyan cereal farmers to decide the destiny of the businesses they are engaged in, I thank all Members for supporting this Motion. All of us have wanted to make statements on this issue. However, I want to inform the Members that they will, indeed, have all the time to make their contributions once we bring the substantive Bill to this House, which I hope will be this year, so that we can effectively put the Kenyan cereal farmers' house in order once and for all.

With these few remarks, I beg to move.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is time to interrupt the business of the House. The House is, therefore, adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.30 p.m.