

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday 17th November, 1999

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

The Report of the Departmental Committee on Agriculture, Lands and Natural Resources on:-
Sessional Paper No.2 of 1999 on the Liberalization and Restructuring of the Tea Industry.
Bukura Agricultural College Bill, 1999.
The Tea Amendment Bill, 1999.

*(By the Chairman of the Departmental Committee
on Agriculture, Lands and Natural Resources)*

ORAL ANSWERS TO QUESTIONS

Question No.331

SUB-DIVISION OF GETENGA DIVISION

Mr. Deputy Speaker: Mr. Magara is not there? We will come back to that Question later.

Next Question!

Question No.440

NUMBER OF POLICE VEHICLES IN MIGORI DISTRICT

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

(a) that is the number of police vehicles currently operational for the entire police division in Migori District.

(b) how many police posts and stations are in Migori District and what are their telephone numbers; and,

(c) if he is satisfied that police in Migori District can promptly respond to emergency.

The Minister of State, Office of the President (Maj. Madoka): Mr. Deputy Speaker, Sir, I beg to reply.

(a) We have a total of seven vehicles attached to Migori Police Division which are currently operational.

(b) There are four police stations and six police posts in Migori District.

(c) At the moment, we are satisfied with provision of transport in that particular area.

Mr. Deputy Speaker: Maj. Madoka, part "b" of the Question sought to know the telephone numbers of the police stations.

The Minister of State, Office of the President (Maj. Madoka): Mr. Deputy Speaker, Sir, Migori Police Station; Telephone No.20515, Kamagambo Police Station; Telephone No.42084, Macalder Police Station; Telephone No.36, Nyatike and Awendo Police Station; Telephone No.43620. The police posts do not have telephones, but they are on VHF.

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, out of these telephone numbers that have been given here,

there is only one line that has been operational for the last one year, and that is, Awendo Police Station. In fact, it is operational because it is a telephone number run by Sony Sugar Factory. What is the Minister doing to make sure that all these telephone lines that are provided for the police stations have been paid for and are accessible to wananchi? I have been trying to call there for the last two months in vain.

Maj. Madoka: Mr. Deputy Speaker, Sir, it is true that we have had problems with those telephones. We are raising funds to pay for those outstanding bills, and we hope it will be in place within this month.

Mr. Omamba: Mr. Deputy Speaker, Sir, could the Minister consider establishing a police post at Rapogi in Uriri Constituency?

Maj. Madoka: Mr. Deputy Speaker, Sir, if the proposal is put through, we will consider it.

Mr. Otula: Mr. Deputy Speaker, Sir, the Minister has said that they are working round the clock to get money to pay for the telephone bills of all police posts and police stations. How much money do they owe Telkom Kenya in total that they require to pay for these particular bills?

Maj. Madoka: Mr. Deputy Speaker, Sir, it is a valid question, but I am afraid I did not come prepared to answer that question.

Mr. Ojode: Mr. Deputy Speaker, Sir, the poor state of police stations applies to almost all constituencies in the country. Ndhiwa Division Police Post was built with iron sheets from the ground to the roofing. Could the Minister consider building a permanent structure police post at Ndhiwa and creating another police post in Rapedhi?

Maj. Madoka: Mr. Deputy Speaker, Sir, we will consider that. As I had said here before, we are trying to raise funds to put up permanent or decent structures for all police stations.

Dr. Kulundu: Mr. Deputy Speaker, Sir, in view of the fact that most of those telephone numbers that the Minister has quoted are not functioning, is he satisfied that seven vehicles are adequate to serve the needs of ten police stations and posts in Migori?

Maj. Madoka: Mr. Deputy Speaker, Sir, we are satisfied depending on our own resources.

Mr. Ochilo-Ayacko: Mr. Deputy Speaker, Sir, the Minister appears not be serious in his answer. He knows very well that wananchi have to report occurrence of crime to police posts and stations, but they cannot do so by way of telephone, because the telephones are not functional and the vehicles are few. Why is the Minister satisfied that crime can be prevented in view of poor communication that is so obvious?

Maj. Madoka: Mr. Deputy Speaker, Sir, I have admitted that we have problems with communication, because we have not had sufficient funds. Once means of communication are available we will be more efficient. I hope that once this is done, it will improve the situation.

Question No. 600

SHORTAGE OF TEACHERS IN NYATIKE

Mr. Deputy Speaker: Mr. Onyango not in? Next Question.

Question No.498

FREQUENT POWER BLACK-OUTS IN GARISSA TOWN

Mr. Shaaban, on behalf of **Mr. Shidiye,** asked the Minister for Energy:-

- (a) whether he is aware that there are frequent power black outs in Garissa Town; and,
- (b) when the residents at the district and divisional levels will benefit from rural electrification programme.

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

(a) Yes, I am aware that there have been power black-outs in Garissa Town due to breakdown of two power generating machines. However, these machines will be repaired as soon as the necessary repairs are received in Garissa Town.

(b) Garissa District is far removed from the main national electricity grid system. However, under the Rural Electrification Programme, and subject to the availability of funds, my Ministry may instal more diesel powered generators in order to provide electricity to more centres in the district.

Mr. Shabaan: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to know that Garissa General Hospital and Garissa water supply depends on electricity generated from this power station. Is he aware that these important institutions, among others, have seriously been affected, and sometimes when a patient is in the theatre and there is a power black out, that patient is likely to die? Also, as a result of these power black-outs---

Mr. Deputy Speaker: Ask one question at a time!

Mr. Sasura: Mr. Deputy Speaker, Sir, I am not aware that patients in Garissa General Hospital are about to die or are dying due to the power black-outs. However, the position is that these machines are due for service and the spare parts are on the way. What is happening now is that there are existing machines which were are using to ration the power in the town.

Mr. Shabaan: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has admitted that there have several power black-outs. In any one time when there is a power black-out, there could be a patient in the theatre. This patient can easily die due to the power black-out since the theatre uses electricity generated from this power station. Does the Assistant Minister know that?

Mr. Sasura: Mr. Deputy Speaker, Sir, the right word to use to there is not "power black-out", but "power rationing". When power is rationed, normally the consumers are informed in advance. So, it is not something that happens suddenly. The consumers are informed that rationing will take place in a particular area.

Mr. Sambu: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead the House? Garissa Town power supply is from a generator. We are rationing the Tana River Power Supply and not the generator power supply. Is he in order to mislead this House or he does not know what he is saying?

Mr. Sasura: Mr. Deputy Speaker, Sir, in Garissa Town we are using diesel engine to generate power.

Mr. Deputy Speaker: Order! The question is: Why is it then necessary to ration when, in fact, you are using diesel as opposed to hydro power?

Mr. Sasura: Mr. Deputy Speaker, Sir, the rationing has come up as a result of the breakdown of two diesel engine. We have a third diesel engine which will not be able to supply power to the whole of the town. So, as we are waiting for the spare parts to revive the other two engines, we have to ration the power.

Mr. Osundwa: Mr. Deputy Speaker, Sir, Garissa Town is far from the national grid. Part "b" of the Question states: "When will the residents at the district and divisional levels benefit from the rural electrification programme?" Can we get an answer to that, Mr. Assistant Minister?

Mr. Sasura: Mr. Deputy Speaker, Sir, it is true that Garissa Town is far from the national grid and there is a feasibility study which is being carried out currently with a view to establishing a dam for hydro power generation. Currently, under the rural electrification programme, the Ministry is looking into the possibility of installing solar or wind sources of energy to supplement diesel powered engines in the remote parts of the country.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, my understanding was that the reason for rationing power even countrywide was because of the reduction in water level. The short rains have started and so, can the Assistant Minister tell this country why even with the rains, he has not reverted to the amount of the old power supply? The Assistant Minister undertook last week to table a list--

Mr. Deputy Speaker: Order! One Question at a time. Yes, Mr. Sasura.

Mr. Sasura: Mr. Deputy Speaker, Sir, the short rains have just started, and as soon as our dams are filled to the same old capacity, the rationing will be over.

Mr. Shabaan: Mr. Deputy Speaker, Sir, as a result of this power rationing, there is acute shortage of water supply in Garissa Town because the water supply depends on electricity generated from this plant. There is a serious shortage of water and people in Garissa Town are fetching unclean water from the river. As a result there are a lot of water borne diseases like dysentery and typhoid. This is causing a lot of concern to the people of Garissa Town. Is the Assistant Minister aware of that? If he is aware, what will he do to ensure that the problem of power black-outs is solved once and for all? What is he doing about it, Garissa Town being a Provincial Headquarters where the population is very high?

Mr. Sasura: Mr. Deputy Speaker, Sir, I want to allay the fears of the hon. Member. These spare parts have been ordered and will be due in the country in two weeks. They have been ordered from Belgium. As for the Garissa Town water supply, definitely, it will be given a priority when it comes to rationing.

Question No.554

REHABILITATION OF DAMS IN KARACHUONYO

Dr. Awiti asked the Minister for Water Development:-

(a) whether he is aware that the following dams were completely destroyed by the El Nino phenomenon:-

- (i) Ombaga Dam
- (ii) Dong'a Dam
- (iii) Tinga Dam; and,

(iv) Pap Kamin Olwenyo Dam

(b) what measures the Ministry is taking to rehabilitate these dams.

The Minister for Water Resources (Mr. Ng'eny): Mr. Deputy Speaker, Sir, I got this Question fairly late. I am requesting to be allowed to answer this Question next week.

(Question deferred)

Question No.625

TOTAL INDEBTEDNESS OF KCC

Dr. Murungaru asked the Minister for Agriculture:-

(a) what the total indebtedness of Kenya Co-operative Creameries is to Kenya dairy farmers as at 30th September, 1999;

(b) what urgent steps the Ministry has taken to ensure that farmers are paid their dues by KCC; and,

(c) since KCC is currently under receivership, thereby threatening the integrity of the dairy industry, what financial assistance the Ministry is considering to provide to KCC with a view to rescuing the organisation and making it a viable farmers' enterprise.

The Minister for Rural Development (Mr. Mohamed): Mr. Deputy Speaker, Sir, I beg to reply.

(a) KCC is indebted to Kenya dairy farmers to the tune of Kshs525,448,499.78.

Mr. Kapten: On a point of order, Mr. Deputy Speaker, Sir. What is the correct figure because we cannot have two Ksh525,000?

The Minister for Rural Development (Mr. Mohamed): Mr. Deputy Speaker, Sir, I am sorry, I have a slight problem with the figures. It is Kshs525,448 as at 31st September, 1999.

Mr. Kapten: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister serious when he is talking of Kshs525,000? Does he mean to refer to thousands or millions?

The Minister for Rural Development (Mr. Mohamed): Mr. Deputy Speaker, Sir, it is Kshs525,448,489.78.

(b) To ensure that the farmers are paid their dues, the Government in consultation with the farmers is debating to reach a consensus to place KCC under receivership. The Government is confident that the farmers problems are being effectively addressed by the receiver managers, in conjunction with the interim management committee, and their dues will be fully paid once KCC is put back on track.

(c) The receiver managers and the interim management committee of KCC are working on securing the debts owed to KCC by various individuals and organisations. In addition, the recommendations of the team of inquiry constituted to probe KCC are being implemented. These measures are aimed at restructuring KCC and making it a viable undertaking. That will not only ensure the farmers' the current dues are paid, but will also ensure that the dairy farmers have access to market their milk.

Dr. Murungaru: Mr. Deputy Speaker, Sir, I would first of all wish to register my protests that I have not received a written answer. Perhaps, if I had received the written answer, I would have been able to follow the Minister's almost indecipherable figure. The Minister says that KCC owes Kshs525 million to Kenyan farmers. This is at a time when we have got drought and famine in this country. It is also at a time when Government Ministers are telling us that maize alone can sustain the starving people in Northern Kenya. If the Government is serious about addressing the famine situation, the first thing should be to revive KCC, so that we can get powdered milk as we used to get to alleviate the famine situation. The Minister has said that the receiver managers will ensure that KCC reverts back to what it used to be. Is he satisfied that the steps which have been taken by the receiver managers are adequate to revive KCC, in view of its total indebtedness, not just to farmers, but also to other creditors?

Mr. Mohamed: Mr. Deputy Speaker, Sir, I am satisfied that the Receivers are doing a very good job, and they are going to put the Kenya Co-operative Creameries (KCC) back on track. We all know that the KCC had problems for many years. The Receivers have achieved some success already, and they have started paying the farmers.

Mr. Sambu: Mr. Deputy Speaker, Sir, we know that the KCC has major problems. We saw in the Press the other day that two directors were arrested and taken to court. They were accused of conspiring to defraud the organisation of substantial amounts of money. Originally, when the farmers went to Nakuru, all the directors were listed as having defrauded the organisation. Why is it that only two have been taken to court? Could the Minister tell us why the rest have not been taken to court?

Mr. Mohamed: Mr. Deputy Speaker, Sir, nobody will be spared. The two have already been taken to court,

and the rest will follow.

Mr. Sambu: On a point of order, Mr. Deputy Speaker, Sir. When?

Mr. Mohamed: Very soon!

Mr. Kapten: Mr. Deputy Speaker, Sir, the farmers in this country are not respected by the Government. As far as the Government is concerned, the farmers in this country are just like another "Wanjiku." Owing Kshs500 million to ordinary farmers is a serious matter. Could the Minister give us a time frame, when the KCC will pay the arrears to the farmers?

Mr. Mohamed: Mr. Deputy Speaker, Sir, the debt was more than what it is today. The Receivers have tried and reduced the debt. They are continuing paying the debts.

Mr. Kapten: On a point of order, Mr. Deputy Speaker, Sir. The Minister has not answered the question! He has not given us a time frame for payments. That was my question!

Mr. Mohamed: Mr. Deputy Speaker, Sir, I cannot give a time frame for paying this amount. But we are going in the right direction in paying the money.

Mr. Waitthaka: Mr. Deputy Speaker, Sir, since, in my very well considered view, the KCC is more important for the economy of this country than the National Bank of Kenya (NBK), which the Government of Kenya injected about Kshs4 billion to resuscitate, What steps is the Minister taking, in view of the amount of money that the KCC owes the Government in terms of VAT, to urge the Government to waive the VAT, to show that the Government is also interested in reviving the KCC? Mr. Minister, you must not answer sketchily, the way you are answering! Be serious about this thing!

Mr. Mohamed: Mr. Deputy Speaker, Sir, there is no doubt that the KCC is very important to the economy of this country. The Government has put money in the KCC several times. But we all know that money used to go into bottomless pits. We are doing everything possible to rescue the KCC.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, whenever parastatals are trouble in this country, the Government seems to have faith in putting them under receivership, and then come to the House and say that things are alright. Could the Minister tell this House; on what basis is he having so much faith on the Receivers running the KCC? Could he explain to this House how much the Receivers have improved the performance of the KCC in terms of the amount of milk delivered, processed, put into the market and the payments to the farmers? What difference have those Receivers made since they took over?

Mr. Mohamed: Mr. Deputy Speaker, Sir, the farmers had lost confidence in the KCC. Since the Receivers took over, with the new Management Committee, the farmers have got confidence. They are delivering milk and there is a lot of improvement.

Dr. Murungaru: Mr. Deputy Speaker, Sir, the Minister appears to have placed an inordinately large amount of confidence in receivers. Receivers normally do not go to resuscitate companies according to my experience. They go to preside over their burial. Could the Government take its responsibility seriously, and assist the KCC in reviving itself, so that the dairy industry does not die in Kenya? Without the KCC, there is no viable dairy industry in Kenya. What will the Government do to revive the KCC, so that the dairy industry in Kenya is secured? Or he is not aware!

Mr. M. Mohamed: Mr. Deputy Speaker, Sir, when a company has problems, the only solution is to put it under receivership. That is what we did. The Receivers are doing their job and everything will just be fine.

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

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

Mr. Deputy Speaker: Ask your Question!

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, I laid documents before this House, and the Minister---

Mr. Deputy Speaker: Are you going to ask your Question or not?

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, this was very important because I laid documents before this House!

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

Question No.558

REPAIR OF KINAMBA-SIPLI-RUMURUTI ROAD

Mr. Kiunjuri asked the Minister for Roads and Public Works what urgent steps he will take to

repair the Kinamba-Sipili-Rumuruti Road which is currently impassable.

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

The Ministry will undertake routine maintenance of Kinamba-Sipili-Rumuruti Road this Financial Year, with initial funds having been released to the district.

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, the road that I am talking about is very important; bearing in mind the people graze dairy cattle. The tractors which deliver milk to the Nyahururu plant are stuck there. They cannot deliver the milk. We should not forget that when a "sacred cow" was heading the KCC, the Government released Kshs800 million to offset debts. Now, the farmers are only owed Kshs550 million, and the Government cannot offset that debt! This is applying double-standards! My question is: We have always been told that this road will be maintained---

Mr. Deputy Speaker: Order, hon. Kiunjuri! Ask your question! All that you are saying may be very correct and true, but this is Question Time. So, ask your Question!

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, it has gone on record that Raymond Moi is not being followed---

Mr. Deputy Speaker: I am going to move on to the next Question! One more nonsense from you, and I will move to the next Question!

Mr. Kiunjuri: My question is: Now that the Assistant Minister has assured me that, that road will be made, could he make sure that, at least, the funds available right now---

Mr. Deputy Speaker: Let us move on to the next Question by hon. Magara for the second time!

Question No.331

SUB-DIVISION OF GETENGA LOCATION

Mr. Deputy Speaker: Is Mr. Magara still not here? His Question is dropped. Let us move to the next Question by hon. Onyango for the second time.

Question No.600

SHORTAGE OF TEACHERS IN NYATIKE

Mr. Ojode on behalf of **Mr. Onyango**, asked the Minister for Education:-

- (a) whether he is aware that there is a shortage of teachers in primary and secondary schools in Nyatike Constituency; and,
- (b) what action he will take to provide the required number of Teachers in all primary and secondary schools in the Constituency.

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

(a) I am aware that there is a shortage of teachers in Nyatike; both in primary and secondary schools.

(b) As far as primary schools are concerned, the Teachers Service Commission continues to evaluate the situation with a view to balancing out the distribution, not just in Nyatike or Migori, but nationally. Migori District in particular is definitely understaffed among others. These will be considered for more teachers to alleviate understaffing in the primary schools. As far as secondary schools are concerned, there is a definite shortage of teachers, particularly in science subjects, languages, agriculture and business education countrywide. It may not be easy to alleviate this problem until the freeze on the employment of teachers is lifted.

Mr. Ojode: Mr. Deputy Speaker, Sir, the answer given by the Assistant Minister is not satisfactory at all. It is his Ministry that has put an embargo on the employment of teachers and he has the audacity to tell this House that the shortage of teachers has been brought about by the embargo placed on the employment of teachers. You will agree with me that this phenomenon affects not only Migori District but also Homa Bay District. Could the Assistant Minister tell us why there are teachers who have trained and yet they have not been employed to date? That is what has brought about this shortage!

Mr. Awori: Mr. Deputy Speaker, Sir, the reason is very straightforward. The budget that we have got cannot sustain the employment of more teachers.

Mr. Sungu: Mr. Deputy Speaker, Sir, it is common knowledge that there has been a lot of loss of teachers through natural attrition. It is also common knowledge that the middle-level training colleges for teachers have been

upgraded to universities. What is the Government's policy with regard to provision of primary education in Kenya? How can the Government freeze the employment of teachers and yet the colleges are not training any more teachers?

Mr. Awori: Mr. Deputy Speaker, Sir, I do accept that there are teachers who are dying while others are retiring. We, in fact, do replace those who die or retire from the service. With regard to employing additional teachers above the establishment, we have not got the finances to do that.

Mr. Katuku: Mr. Deputy Speaker, Sir, the Assistant Minister is hiding behind the embargo imposed by his Ministry on the employment of teachers. I would like to know from the Assistant Minister when the Ministry will lift this embargo so that we can have more teachers employed.

Mr. Awori: Mr. Deputy Speaker, Sir, the Ministry of Education Vote went through this House and it was passed. With that kind of money, there is no way we can increase the number of teachers. All I can say is that, unless this House approves a supplementary budget for the Ministry, we will have to wait until the next Budget.

Mr. Wambua: Mr. Deputy Speaker, Sir, the Assistant Minister has agreed that the Vote of his Ministry was passed by this House, why did the Ministry put forward a budget which was not sufficient for the Ministry?

Mr. Awori: Mr. Deputy Speaker, Sir, the Ministry of Education is just one of the 27 Ministries and we have got to go to the Ministry of Finance with our request. The Ministry of Finance has to look at the whole Government and dole out. There is no way we can get everything which we request for from the Ministry of Finance.

Mr. Ojode: It is true that shortage of teachers does not only affect Nyatike or Ndhiwa as I have said because there are some areas in this country like Funyula Constituency which have never experienced a shortage of teachers. Why is it that some constituencies are having a shortage of teachers while others are well staffed? Why is the Ministry discriminating in this aspect?

Mr. Awori: Mr. Deputy Speaker, Sir, I do not know where my colleague got the idea that there is no shortage of teachers in Funyula. I can assure you that there is a shortage of teachers in Funyula just like anywhere else in this country. But we are missing a point here. I talked of balancing teachers. If we take Migori District, for instance, in certain areas like Rongo and Migori Divisions, there is a surplus of teachers. This is because those are urban areas and as you know, today we have more female teachers than male teachers!

Dr. Ochuodho: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead the House that there is a surplus of teachers in Migori while he knows very well that for **[Dr. Ochuodho]** more than three years, Homa Bay and Migori Districts have not received any new teachers?

Mr. Deputy Speaker: Order, hon. Members! When you stand on a point of order, make sure it is a point of order. Do not make it a point of debate. Dr. Ochuodho, you have not raised any point of order! Next Question!

Mr. Ojode: Mr. Deputy Speaker, Sir, the Assistant Minister did not answer my question.

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

Mr. Deputy Speaker: Order! Which one? Proceed.

Mr. Awori: No! I want to know what part that I did not answer. I completed the answer.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir. You heard the Assistant Minister talk of the surplus of teachers in some areas. Is it in order for the Assistant Minister to mislead this House that we have surplus teachers in Migori District whereas it is common knowledge that we are having a shortage of teachers in both Migori and Homa-Bay districts, and yet in Funyula there is no shortage of teachers?

Mr. Deputy Speaker: Order! If you want to rise on a point of order as a consequence of what the Assistant Minister said, please hear him properly. He gave Migori District merely as an example. He did not say there is, in effect, a surplus of teachers in Migori District.

Mr. Awori: Yes, Mr. Deputy Speaker, Sir. I will be quite specific: The numbers of teachers in Rongo and Migori are 47 and 59 respectively. I talked of surplus and so do not bring the question of "only". That is the surplus.

Dr. Ochuodho: Mr. Deputy Speaker, Sir, how can the Assistant Minister compute his surpluses while we know that even in Rongo which is in Migori District, every month about ten teachers die from AIDS? Has he taken that into consideration when he is giving this figure of 47? How does he decide what the surplus is?

Mr. Awori: Yes, Mr. Deputy Speaker, Sir. I do accept that there are a lot of deaths particularly as a result of AIDS. However, the figures that I have given are as from 1st November. It is possible that in the last couple of days, there must have been deaths but this is from 1st November.

QUESTIONS BY PRIVATE NOTICE

DEDUCTIONS OF SALARIES OF ARMED FORCES

Mr. Ndilinge: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President the

following Question by Private Notice.

(a) Is the Minister aware that officers of the Kenya Armed Forces are being deducted Kshs4,100 with effect from 30th November, 1999?

(b) Under what authority, if any, is this money being deducted?

(c) What projects/purposes is this money supposed to benefit?

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

(a) I am not aware.

(b) What the hon. Member must be referring to is a situation where there are some servicemen living in single quarters who have been receiving gas and electricity allowance of Kshs800 per month and also ration cash allowance of Kshs3,300 per month through their salaries. At the same time, these officers are feeding in messes at public expense. It is this allowance being earned illegally that will be terminated for the officers concerned only.

(c) Therefore, part "c" does not arise.

Mr. Ndilinge: Mr. Deputy Speaker, Sir, the Minister is not aware but he is saying it might have been something which happened to officers living in single quarters who were legally given gas, electricity and ration cash allowances and they kept on feeding in the messes. Now that he has realised they are supposed to be deducted some cash, can he tell the House the number of the officers concerned; when this malpractice started; and how much they will be deducted monthly?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I can just confirm to the House that the total amount of allowances, the gas and electricity allowances together with the ration allowance, all amount to Kshs4,100. This anomaly has been detected for some time now and we have been trying to ensure that we bring it back to the situation where it ought to be. That is why those who have been getting this double allowance are, therefore, being stopped from getting it.

Col. Kiluta: Mr. Deputy Speaker, Sir, I really do not know what the Minister is talking about because single officers are entitled to free food and accommodation. I really do not know how he can say they are being deducted money when that is their rightful allowance. What he is not telling us is this: There are married officers who have been allowed to live outside the barracks; that is, the selected few, but not the whole lot of the married officers. Can he tell us why he has selected some married officers to live outside the barracks and not the whole lot?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, the matter that the hon. Member is referring is the one that I am currently addressing. I am sure that if there appears to be any sort of selectiveness or discrimination, that is the matter that I am currently dealing with.

Mr. Obwocha: Mr. Deputy Speaker, Sir, we would like the Minister to take this Question very seriously. The armed forces have been complaining that the deductions are being made from their salaries for illegal projects and not only this one. Could he confirm or deny that the armed forces personnel were forced to contribute to Moi Forces Academy without their own written consent? Why was that money deducted?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, there is no question of forcing anybody. The armed forces did voluntarily contribute to the Harambee.

Mr. Obwocha: Mr. Deputy Speaker, Sir, I am asking him: Can he tell the House whether there are individual officers who each signed an undertaking to say: "Please, I allow you to deduct so much from my salary?" These are illegal deductions!

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I know that hon. Obwocha does respect the institution of the armed forces and I am sure he also does respect the fact that the armed forces have their own ways of operation.

Mr. Wanjala: Mr. Deputy Speaker, Sir, the Government seems to be deducting civil servants' salaries illegally and they have now gone and done the same for the armed forces and police officers. We do not know whether the Government is using that money in its campaigns. Now, that the armed forces are the custodians of security in this country alongside with the police officers and taking note of the fact that these deductions are impoverishing them and the common man in this country is already impoverished and will soon take to the streets, do you not think there will be a revolution in this country if this money continues to be deducted?

Mr. Deputy Speaker: Order! There is no question there.

Mr. Sungu: Mr. Deputy Speaker, Sir, it is common knowledge that the armed forces of this country are called upon to defend this country and they sometimes operate under very difficult terrain and conditions. Right now as we are speaking, there is a real war going on in Tot Division within Kerio Valley where the armed forces are being asked to fight---

Mr. Deputy Speaker: Ask your question!

Mr. Sungu: Mr. Deputy Speaker, Sir, there is a warlord here. Could the Minister assure us that he is going to look after the welfare of the armed forces so that they can effectively protect us against the militia which is inside this country in Kerio Valley?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, I am sure the hon. Member does understand that the job of the armed forces is, of course, to conduct the defence of Kenya against external aggression. The welfare of the armed forces is being looked after. This House has voted funds which we apply very well for the welfare of the armed forces. We are currently looking at the various reports of task forces that have been appointed to look into the welfare of the armed forces and I am sure that the armed forces will always continue to be happy.

Mr. Muchiri: Mr. Deputy Speaker, Sir, now that you have heard the issue here, which is whether there have been illegal deductions or not, can the Minister confirm to this House that if there have been any deductions without the consent of the members of the armed forces, that money will be returned to them?

Mr. Sunkuli: Mr. Deputy Speaker, Sir, if the hon. Member was listening, I said that there are probably members of the armed forces who have been earning money twice. That is, they have been earning money which is supposed to be for gas, electricity and rations as well as eating in the messes. We have now stopped that double allocation.

Mr. Ndilinge: Mr. Deputy Speaker, Sir, there is a question I put to the Minister. Now that they have realised that there is an error, do they know the number of the officers concerned? How are they going to recover the money from the officers concerned? Surely, this is a lot of money!

Mr. Sunkuli: Mr. Deputy Speaker, Sir, yes; it is, indeed, a small administrative matter. We have looked into the proper records and we know who to target.

LEAKAGE OF KCSE EXAMINATION PAPERS

(Mr. Anyona) to ask the Minister for Education:-

In view of the reports about the leakage of the Kenya Certificate of Secondary Education examination:-

- (a) Could the Minister confirm or deny reports of the KCSE leakage in Gucha, Kisii, Nyamira, Busia, Kiambu, Maragua, Nairobi, Machakos, Mombasa and other parts of the country?
- (b) Under what circumstances did the KCSE leakage, if any, occur?
- (c) What disciplinary or legal measures has the Government taken against those involved in the KCSE leakage?

Mr. Deputy Speaker: Mr. Anyona's Question is deferred to Thursday.

The Assistant Minister for Education, Science and Technology (Mr. Karauri): On a point of order, Mr. Deputy Speaker, Sir. I request that this Question be deferred to Tuesday next week because by that time the examination will be over. This is a sensitive matter.

(Question deferred)

SERVICING OF KENYA RAILWAY LOCOMOTIVES

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

(a) Could the Minister inform the House why Kenya Railways Corporation procured the services of General Electric Company of United States of America for servicing their locomotives when they have employed technicians and engineers for that purpose?

(b) In the light of the deteriorating performance of the Corporation, could the Minister state who is paying for the contract?

(c) What is the cost of these services, so far, and how were they procured?

The Assistant Minister for Information, Transport and Communications (Mr. Lengees): Mr. Deputy Speaker, Sir, I kindly ask the House to defer this Question to tomorrow afternoon as the answer is not ready.

Mr. Deputy Speaker: Sorry! You want it to be deferred to when?

The Assistant Minister for Information, Transport and Communications (Mr. Lengees): Mr. Deputy Speaker, Sir, it should be deferred to tomorrow afternoon when I will answer it.

Mr. Deputy Speaker: What is your reaction, Mr. Amin?

Mr. Amin: Mr. Deputy Speaker, Sir, I would rather allow him provide the answer this afternoon.

Mr. Deputy Speaker: It is not possible this afternoon because the Order Paper is already prepared. So, the Question is deferred to tomorrow afternoon.

Mr. Amin: That is fine.

(Question deferred)

REHABILITATION OF MUSINGINI BOREHOLE

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

(a) Is the Minister aware that the borehole at Musingini in Kangonde Location is not operational?
 (b) Is he also aware that as a result of that, people from this area have to travel long distances in search of water?

(c) What action is the Minister taking to ensure that this borehole is repaired and put into use?

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

(a) Yes, I am aware.

(b) I am also aware.

(c) I have given instructions to the Machakos County Council to ensure that the repair of the borehole is a top priority project of the council and also wish appeal to the hon. Member to ensure that the local community is mobilised to protect the borehole against theft and vandalism.

Col. Kiluta: Mr. Deputy Speaker, Sir, while I agree with the Assistant Minister that he is aware, he is not telling us what actually happened. The true story is that, there was a disagreement between the local community and the council because the council was charging Kshs10.00 for a 20 litre jerrican while the Government is charging Kshs2.00. When the community refused to pay they removed the pump; it was not defective. What action is the Assistant Minister taking because the pump was not defective? He should instruct them to return it.

Mr. Salim: Mr. Deputy Speaker, Sir, what I am aware of is that the borehole ceased to be operational in 1995 when the pipes supplying water from the borehole to the tank, a water meter, iron sheets of the water kiosk in the main tank and timber including those of the water kiosk were stolen. As a result of theft, the council had to remove parts of the borehole engine due to the insecurity in the area. Of course, the matter has been reported to the relevant authorities.

Mr. Munyao: Mr. Deputy Speaker, Sir, following the answer given by the Assistant Minister and taking into account what the hon. Member for that area has said, that the dispute was on charges, could the Assistant Minister confirm that, when the pump is re-instated the charges will come down to Kshs2.00 per 20-litre jerrican?

Mr. Salim: Mr. Deputy Speaker, Sir, as I had said earlier, we have given instructions to the council to treat the matter as a top priority issue.

Mr. Ndilinge: Thank you, Mr. Deputy Speaker, Sir. When the Assistant Minister talks about giving instructions to the council, it might mean; either by telephoning the Clerk of the Council or through a letter. Could the Assistant Minister tell this House whether he has already talked to the Clerk or he has written to the council and, when was the letter be sent to Matuu?

Mr. Salim: Mr. Deputy Speaker, Sir, I have actually said that, we have given instructions and we [**Mr. Salim**]

have gone further than that. I said that, the repair of the borehole will cost about Kshs150---

Mr. Ndilinge: Have you telephoned or written a letter to the Clerk?

Mr. Salim: I think that is an administrative matter---

Mr. Deputy Speaker: Order! Order! He is asking you a question which you must answer! How have you transmitted your instructions? Is it by telephone or by letter?

Mr. Salim: Mr. Deputy Speaker, Sir, we have given instructions by contacting the council and telling them that this matter should be treated with the seriousness it deserves.

Mr. Katuku: Mr Deputy Speaker, Sir, we have a problem in Machakos, with regard to all the water projects run by the County Council. The rate at which we are selling the water is high. Could the Assistant Minister undertake to investigate this matter? This is because, for example, in the Makutano Water Project, which is in my area, a jerrican of 20 litres is being sold at Kshs15.00 which the people cannot afford. Could the Assistant Minister undertake to investigate this matter and reduce the price to a reasonable rate?

Mr. Salim: Mr. Deputy Speaker, Sir, I thank the hon. Member for that information. County councils run their own affairs and they determine their by-laws.

Col. Kiluta: Mr. Deputy Speaker, Sir, although the Assistant Minister has refused to answer the Question on how he communicated the information to the council, could he tell us who sanctioned the by-law increasing the water rates from the original Kshs2.00 to Kshs10.00? Since it is the same Assistant Minister who is answering this Question, is he prepared to go and revoke that by-law?

Mr. Salim: Mr. Deputy Speaker, Sir, I think this is a County which is controlled by people from your area. So, the matter is very---

Col. Kiluta: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House. A by-law is raised by the county council and brought to the Minister for signature. Is he aware that it is him who actually started this matter? If so, what action is he going to take?

Mr. Salim: Mr. Deputy Speaker, Sir, I think there are matters which do not really require to come the Ministry for approval. So, this is a matter which was very internal and it was agreed upon by the council and we do not need to interfere.

ALLOCATION OF GOVERNMENT HOUSES
TO MR. FRANCIS BAYA

Dr. Kulundu: Mr. Deputy Speaker, Sir, I beg

to ask the Minister for Lands and Settlement the following Question by Private Notice.

(a) Why has the Ministry allocated Government houses to a Mr. Francis Baya and nine others in Kakamega Municipality at the expense of the civil servants now residing in those houses?

(b) What is the Ministry doing to stop the eviction of the affected civil servants?

The Minister for Lands and Settlement (Mr. J. Nyagah): Mr. Speaker, Sir, I beg to reply.

(a) The Ministry allocated Government land to nine private developers in Kakamega Municipality because the semi-permanent houses which were erected there are now old and unsuitable for human habitation.

(b) Due to the complaints from civil servants who are living in the houses, the Ministry has decided to review the allocation. It has also been confirmed that, during the planning of the site, it was not disclosed that the area had Government houses occupied by civil servants.

Thank you, Sir.

Dr. Kulundu: Thank you, Mr. Deputy Speaker, Sir. I do not want to sound offensive to the pleasant-looking Minister for Lands and Settlement. But this surely must rank as the most ridiculous answer that this House has ever heard in this millennium.

Mr. Deputy Speaker, Sir, Milimani Estate in Kakamega does not have any semi-permanent houses neither does milimani Estate in any town in this country to the best my knowledge. Could the Minister confirm or deny that these plots were grabbed by among others, Mr. Francis Baya, who is the Provincial Commissioner (PC), Rift Valley and a one time PC Western Province; Mr. Joseph Maritim, the Provincial Security Branch Officer, Mr. Ndeti Hann, the Provincial Physical Planning Officer and the late Councillor, Morgan Makaka, former Mayor of Kakamega? In any case, how come that a whole Ministry can plan a house without knowing that there are permanent Government houses there? Is he confirming to this House that the Government allocates semi-permanent houses to its employees anywhere in this country?

Mr. J. Nyagah: Thank you, Mr. Deputy Speaker, Sir. I wish to confirm that the Ministry does allocate temporary housing when there is a shortage, as was the case in Kakamega at the time. At that particular time, these particular houses belonged to the contractor who constructed Kakamega-Webuye Road in 1970. So, they were of a temporary nature. Having said that, I do not have a problem confirming who else was allocated the plot, but I wish to confirm that Mr. Francis Baya was not allocated a plot. Our records do not indicate anywhere that he was given a plot, but nine other people were allocated plots.

Mr. Kihoro: Mr. Deputy Speaker, Sir, I want to know from the Minister if there has been a change of mind from the position that was taken by his Ministry on 7th July this year, when we had a Motion which was accepted by the Government and the Government agreed that there would be no further allocation of public houses to private individuals. Is there change of mind on the part of the Ministry?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I wish to confirm that there is no change to the Government directive. But this particular Question is referring to a previous allocation of February, 1996. It does not affect this particular year.

Mr. Maore: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order for not stating clearly, after realising the anomaly, that the Ministry was misled into approving these allocations without knowing that there were permanent houses? Is he in order to use the word "review" instead of "revoke"?

Mr. J. Nyagah: In English, "review" implies that after reviewing, an appropriate decision will be made.

Mr. Osundwa: The Minister has told this House that the Government allocated these houses to nine private

developers, including the PC who is a private developer in Kakamega. Can the Minister tell us why these private developers have sold these houses to third parties? Can he consider revoking these allocations?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I repeat that these plots were given to deserving cases of nine people. I confirm that Mr. Baya was not one of them. Having said that, I am prepared to revoke these allocations.

Dr. Kituyi: Mr. Deputy Speaker, Sir, there is something very outrageous about the Ministry of Lands and Settlement, which is cheated. Actually, you are not the ones who gave out these houses; it is President Moi who gave out these houses when they begged for them. Mr. Maritim, Security Intelligence Officer, becomes a developer and the PC becomes a developer although he uses a fake name for the registration of the land. How can you allocate houses as land without knowing that there are houses on that land occupied by civil servants? How will you know their plight as the Ministry of Lands and Settlement? How did you decide to allocate plots when you did not even know that there are houses on those plots, and now is only when you are discovering that?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I repeat, these were temporary houses constructed by a contractor.

Hon. Members: No! No!

Mr. Shitanda: Mr. Deputy Speaker, Sir, grabbers have descended upon Kakamega Town. Can the Minister tell this House why these allocations were done in spite of the Ministry of Roads and Public Works Circular No.1 of January, 1996, stopping any allocations of land or houses throughout the country? What special consideration were put in place to allocate these so-called developers these houses in Kakamega Town?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, if Kakamega does not wish to develop its housing, it is because they have no problem. But as I stated, we will be quite happy to revoke these particular allocations, but these houses were temporary. Therefore, in the Ministry records, they did not exist as such because they were temporary contractor structures. That is the point I want to make clear, but we are prepared to revoke these particular allocations.

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): On a point of order, Mr. Deputy Speaker, Sir. Now that it has been revealed that the PC, Mr. Baya, is not one of those allottees, would it be in order then for the hon. Questioner to withdraw because he is mentioning Mr. Baya as one of the beneficiaries and the Minister is categorically denying that?

Mr. Kombo: Mr. Deputy Speaker, Sir, when the Select Committee on Anti-Corruption was in Kakamega, we got the same story. We visited these houses and they are not temporary. I repeat that they are not temporary, unless the Minister is talking about something else. Can he go back and check, because those houses are not temporary?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I have no problem rechecking.

Dr. Kulundu: Mr. Deputy Speaker, Sir, in view of the information availed to the Minister now, can he make an undertaking that he will revoke these allocations so that the affected civil servants are not evicted from these houses?

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, given the information just provided by hon. Kombo, I have committed myself to check this particular situation, and I will report to this House.

Mr. Deputy Speaker: Order! Order! That is the end of Question Time. Next Order!

POINTS OF ORDER

IMPLEMENTATION OF RURAL ELECTRIFICATION PROJECTS

The Assistant Minister for Energy (Mr. Sasura): Mr. Deputy Speaker, Sir, last week, I had promised the House to table a document of schedules detailing rural electrification projects implemented over the last three years and I wish to table the documents.

(Mr. Sasura laid the documents on the Table)

Mr. Deputy Speaker: Thank you.

Dr. Ochuodho: On a point of order, Mr. Deputy Speaker, Sir. You will recall the Assistant Minister did undertake to table this report, as well as the plans for the next financial year, with regard to the Rural Electrification Programme. When is he going to table that other list?

The Assistant Minister for Energy (Mr. Sasura): Mr. Deputy Speaker, Sir, I am sure there will not be enough time to say what is in the document, but I would like to mention that, in that document, we have three schedules, which include the project cost on district basis; the specific schemes which have been implemented, and the

ones in various stages of implementation. I think what Dr. Ochuodho is asking for is included there.

Mr. Sambu: On a point of order, Mr. Deputy Speaker, Sir. It is I who demanded that a specific document called the Rural Electrification Programme be tabled because it exists. It is not a schedule. The funds approved by this House to the Ministry of Energy are used for rural electrification through the Rural Electrification Programme. We are demanding for the Rural Electrification Programme for 1998/99 and 1999/2000. The Rural Electrification Programme is a document and not a schedule.

The Assistant Minister for Energy (Mr. Sasura): Mr. Deputy Speaker, Sir, I think we are all talking about the same thing. That document does not talk only about 1998; we have gone back all the way from 1996 to the current financial year. That is the Rural Electrification Programme.

KISII FARMERS UNION INSPECTION REPORT

The Assistant Minister for Agriculture and Rural Development (Mr. K. Ruto): Mr. Deputy Speaker, Sir, yesterday, I undertook to lay on the Table, the inspection report on the Kisii Farmers Co-operative Union. I would now like to lay the document on the Table.

(The Assistant Minister laid the document on the Table)

EXCESS SCHOOL FEES IN MAKUENI

Mr. Munyao: On a point of order, Mr. Deputy Speaker, Sir. The Minister for Education promised this House that he will make a Ministerial Statement tomorrow on the illegal collection of excess moneys in form of school fees from parents of primary schools. He has assured me that he will make the Statement tomorrow and I would like to request him to include Makueni District in his statement, and tell us when he will order the refund of the excess moneys collected from parents illegally.

The Assistant Minister for Education and Technology (Mr. Awori): Mr. Deputy Speaker, Sir, my colleague, hon. Karauri, is still with this matter. I will let him know that he has been requested to include Makueni District in the Statement.

MINISTERIAL STATEMENT

USE OF KAMITI PRISONERS FOR PRIVATE WORK

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): On a point of order, Mr. Deputy Speaker, Sir. I rise to make the following Ministerial Statement concerning Kamiti Prison, following hon. Muchiri's request for me to do so.

Mr. Deputy Speaker, Sir, it is not true that prisoners at Kamiti Prison work on warders farms on Saturdays, Sundays and on public holidays as stated. In the first place, prison warders do not have farms within the precincts of Kamiti Prison. There are instructions prohibiting the use of prisoners by prison staff in their private enterprises. Those found doing this, if any, are subjected to disciplinary proceedings in accordance with the Prisons Act, Cap. 90 of the Laws of Kenya.

However, the Prisons Act provides that prisoners may be employed on public works and also to keep their places of habitation and its surrounding clean and tidy. Like other public servants, prisoners do not work on Saturdays, Sundays and on public holidays, except for those who are employed to provide essential services such as looking after cows, milking, feeding calves, watering young plants and vegetables, feeding pigs and rabbits in the prison farms. Prisoners may also be employed to do general cleaning of their institution, such as cleaning of their bathing places, or cooking their own meals.

Mr. Deputy Speaker, Sir, it is not true that prisoners at Kamiti Prison wear torn clothes and rags as stated. Moreover, as a security area, Kamiti Prison is properly secured, hence no member of the public can gain entry into it except through the ever guarded main gate. Therefore, it is not possible for members of the public to walk into the prison and watch prisoners walk about in torn clothes and rags. However, some prisoners who are mentally sick or disturbed, or for some other reasons, do not behave normally, tear their clothes, blankets, mattresses and **[The Minister for Home Affairs, Heritage and Sports]**

other prison property. Such prisoners are punished as provided for in the Prisons Act, Cap. 90, Laws of Kenya.

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. I am very grateful to the Minister for that

explanation. However, I know that the Minister has not been to Kamiti Prison. I have been an inmate of Kamiti Prison. From experience, I know that prisoners walk in torn clothes. Prisoners there are provided with only two blankets - one to spread on the concrete floor, and another one to cover themselves with. It is also true that the prison authorities do not provide soaps---

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

Mr. Deputy Speaker: Order, hon. Member! Proceed, Mr. Raila.

Mr. Raila: Mr. Deputy Speaker, Sir, I was in Kamiti Prison nearly 18 years ago, and the conditions have worsened today. The Minister is not telling this House the truth, that prisoners at the prison are actually being terrorised by the warders. A prisoner has no right in there; they are beaten up and made to sleep in very filthy conditions. Now, could the Minister undertake to go to Kamiti Prison, talk to the prisoners and see for himself what prisoners go through there, so that he can come back to this House and report factually, instead of reading a statement that has been written for him by the prison authorities?

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): Mr. Deputy Speaker, Sir, I think hon. Raila is addressing a different point. One of these days, as part of my duties, I will attempt to visit Kamiti Prison.

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

Mr. Deputy Speaker: The Minister is responding to a point of order. Proceed, Mr. Minister.

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): Mr. Deputy Speaker, Sir, I was saying that one of these days, I will visit Kamiti Prison. However, what I am trying to address is the issue that has been raised by hon. Muchiri. He asked the Ministry to explain why prisoners walk naked in public, to which I answered that it is not true that prisoners at Kamiti walk naked in public. I have explained that prisoners at Kamiti are dressed up in prison clothes, and that some of them tear up their clothes. We have not denied that some prisoners put on torn clothes. However, those prisoners do not walk in public. That is what I am trying to address.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! Order! Hon. Members, you know that you cannot rise on another point of order when somebody is already responding to a point of order.

Proceed, Mr. Minister.

The Minister for Home Affairs, Heritage and Sport (Mr. Ngala): Mr. Deputy Speaker, Sir, I accept hon. Raila's suggestion that I should visit the prison to see the situation for myself. However, as far as this particular statement is concerned, I think I am within limits in responding to the issues raised by hon. Muchiri.

Mr. Muchiri: On a point of order, Mr. Deputy Speaker, Sir. The Minister has given this House a misleading statement. I personally talked to prisoners from Kamiti in the gardens. I even assisted them with some money. Could the Minister agree to accompany me to the prison farms right away? He should also realise that I am the Member of Parliament for Kasarani Constituency, within which Kamiti Prison is. So, what I am talking about is absolutely true, and the Minister has been misled.

Hon. Members: He should own up!

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): Mr. Deputy Speaker, Sir, I went into the details of this matter. I asked the prison officers to give me the information truthfully. The information I have given to this House is that which was given to me by the prison authorities. I do not understand how the hon. Member gained entry into the prison and saw the prisoners in the open place he has talked about. Kamiti Prison is a security area, and prisoners do not go to work on the farms. If it is necessary that I should check this point again, I will do so. However, it is not up to the hon. Member to take me to the prison; I will go there on my own.

Mr. Deputy Speaker: Very well, that concludes that matter. Proceed, Mr. Angwenyi.

MEMBERS SHOULD READ KISII

SIMBAUTI FARM REPORT

Mr. Angwenyi: On a point of order, Mr. Deputy Speaker, Sir. I rise to seek a Ministerial Statement from the Minister for Agriculture, arising from yesterday's arguments, following hon. Anyona's Question on Kisii Simbauti Farm. It was alleged in this House yesterday that the people who responded to a request to sell part of the farm were land grabbers, yet we know that those people are innocent Kenyans who responded to---

Mr. Deputy Speaker: Order! The Minister has just laid on the Table the report of the inquiry that was ordered by the then Minister for Co-operative Development. It was supposed to include and cover the point you are

raising. So, let hon. **[Mr. Deputy Speaker]**

Members, including you, see that report before you raise any other issue.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, in yesterday's discussion, my name was alluded to by the Assistant Minister saying that I could be one of the land grabbers, and yet, I am not one of them. In fact, I did not take an inch of that farm! So, today, I would like the Assistant Minister to clear my name here, that I am not a land grabber.

Mr. Deputy Speaker: Order! You are keeping very good company!

Mr. Angwenyi: Mr. Deputy Speaker, Sir, I would like to have my name cleared.

Mr. Deputy Speaker: Well, the report is on the Table and hon. Members will have a look at it. Let us move on to the next Order.

MOTIONS

ESTABLISHMENT OF MOMBASA OLD TOWN CONSERVATION AUTHORITY

THAT, in view of the historical and cultural significance of the Mombasa Old Town; considering the fact that the area is a centre of tourist attraction in Mombasa Island; and bearing in mind that property developers may soon invade the area, this House calls upon the Government to immediately establish Mombasa Old Town Conservation Authority as a parastatal body under a specific Act of Parliament so as to make the Authority independent from the National Museums of Kenya.

(Mr. Maitha on 3.11.99)

(Resumption of Debate interrupted on 10.11.99)

Mr. Maitha: On a point of order, Mr. Deputy Speaker, Sir. I would like to say something about the Motion which is before this House. This morning, I got a paper which was circulating in the House. The author of this paper, hon. Twaha, is associating this Motion with Muslims, although it does not talk about them. I would like this matter to be cleared.

Mr. Deputy Speaker: Where is it? Let me have a look at it.

*(The Clerk at the Table passed on
the document to Mr. Deputy Speaker)*

Order, hon. Members! Hon. Twaha, are you the author of this document? Would you answer that, so that hon. Members can hear?

Mr. Twaha: Mr. Deputy Speaker, Sir, I have not got your question.

Mr. Deputy Speaker: Mr. Twaha, are you the author of this document?

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

Mr. Deputy Speaker: Hon. Members, first of all, this document is not signed, but secondly, and more importantly, it is totally out of order for an hon. Member to purport to write and circulate his opinion to other hon. Members on a Motion that is before the House. That is why your Standing Orders expressly bar you from reading your speeches. If an hon. Member has an opinion to express, he or she stands up, catches the Speaker's eye and contributes.

(Applause)

I cannot, and will not, allow this kind of aberration to occur. So, hon. Twaha, you will rise and apologise to this House for behaving in such a disorderly manner.

Mr. Twaha: I apologise, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Hon. Members can simply ignore the contents of this scandalous document.

Proceed, Prof. Anyang'-Nyong'o!

Prof. Anyang'-Nyong'o: Thank you very much, Mr. Deputy Speaker, Sir. When the House rose last week, on Wednesday, I was on my feet contributing to this very important Motion. I do hope that hon. Members will focus on the substance of the Motion and avoid any extraneous issues that are brought into it.

Mr. Deputy Speaker, Sir, one of the reasons why this Motion is important, apart from those that I had adduced to last week, is that the Swahili culture is an extremely important culture for the nation of Kenya, both for nation building and for national unity. Secondly, this culture needs to be preserved so that the material culture of the Swahili becomes part and parcel of the national heritage of the social Republic of Kenya.

One of the reasons why an Authority like this is important is that it will focus on a specific issue, notwithstanding the fact that the National Museums of Kenya is occupied with the general preservation of social, material and cultural artifacts related to the customs and traditions of the people of Kenya. This particular Authority will focus in an area and issue that has a specific subject matter, and needs to be addressed at a specific time in history. When the Authority, or whatever form it takes, is set up, it will be given a time period of action and ensure that there is a reportage system which shows that it is performing its duty, work and the objectives for which it was set.

Mr. Deputy Speaker, Sir, I do remember, for example, that a Portuguese ship once sank off the Coast of Kenya, and the National Museums of Kenya was charged with the task of salvaging it and producing whatever could be recovered from it. The National Museums of Kenya, after a long time, produced some certain artifacts, but because of the broad nature of its functioning, the products from that ship have not, to date, been fully accounted for. If we had a specific Authority that deals with such issues, the National Museums of Kenya, and the people of Kenya, would have gained. We would have also learnt a lot from that ship on the origin of the Swahili culture in Kenya.

We know, for example, that one of the heritages we already have from the Swahili culture along the Coast are the writings and poems of Shabaan Roberts. If you read his poems, you will find that they do depict a very rich culture. I think that if we have this Authority in place, it will seek to integrate such issues that people like Shabaan Roberts had talked about, so that the Swahili culture becomes a living history in our nation.

Having said that, I would like to propose an amendment to the Motion so that the work of the conservation of the Old Town of Mombasa is not seen to be in conflict whatsoever with the work of the National Museums of Kenya. From the word "Authority" on the fifth line, I would like all those words after this word to be deleted in my amendment, and to be replaced by the following words: "Unit and designate it to work closely with the National Museums of Kenya." The whole Motion will now read:

"That, in view of the historical and cultural significance of the Mombasa Old Town; considering the fact that the area is a centre of tourist attraction in Mombasa Island; and bearing in mind that property developers may soon invade the area, this House calls upon the Government to immediately establish Mombasa Old Town Conservation Unit and designate it to work closely with the National Museums of Kenya."

(Applause)

I am moving that amendment so that the Mombasa Old Town Conservation Unit is seen to work closely with the National Museums of Kenya in conserving the Swahili culture and in laying a framework for the further development of this culture, both in language, material and tradition.

The architecture of the Old Town being preserved by this Unit will continue with the work that the National Museums of Kenya is already doing. The only difference is that we now have a unit which has the objective and purpose of focusing on the Mombasa Old Town, whose architectural tradition is rich and needs to be preserved so that future generations will realise that Kenyans who lived in this century took their responsibilities seriously in conserving the Swahili culture.

Mr. Deputy Speaker, Sir, I beg to move the amendment.

Mr. Raila: Bw. Naibu Spika, ninasimama kuunga mkono mabadiliko ambayo yamefanywa katika Mswada huu na Mbunge Maalum, Prof. Anyang'-Nyong'o. Mkoa wa Pwani ni ghala kubwa sana la historia ya nchi yetu, ambalo linafaa kuhifadhiwa kwa siku zijazo. Wengine wetu tulisoma historia ya nchi yetu. Tulianza kusoma historia ya Pwani ya Afrika Mashariki; tukasoma juu ya utawala wa Zenj Empire, na kisha tukasoma vile Wareno na Waarabu walikuja katika Afrika Mashariki. Kila nchi ambayo inataka kuendelea mbele ni lazima ihifadhi historia yake.

Juzi nilikuwa katika mji wa Sanaa kule Yemen. Nilikuta watu wengi sana ambao watu wao walikuja huku Africa Mashariki. Katika mji wa Sanaa kuna pahali panapoitwa Sanaa Old Town na New Town. Wamehifadhi mji wa kale wa Sanaa kabisa. Ukitembea katika mji wa kale wa Sanaa, utafikiri uko Mombasa. Utaona vile mijengo na barabara zile zinavyofanana kabisa na mji wa kale huku Mombasa. Niliwauliza wale kwa nini hawajabomoa nyumba hizo ili wajenge nyumba kama za New Town Sanaa. Wakasema: "Tunataka watoto wetu na wajukuu wetu waone vile watu walivyokuwa wanaishi katika mji huu wa Sanaa katika siku zilizopita. Kwa hivyo, sisi vile vile inafaa tufanye hivyo hivyo ili wale ambao watakuja nyuma wafanye hivyo na wajue ya kwamba zamani za kale, watu waliishi namna hii.

Ukienda katika miji kubwa kama London, utakuta Tower Bridge. Ukienda Paris utakuta Eiffel Tower na

Notre Dame. Ukienda kule Berlin utakuta Brandenburg Gate. Mimi niliishi katika nchi ya Ujerumani. Katika Ujerumani, miji mingi ilipigwa na mabomu katika vita vilivyopita. Nyumba nyingi zilibomolewa na kuanguka chini zikawa kama magofu. Lakini Wajerumani walipoanza kujenga nchi yao upya, walihifadhi hiyo miji yao ili sura isibadilishwe sana. Kwa hivyo, ukienda katika miji ya Ujerumani utakuta mijengo mingi ambayo imejengwa kulingana na vile ilikuwa zamani kabla haijapigwa kwa mabomu. Utafikiri ya kwamba miji hiyo haikupigwa kwa mabomu. Lakini walijaribu sana kuhifadhi historia yao kwa sababu ya sikuzijazo.

Ninaunga Hoja hii mkono kwa sababu tunataka kuhifadhi Mji wa Kale wa Mombasa, sio tu kwa watalii. Hii ni kwa sababu ya watoto wetu. Sababu ya pili ni utalii wa utamaduni, yaani cultural tourism. Nchi nyingi za Ulaya hazina wanyama wa porini lakini wana majengo ya kihistoria. Ukienda nchi kama Italia, utakuta watu wakienda katika mji wa Kale wa Pompeii kuona vile maisha yalivyokuwa kule miaka elfu moja iliyopita. Mamilioni ya watalii wanaenda kule Misri na Mexico kuona piramidi. Kwa hivyo, tuwache kuwashawishi watalii kuwa wakija huku Kenya, wataona ndovu, chui, simba na Wamaasai ambao wamevaa ushanga shingoni. Tunafaa tuwaonyeshe ya kwamba sisi vile vile tuna historia. Tunafaa tujivunie ya kwamba sisi ni watu walio na historia na si wanyama tu.

Ningetaka Wizara ya Utalii ianze sasa kutangaza juu ya utalii wa utamaduni. Hii isifanywe tu upande wa Pwani peke yake, lakini pia upande wa Mkoa wa Magharibi ili watu waone vile Waluhya waliishi katika siku zilizopita. Pia, katika Mkoa wa Kati, tunataka tujue historia ya Wakikuyu ili tujue kuhusu wale wanaotaka kuanza Ufalme wa Kirinyaga. Vile vile, tunataka kwenda chini mpaka tupite Koitalel Samoei na tujue Wanandi walitoka wapi; vile vile, kuhusu Abagusii. Vile vile, ya Omera, Wajaluo ili tuone ufalme wa Luanda Magere, Gor Mahia na Jaramogi. Tukijenga hayo, ndipo tutaweka msingi wa taifa ambalo litaungana pamoja.

Kwa kuendeleza utamaduni wa makabila yote ya Wakenya, tutatoa sura ya Kenya ambayo imeungana. Wengi wetu wanaiita "unity in diversity". Mpaka wakati huu, hatujafanya hivyo. Lakini wakati umewadia, wa sisi kama Wakenya, kujenga utamaduni wetu na kujivunia mahali tulipotoka, ili tuone tumetoka wapi na tunaenda wapi. Tukifanya hivyo, watoto wetu watafurahia na watajivunia kama Wakenya. Wataacha kuongea lugha hii inayoitwa "sheng." Watajivunia lugha yetu ya taifa, Kiswahili. Tunafaa tuendeleze na kujenga Kiswahili kama lugha ya taifa yetu, vile Mwalimu Nyerere alivyofanya kule Tanzania. Amewacha historia kubwa kwa watu wa Tanzania.

Ukienda kule Tanzania huulizwi wewe ni kabila gani. Unaulizwa tu umetoka upande gani. Mwalimu amefanya hivyo. Sisi tunataka kuiga mfano wa mtu kama Mwalimu Nyerere, ili tujivunie utamaduni wetu na tujenge Kenya ambayo itakuwa pamoja. Kama hii itakuwa chini ya National Museum, itakuwa sawa sawa. Ndugu yangu, Nassir, alikuwa na wasi wasi mwingi sana. Lakini asiwe na wasi wasi. Hatutaki kutoa huru katika National Museum. Hatutaki msaada ambao umeletwa kutoka nje kusaidia kuhifadhi mji wa Kale upelekwe mahali pengine. Tunataka uende pale pale katika mji wa Kale ili tuweze kuuhifadhi. Hiyo ndio shabaha na madhumuni ya mhe. Maitha kuleta Hoja hii. Nataka Wabunge wetu, hasa wale wa kutoka Pwani, wasimame na waunge mkono Hoja hii.

Kwa hayo machache, ninaunga mkono.

Mr. Deputy Speaker: I want to explain that ordinarily, I should propose the deletion and then propose the insertion. If I propose the deletion on its own, the Motion hangs without a proper ending. So, I will propose both together.

*(Question of the first part of the amendment,
that the words to be left out be left out, proposed)*

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): Asante sana, Bw. Naibu Spika. Mimi pia ninasimama kuunga mkono marekebisho ya Hoja hii muhimu sana ambayo inazungumzia juu ya kuhifadhi miji yetu ya Kale, Mombasa na Lamu. Ninataka kumshukuru mhe. Mbunge aliyelea Hoja hii, na pia mhe. Mbunge aliyelea marekebisho katika kuifanya Hoja hii iweze kueleweka kirahisi katika pande zote mbili za nyumba hii, ili tuweze kuelewa mwelekeo wetu unaenda upande gani.

Bw. Naibu Spika, Hoja ya kwanza ilikuwa na hitilafu fulani. Lakini ninashukuru, baada ya kuiangalia zaidi, tumeona ni vizuri tuifanyie marekebisho haya.

Bw. Naibu Spika, uhifadhi wa utamaduni wa Kale ni sehemu moja ya shughuli za Wizara yangu. Kwa hivyo, tunapendekeza mji wa Kale wa Mombasa uhifadhiwe, ili uzuri wake uonekane kwa miundo ya kizamani, na pia uwe kivutio kwa wageni na hata wenyeji wa sehemu hizo. Jambo hili ni muhimu ili tuwe na mwelekeo mzuri wa kuhifadhi utamaduni wetu. Kazi ambayo inafanywa na Makavazi ya Kitaifa ni muhimu sana katika nchi hii. Kwa hivyo, tunapendekeza tuwe na sehemu fulani ambayo itakuwa ni ya mji wa Kale na itajishughulisha na masilahi ya nyumba za Kale na mambo yake. Jambo hili litakuwa na faida kwa watu wa Mombasa, na watajivunia kuona ya kwamba nyumba zao na mijengo ya Kale imehifadhiwa. Makavazi ya Kitaifa ni makao maalum ambayo inatambulika duniani kote. Makavazi ya Kitaifa hutafuta pesa za kuweza kurekebisha mambo ya ujenzi wa nyumba hizi za Kale. Kwa hivyo, ni vizuri kuipa nafasi Makavazi ya Kitaifa yetu ili iendelee kufanya kazi na kuhakikisha kwamba, raia katika sehemu hiyo

watakuwa na uwezo wa kusimamia mji wao, kuamua ni nyumba ngapi watajenga, na pesa ngapi watahitaji.

Bw. Naibu Spika, ninafikiri jambo kama hili na kama vile tunavyoona Makavazi ya Kitaifa yetu inafanya vizuri katika kuhifadhi utamaduni wetu. Ikiwa ina makosa yoyote, basi wakiwa na kikao kama hiki, watakuwa wanarekebisha makosa hayo. Kwa hivyo, itakuwa wenyewe kwa wenyewe, ili warekebishe na kuhakikisha kuwa ujenzi wa nyumba hizo unarekebishwa.

Bw. Naibu Spika, kwa vile Mswada huu umerekebishwa, si vizuri pengine kuwa na shirika lingine kwa vile Serikali yetu inajaribu kupunguza mashirika yake. Kwa hivyo, ni heri tuwe na kituo ambacho kitafanya kazi vizuri zaidi. Kwa hivyo, kwa kufuata mambo haya, tunaweza kuketi, kuzungumza na kuona jinsi ya kusaidia watu wa miji ya kale ya Mombasa na Lamu.

Bw. Naibu Spika, pesa ambazo zimetolewa na European Union (EU) ni nyingi. Pesa hizo zitatumia kurekebisha ujenzi wa nyumba hizo. Nimeeleza kwamba kuna zaidi ya milioni Kshs.300, ambazo zimetolewa na EU. Tayari, kuna milion Kshs.15 ambazo zimepelekwa Lamu; milioni Kshs.15 zimepelekwa Mombasa, na zaidi ya Kshs.40 milion zimetumiwa kujenga upya Gedi Ruins. Kwa hivyo, shirika la EU linasaidia sana. Kwa hivyo, ujenzi wa nyumba hizi za zamani katika Mji wa Kale wa Mombasa utavutia watalii. Wengi wetu tunapozuru ulaya, ni lazima tuone majumba ya zamani yamehifadhiwa vizuri sana. Majumba hayo huvutia watalii. Kwa hivyo, ninaunga mkono utalii wa kiutamaduni uwe sehemu zitakazotiliwa mkazo. Watalii wengi wakija Pwani hutembelea Mji wa Kale wa Mombasa, ili kuona nyumba hizo na kuona uzuri wa utamaduni wa Waswahili kama vile umehifadhiwa kwa karne nyingi.

Kwa hivyo, Bw. Naibu Spika, tutakuwa tunafanya mambo ya maana katika karne hii na zile zijaazo, ikiwa tutaweza kuhakikisha kuwa tamaduni zetu zimehifadhiwa, hata zikiwa ni tamaduni za Pwani, Kijaluo, Kikuyu, Maasai, Kisomali, na watu wengine wowote wale.

Bw. Naibu Spika, ninaunga mkono marekebisho haya, na sote tuzungumze juu ya kuhifadhi tamaduni zetu. Hiki ni chanzo tu, na bila shaka, kutakuwa na mipangilio mingine ambayo itasaidia kuhakikisha tunahifadhi tamaduni zetu.

Ninaunga mkono.

Mr. Deputy Speaker: I want to put the question on the amendment, then we can go back to the debate as the Motion was originally, or as amended.

(Question of the first part of amendment, that the words to be left out be left out, put and agreed to)

(Question of second part of the amendment, that the words to be inserted in place thereof be inserted, proposed)

(Question of the second part of the amendment, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question of the Motion as emended proposed)

Mr. Mwakiringo: Bw. Naibu Spika, asante sana kwa kunipa nafasi hii, ili niunge mkono Mswada huu ambao ni muhimu sana kwa watu wetu. Mswada huu, kama tunavyouelewa, licha ya Pwani kuwa ni sehemu kubwa ya "mji wa Kenya" unaovutia watalii, kuna pia utamaduni wa Waswahili. Tunapozumguza juu ya utamaduni wa Waswahili, hatuzungumzi mambo ya dini. Tunazungumza juu ya Waswahili kama watu wa Kenya. Uswahili na utamaduni wake ni muhimu, kwa sababu ukifika Mji wa Kale wa Mombasa, utaona utamaduni umehifadhiwa mpaka sasa, na unawavutia watalii wa kigeni, na kila Mkenya anayezuru Mombasa ni lazima afike Mji wa Kale. Ikiwa Waingereza waliona umuhimu wa kuhifadhi utamaduni huo, kwa nini sisi Wakenya tusihifadhi? Hatupati pesa hizo ili kuharibu nyumba katika Mji wa Kale. Pesa hizo tutazitumia katika kurekebisha nyumba hizo, ili zihifadhi utamaduni wa Waswahili. Wakati huu tunaolewa lugha tunayozungumza, lakini lugha hubadilika baada ya miaka 25. Tamaduni hazibadiliki. Kwa mfano, milango inayotumiwa katika kujenga nyumba au ofisi katika nchi hii, huwa ni milango kutoka Pwani. Huu ni mlango wa utamaduni wa Waswahili. Kwa mfano, nyumba yangu ina milango ya kutoka Lamu. Utamaduni huo ni lazima uhifadhiwe.

The Assitant Minister for Local Government (Mr. Hashim): Jambo la sahamisho, Bw. Naibu Spika. Ningependa kumwarifu mhe. Mbunge kuwa mlango wa Bunge hili umetoka Lamu.

Mr. Mwakiringo: Asante kwa habari hiyo. Kwa hivyo, tunazingatia umuhimu wa utamaduni wetu. Nyumba zote ambazo zimejengwa kwa kuzingatia utamaduni wa Waswahili hazionekani Mombasa tu, bali zimetapakaa hadi Mariakani, Mackinnon Road, Voi na sehemu nyingi nchini. Hii ni kwa sababu zinaweka watu kuwa kitu kimoja. Nyumba hizi huwa kubwa na zenye vyumba vinne. Sehemu ya nyuma ya nyumba huwa na vyumba kumi au zaidi. Hii ilikuwa ni njia ya kuweka jamii pamoja, kulingana na utamaduni wa Waswahili.

Bw. Naibu Spika, ni aibu kuona watu wanaotaka kuingiza dini katika Hoja hii. Tusichanganye mambo haya ya maendeleo na dini. Dini ni kigezo tofauti na utamaduni wa Waswahili. Uwoga ambao labda watu fulani walikuwa nao, ni kwa sababu wanajihusisha na unyakuaji wa ardhi katika sehemu hiyo kwa minajili ya maendeleo ya kibinafsi. Labda wasi wasi wao umeingilia hapo. Lakini si kusema kwamba kuhifadhi utamaduni wa Waswahili ni makosa. Na tuseme ya kwamba tunataka tuone Kenya hii ikiwa kitu kimoja. Tunapohifadhi utamaduni wa Kiswahili huko Pwani, basi mambo hayo pia yasambae pahali pengine na tuone utamaduni wa Wataita, wa Wajaluo na wa kila mahali, ili watu wa Kenya wawe kitu kimoja, ambao wameunganishwa na utamaduni wao.

Bw. Naibu Spika, siku hizi utaona ya kwamba maonyesho ya kilimo yakifanywa Mombasa, Kisumu au Nairobi, watu wanaohudhuria ni wachache sana kwa sababu kilimo, matrakta na vitu vingine tu ndivyo vinaonyeshwa kila mwaka. Lakini tujaribu wakati mmoja kuleta utamaduni katika maonyesho, na utaona vile watu watajaa kwa wingi. Ningependa nione utamaduni wa Waturkana au Wapokot uko namna gani. Hata Waziri wa Kawi Bw. F.P.L. Lotodo yuko hapa, na anaweza kutuonyesha vile wanavyoiba ng'ombe, maanake ni utamaduni wao.

(Laughter)

The Minister for Renewable Energy Development (Mr. F.P.L. Lotodo): Jambo la nidhamu, Bw. Naibu Spika. Ningependa mhe. Mbunge huyu athibitisha kwamba mimi ni mwizi wa ng'ombe na kama hawezi, ayaondoe hayo maneno na aombe radhi.

Mr. Mwakiringo: Bw. Naibu Spika, ningependa msamaha, lakini sijasema ya kwamba Bw. Waziri ni mwizi wa ng'ombe. Nimeongea juu ya utamaduni wa kuiba ng'ombe, na Wapokot wanaweza kutuonyesha zamani walipokuwa wakienda kuiba ng'ombe, walikuwa wanajihami kwa silaha gani, na wakinyakua hao ng'ombe, wanaenda wapi, na kama wakimaliza kuiba, wanaenda kuzungumzia juu ya mahari. Hiyo ni kwa sababu babu yako alikuwa pengine amezungumzia juu ya mahari, na wanalipa mahari na wanajipatia mabibi. Huo ndio utamaduni ambao nilikuwa nikizungumzia.

The Minister for Renewable Energy Development (Mr. F.P.L. Lotodo): Bw. Naibu Spika, mhe. Mbunge ambaye amekaa chini anaweza kuthibitisha kwamba ni utamaduni wetu kuiba ng'ombe?

(Laughter)

Mr. Mwakiringo: Bw. Naibu Spika, ningependa niombe msamaha maanake ninamheshimu huyu mzee sana. Yeye hunipa mawaidha bora.

Mr. Deputy Speaker: Kuiba ng'ombe ni utamaduni wa kila kabila la Kenya. Hata nyinyi mlikuwa mkiiba ng'ombe.

Mr. Mwakiringo: Nakubaliana nawe. Kwa hivyo, ni utamaduni huo ambao tunataka uhifadhiwe. Tusipohifadhi utamaduni huo, tutakuwa hatuna mwelekeo katika Kenya na hatuwezi kujua tulitoka wapi. Kuna vyakula vya kienyeji ambavyo, kwa wakati huu, mabibi zetu ambao tumewaoa na waliosomea nje hawajui namna vinavyopikwa. Lakini tunasema ya kwamba utamaduni huu ukiwa pia utahifadhiwa na uonyeshwe wakati kuna maonyesho ya kilimo, ama mambo mengine, hawa akina mama wanaweza kupelekwa huko pia wajue upishi wa vyakula vya kienyeji uko namna gani. Juzi, nilienda Kisii kufanya Harambee na niliona chakula cha kienyeji, lakini sikuona wanawake wachanga wa kisasa wakipika; kilikuwa kikipikwa na akinamama wa zamani. Lakini ninashukuru kwamba wengine wachache wachanga walikuwa pia wakijifunza jinsi ya kupika chakula hicho. Ndio tunasema ya kwamba mambo hayo tunataka tuyaone. Utamaduni usipohifadhiwa, nchii hii itaanguka chini; hiyo ndio jinsi "ufisadi" unaingia, kwa sababu wazee hawako kuwaongoza watoto wao kiutamaduni.

The Minister for Renewable Energy Development (Mr. F.P.L. Lotodo): Bw. Naibu Spika, ningependa kujua kama tumekubali, kama Bunge la Kenya, kwamba ni utamaduni wa watu wa Kenya kuiba ng'ombe?

(Laughter)

Mr. Deputy Speaker: Kama unataka Bunge zima lizungumzie jambo hilo, leta Hoja hapa. Endelea, Bw. Mwakiringo.

Mr. Maore: Kutoka kwa Baraza la Mawaziri!

Mr. Mwakiringo: Bw. Naibu Spika, tuwe na utamaduni ambao utaimarisha na pia utaelekeze watoto wetu kuwa na tabia njema, kwa sababu huu mwenendo ulikuwa uko pia zamani. Kabla hujaoa, ulikuwa unaelezwa bibi yako atakuwa akilala upande fulani, na akishajifungua, utamaliza siku fulani kabla hamjaonana kimwili, na mambo mengine kama hayo. Waswahili pia, wakati huu, wana kile kitamaduni cha kukanda akina mama ambao wako na mimba. Kuna wataalamu wanaokanda na mafuta ya nazi na wanaweza kukuambia: "Mama, mimba yako ni ya mapacha" au la, au "mmoja ni wa kike na mwingine wa kiume", na akakukanda vizuri mpaka watoto waletwe katika "mlango", na wakati siku yako ikifika, unazaa. Ndiyo tunasema utamaduni kama huo uhifadhiwe.

Bw. Naibu Spika, pesa ikiwa zimekuja za kuhifadhi utamaduni huu, kwa nini tusizitumie? Nataka niwaambie wenzangu kutoka Pwani tusiwe watu wa kuuliza hizo pesa zaja vipi, nani amezileta, na ni kwa nini. Chukueni pesa hizo na mzitumie na tuulize baadaye watuongezee, lakini tusizikatae kabla hata hatujaanza kuzitumia. Ni lazima vijana wahusishwe katika harakati ya kuonyeshwa vile watatengeneza milango, au nyumba za Kiswahili, na mambo mengine. Na ninashukuru wanawake wa Kiswahili ambao wana hizo mila.

Bw. Naibu Spika, napenda kuunga Hoja hii.

Mr. Sajjad: Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to speak on this Motion. I very much appreciate the good intentions of hon. Maitha in bringing this Motion to the House. However, I beg to oppose this Motion for the simple reason that conservation is misunderstood by the authorities in Kenya. Presently, the National Museums of Kenya is already causing a lot of hardship to people who are trying to develop the Mombasa Old Town.

Mr. Maore: On a point of order, Mr. Deputy Speaker, Sir. I think that it is always wise and advisable in our Standing Orders that when a Member speaks on a matter which he or she has an interest in, he or she declares his or her interest. In 1996, the National Museums of Kenya had a losing battle with the hon. Sajjad regarding reservation and conservation of our 14th Century Manor Hotel. He succeeded in destroying it. Could he declare his interest and then continue with his contribution?

Mr. Deputy Speaker: But Manor Hotel is not in the Mombasa Old Town!

Mr. Sajjad: Mr. Deputy Speaker, Sir, I have no interest in it; I am talking of the development work initiated by Habib Bank Overseas Limited. It was about an open space which was allocated to them. The Municipal Council of Mombasa approved the building plans and construction work started, but the National Museums of Kenya stopped it. Presently, there is no building there. If this building had been put up, there would have been employment opportunities. The Bank is trying to expand, but they have no space to do that. Secondly, many Members have talked about conservation of some areas, which I fully support. However, if you look at the United Kingdom, there are areas which have been declared as conservation areas, but development is allowed in those areas on condition that the frontal part is preserved. In the Mombasa Old Town, the whole of it is not a conservation area. If you walk into the Old Town, there are four-storey, or five-storey buildings presently standing there, which have recently been built. And the day before yesterday, a very old building was destroyed and a new building is coming up. There are people living in the Old Town who own this land. The moment it is declared a conservation area, the authorities will come in and not allow any development on it. That will restrict the value of land and freedom of ownership for one to develop it. If we bring a Motion which is very specific and understood, and not misused by the authorities---

Mr. Maitha: On a point of order, Mr. Deputy Speaker, Sir. At this juncture, hon. Sajjad is raising very important points. Could the Minister confirm his assertion that in any conservation area, you are not allowed to use your title deed?

Mr. Deputy Speaker: Order! You cannot stand on a point of order and proceed to ask the Minister a question.

Mr. Sajjad: At the moment, the problem in Lamu and Mombasa is that the authorities there do not understand what conservation is. What they are actually doing is to restrict the land owners from any further development of their property. This is what we are against.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the other problem we are having is that, in the whole town, the population is expanding. So, we are wondering what will happen to the property owners in that area. Will they be allowed to develop as long as they conserve the present image of the area? As long as these problems are clarified, I

would have no objection to this Motion.

Thank you.

Ms. Matano: Asante, Bw. Naibu Spika wa Muda, kwa kunipatia fursa hii kuchangia Hoja hii. Ningependa kuchukua fursa hii kuunga mkono mjadala huu. Kwa hakika, ni lazima tuhifadhi utamaduni wetu. Watu wa Pwani kiutamaduni ni watu wenye tabia nzuri na wanyeyekevu, lakini siyo walemavu. Kutokana na mavazi yetu, sisi hujihifadhi kwa utamaduni wetu, wake kwa waume. Ikiwa mwanamke hajavaa buibui, hujihifadhi kwa lesa moja juu na pengine chini kulingana na utamaduni wetu. Sisi wanawake hatutembezi uchi. Wanaume wetu, haswa ijumaa, huvaa kanzu na kofia kama hali ya utamaduni wetu wa Kiswahili na kidini. Pengine wengi wetu hatuliangalii swala hili la utamaduni. Utamaduni ni kitu ambacho sisi tumekikuta, na ninafikiri tutaishi tuuache na utazidi kukua. Hakuna kabila lisilokuwa na utamaduni. Kila dini na kabila lina utamaduni wake. Ni lazima tuhifadhi, kuendeleza, kuangalia na kuupenda utamaduni wetu. Wakati huu, wengi wetu wameiga tamaduni nyingine zaidi kuliko utamaduni wetu wa kiasili. Kwa hivyo, ningependa kuomba kwamba, haifai kuiga mambo mengi. Inafaa tuzingatia utamaduni wetu.

Bw. Naibu Spika wa Muda, watu wa Pwani wanasifika sana kwa ubora wa chakula. Sisi watu wa Pwani ni wapishi hodari. Vyakula vyetu ni vya hali ya juu. Na hii ni kutokana na utamaduni wetu. Ndio maana mhe. Mwakiringo hawezi kupatwa na shida ya kukosa chakula, maanake tuko tayari kuwapikia. Kama vile mhe. Mwakiringo alivyozungumza, utamaduni wetu kuhusu maswala ya wazazi kukandwa na mambo mengine, ni mipaka ya Mwenyezi Mungu kwamba, mwenye kukanda hawezi kujua kama mtoto huyu ni wa kike au wakiume.

Bw. Naibu Spika wa Muda, ningependa kuomba kwamba Wabunge wote waunge mkono Hoja hii ambayo ina maana sana kwetu. Iwapo pesa hizi zimetolewa kwa minajili ya kuwasaidia watu wetu, inafaa tuwe tayari kuwasaidia. Ninafikiri kwamba, pengine hatuelewi mambo muafaka. Nina imani kwamba, hakuna haki itakayokiukwa, ama mtu fulani kunyang'anywa haki, isipokuwa itatuwezesha kujenga nyumba na mji wetu kwa urahisi. Kama tunavyojua, utalii ni muhimu sana katika nchi yetu ya Kenya, na unategemea utamaduni. Msaada hutolewa kulingana na utamaduni bora ulioko Pwani. Na ndio kukawa na imani na mapenzi ya kutoa msaada kwa watu wa Pwani. Iwapo tutapata msaada wa kutengeneza na kurembesha nyumba zetu na mji wetu, ni kwa nini tukatae? Isipokuwa tusizingatie urembo wa mji wetu peke yake; hata sisi inafaa tuishi maisha bora katika nyumba nzuri. Hakuna yule ambaye hangependa kuishi katika nyumba nzuri. Haya ni majaliwa.

Bw. Naibu Spika wa Muda, ningependa kuomba kwamba msaada huu ukitolewa, inafaa tusimame imara na tuutumie vizuri, ili ufafikie wale wanaostahili na walio na haki ya kupewa. Msaada huu utafaidi wengi wetu. Pengine hata wengine wetu wametangulia kufaidika. Kwa hivyo, sioni ni kwa sababu gani kuipinga Hoja hii. Ningependa kuomba Wakenya wasimame imara juu ya utamaduni wao; waangalie miji yao; waangalie wazee wao, na wawe na starehe njema. Sisi watu wa Pwani ni utamaduni wetu kwamba, ikiwa mtoto wa kike hajaolewa, anakuwa chini ya amri ya wazazi wake mpaka atakapolewa. Kwa utamaduni wetu, siyo lazima kwamba mtoto akifika miaka 18, huwa amekua. Ni mpaka wakati atakapolewa.

Kwa hayo machache, ninashukuru.

The Assistant Minister for Local Government (Mr. Hashim): Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa fursa hii niweze kuchangia Hoja hii ambayo ni muhimu sana. Umuhimu wake ni kwamba, Hoja yenyewe inazungumza jinsi ya kuweza kuhifadhi utamaduni wa watu wa Mji wa Kale wa Mombasa, Malindi na Lamu.

Bw. Naibu Spika wa Muda, pengine, kabla sijatoa maoni yangu, nafikiri itakuwa vyema kueleza ni watu gani tunaazungumzia. Jamii ya watu waliokusudiwa kuzungumziwa hapa ni jamii ya Waswahili, ambao, kabla ya kuja kwa Waarabu, walikuwa wanajulikana kama Wangozi. Nina hakika kwamba watu wengi hawajui historia hiyo. Kwa hivyo, Kiswahili ni mtangamano wa jamii ya Kiarabu na Wangozi ambao wamezaa makabila ya Wabajuni, Watangana, Wamvita, Wachangamwe, watu wa Malindi na wengineo. Kwa hivyo, ingefaa ijulikane kwamba, kuna kabila la Waswahili, kama vile tulivyo na kabila la Wamijikenda, Warabai, Wachonyi, Wagiriama na wengineo, pia kama vile tulivyo na Wakalenjin ambao ni Wanandi, Watugen na wengineo. Kwa hivyo, inastahili tuwe na Waswahili ambao ni Wabajuni, Wamvita, Watangana na wengineo.

Bw. Naibu Spika wa Muda, jamii hii ya Waswahili jambo moja katika msaada mkubwa waliotoa ni lugha ya Kiswahili ambayo leo inaweza kuunganisha Wafrika wote. Jamii hii ya Waswahili walipigania Uhuru lakini ninasitikika kusema ya kwamba, mashujaa wa jamii hii hawajulikani. Leo tunasoma habari za Dedan Kimathi, lakini hatujui habari za Kumuliyongwe alivyopambana na Wajerumani mpaka akauliwa. Hatujui habari ya Bwarahaji, mtu wa Kiunga, alivyopambana na Waitaliano. Hii ni kwa sababu pengine katika jamii zetu hakuna wasomi wa siku hizi, na ndio maana habari kama hizi hazipatikani.

Yasikitisha sana kuona kwamba jamii hii, licha ya kuwa na athari kubwa ya historia, tena ya kupendeza na kuvutia sana, nimefurahishwa sana na matamshi ya mwenzangu Mhe. Kihoro kwa kusema kwamba Mombasa ulikuwa mji kabla Nairobi haijafikiwa kujengwa. Lakini inasikitisha kuona tumekuwa mji kwa maneno na kwa vitendo bado hatutambulikani kama wananchi wa nchi hii mpaka hivi sasa. Hii ni kwa sababu ya matatizo ambayo sisi tuko nayo mpaka hivi sasa. Kwa mfano, jamii ya Kibajuni, mpaka hivi sasa haimilki arhi licha ya kuwa sisi tuna haki ya kufanya

hivyo. Hatuna maji mpaka hivi sasa, skuli zetu ni mbaya na barabara hazipitiki. Kwa hivyo, hatutaki tu kuhifadhiwa kwa nyumba, bali tunataka kupewa haki zetu. Tunakata haki ambazo pengine tumezikosa kwa muda mrefu.

Bw. Naibu Spika wa Muda, mambo ya kuhifadhi utamaduni ni muhimu sana. Lakini kabla ya kufikia utamaduni, kuna mambo ambayo ni lazima yazingatiwe kwa sababu sisi ni Wafrika. Nikisema sisi ni Wafrika, tusichukuliwe kuwa Uafrika ni rangi. Mwafrika ni mtu ambaye ana asili ya Kiafrika. Pengine hii rangi yangu yashindwa kwa weupe na ya mwenzangu Mhe. Maoka Maore ambaye in Mmeru. Mimi ni Mbajuni lakini ni mweusi kuliko yeye. Kwa hivyo, rangi isiwe ni kipimo cha kuangalia ni nani Mwafrika na ni nani asiye Mwafrika. Mwafrika ni mtu aliyetoka Afrika na mwenye asili ya Kiafrika. Ndugu zangu matatizo sisi tunayo, na tunataka tuweze kutekeleza wajibu wetu vizuri wa kuangalia kwamba kila mtu amepata haki yake, ndio pia tuweze kuhifadhi utamaduni wetu. Lakini kabla ya kuwapatia watu haki zao, pengine hatutakifikia kiwango cha kuweza kuhifadhi mazingira licha ya kwamba ni muhimu kuhifadhi mazingira kama yetu.

Bw. Naibu Spika wa Muda, jambo la kuhifadhi mazingira ni muhimu na yanataka kuungwa mkono, lakini hivi sasa yanasababisha

maafa mengi kwa watu wa Lamu. Wakulima wamekuwa wakisaidika kwa mapato ya dalali. Sisi tumeweza kusoma kwa sababu ya mapato kutoka kwa dalali. Wavuvi wameambiwa wasivue katika sehemu fulani kwa sababu ya haja ya kuhifadhi mazingira. Walihitaji mikopo ambayo Kenya ilipata kutoka nchi za nje. Leo wamekatazwa kuvua samaki katika sehemu fulani kwa sababu ya haja ya kuhifadhi mazingira. Kwa sababu hiyo, biashara kubwa iliyokuwa ikileta mapato makubwa katika Lamu haiko leo. Kwa hivyo, kabla ya kufikia uamuzi huu, ambao ninauunga mkono, ni lazima tuangalie mambo gani yatakuwa bora.

Vipi leo shughuli kama hii muhimu haijagusisha nyumba za Pate? Pate ndicho kisiwa cha zamani zaidi katika Kenya hii. Utafiti uliofanywa na Bw. Hamilton unasema kwamba Pate na Shanga ni miji iliyokuwa pale kwa zaidi ya miaka 1200. Lakini inasikitisha kuona kwamba watu wa "Europeran Union" ambao walitoa pesa hizi, hawakuzingatia kuhifadhi nyumba za miji hii.

Bw. naibu Spika wa Muda, wakuu wa Museum katika Kenya wamewakataza watu kuuza vitu vyao vya zamani ijapokuwa kwa bei ya kutupa, lakini mtu atafanya nini ikiwa hana pesa za kumlipia mtoto wake karo? Kwa nini umkataze mtu kuvua kando kando ya bahari ikiwa hana vyombo vya kuvulia ndani ya bahari? Lengo hii ni zuri na linafaa liungwe mkono, lakini ili kuweza kuona kwamba kuna manufaa katika Hoja hii, kwanza isingatiwe vipi watu wale watanufaika kama wanavyonufaika wengine. Leo katika Lamu, watu waliokuja katika 1976 waba vyeti vya kumiliki mashamba katika Mpeketoni, lakini watu wa Lamu East Constituency, hawana hati za kumiliki ardhi. Misaada yote imekuwa ikienda huko. Ni lazima maafisa wa Serikali wajaribu kufanya haki. Ningetaka kusema waziwazi hapa mambo ambayo maafisa wa Serikali wanayafanya huko, ni njia na namna ya kuleta chuki ya kidini. Hii ni kwa sababu jamii nyingine zinaona kama kwamba Serikali haiwafanyii mambo. Hii si kweli. Maafisa walioko huko ndio wanaoanzisha miradi katika sehemu fulani na kudharau sehemu nyingine. Mambo kama haya yana hatari kubwa.

Kotoka sehemu ya Mapenya mpaka Mpeketoni ni urefu usiofikia kilomita moja. Lakini ukiangalia Mapenya hakuna chochohte na kila kitu kimekwenda Mpeketoni. Hii ni njia ya kuwaganya Wakenya na inaweza ikatuletea hasara kubwa, hasa sisi ambao tuko katika upande wa Serikali. Kwa hivyo, ningependa maafisa walioko huko waangalie jinsi na namna ya kuweza kutoa huduma kwa Wakenya sawasawa. Vipi leo sisi tunakubali kuwa kisiwa cha Pate ndicho kisiwa cha zamani zaidi katika nchi hii, na hali watu wake wamiliki ardhi? Inasikitisha kusema ingawa sisi tunaamini mambo haya tunayoyasema, kuwa Waswahili, Wabajuni au Watangana ni wananchi halisi wa nchi hii, leo kunao viongozi katika Pwani ambao wanatoa matamshi ya kutugawanya. Haya ni matamshi ambayo yanaweza kutuletea hatari za kivita. Ni wajibu wetu tuwakomeshe watu kama hao. Sisi ni lazima tutambulikane kama watu wa Kenya, na tusitambulikane kwa maneno bali kwa vitendo. Ni aibu kwa kiongozi kutoa matamshi ambayo hajui yana maana gani, wala ni hasara gani matamshi yake yanaweza kusababisha. Yeye anaangalia maslahi yake peke yake. Kiongozi huyo, licha ya kuwa amesababisha mgawanyiko mkubwa baina ya Wabunge wa Pwani, pia amesababisha mgawanyiko mkubwa katika jamii ya Miji Kenda.

Mr. Kitonga: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Linge kuwa jambo la maana kama mhe. Hashim angetuelezea ni kiongozi yupi huyu ambaye ametuelezea matamshi yake? Ni kiongozi mkubwa au mdogo?

The assistant Minister for Local Government (Mr. Hashim): Bw. Naibu Spika wa Muda, kulingana na Kanuni za Bunge hili, huwezi kutaja jina la mtu bila ya kuleta Hoja ya kumzungumzia. Kwa hivyo, nina fikiri wale wanaomwelewa wamemjua, na wale ambao hawamjui, watafanya utafiti na watamjua.

Tunazungumzia jamii ambayo inahitajika nyumba na mila zake zihifadhiwe, lakini katika matamshi mengine na vitendo tunajaribu kuwabagua. Kwa hivyo, sidhani kwamba nimetoka katika maudhui ambayo tunazungumzia. Tunaiunga mkono Hoja hii na tunamshukuru aliyeileta, lakini haifai kwetu kutoambatanisha maneno yetu na vitendo vyetu. Asante sana.

Mr. Khamasi: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. All along, I had intended to come here and oppose this Motion, but in view of the

amendment, I would like to support it.

Mr. Temporary Deputy Speaker, Sir, I had wanted to oppose this Motion because I was rather sceptical of the way it had been brought here. We wanted to create another authority. Looking at our history of the authorities we have in this country, we find that they have a very poor track record of performance. If you look at the authorities that we have, for example, the Nyayo Tea Zones Development Authority, Lake Basin Development Authority, Tana River Development Authority and the Ewaso Nyiro Development Authority, almost all of these have not lived up to our expectations. They have not lived up to the objective for which they were established.

In view of the amended Motion, I would like to support it because it aims at protecting the historical culture of Mombasa Old Town; that is the Swahili culture. Mr. Temporary Deputy Speaker, Sir, we are looking at the language of the Swahili, which is very beautiful. It is a language that is spoken in almost the entire East and Central Africa. I think it is the sort of language that we must conserve, and get resources to develop, so that it is not infiltrated by other languages, as it is the case now. We should conserve the buildings that are in Mombasa Town, which are a beauty to look at. The Swahili people are very rare people in this country. They are some of the most friendly people you can come across. They are very welcoming, and it is a culture in them that we must conserve.

The Mover of the Motion has it on record that, the European Union (EU) has set aside a substantial amount of money. In fact, he talked about Kshs400 million. We should ask ourselves: Why is this the case? There must be a real reason for this. There must be a reason why the EU has set aside so much money, to conserve this heritage. Tourism diversity is one of the major reasons for this, as far as I can see. As the previous speaker said, we do not need to go on relying on wildlife for tourism. We need to develop other areas where we can attract tourists in this country. We need to invest into people's cultures. We need to invest into our geographical terrain and preserve it. I believe this is the main reason why, a body like the EU sees the need to set aside money to develop this particular aspect of our culture. We should take this opportunity to urge that, when this money comes, it should be spent well. We should not repeat what we have seen in the past where, when the EU gives us some grants for specific purposes, they are misused. I am referring to grants like the STABEX. We have heard that substantial amounts of money, I think over Kshs5 billion which came to this country to develop the coffee sector, has completely been mismanaged and spent not for the purpose for which it was meant.

Hon. Sajjad has got fears about the establishment, or the gazettement of the Mombasa Old Town. I think it is necessary, in a history of a country, to do so in the wider interest of the people; particularly so if such gazettement will be for the benefit of the people of this country. What we should be asking the Government to do, is to compensate the people within the areas which have been gazetted. It must compensate them adequately, on what I call the market value. A Fund must be created to support the inhabitants of the gazetted areas. It is very important so that they do not lose out. If this is done, I can see the people of the Mombasa Old Town feeling secure, knowing very well that the Government is for them, and everything is for the wider interests of the people of Kenya as a whole. The residents of the Mombasa Old Town must be allowed to make suggestions on how to conserve their culture. It should not be something that is going to be imposed upon them. This is what we need to learn. This is what the Government should make sure is done, so that the people living in this particular area are made to be responsible. They should make suggestions which they know will be for their own good in the long run.

Mr. Temporary Deputy Speaker, Sir, I do very much support this Motion. I want to thank hon. Maitha for moving the Motion, which was amended by Prof. Anyang'-Nyong'o. I think it should be supported so that we can create this particular sector.

Thank you very much.

Mr. Twaha: Thank you, Mr. Temporary Deputy Speaker, Sir. First, I would like to state that you cannot legislate culture. Culture is not static. It is dynamic. It evolves. The Swahili people of Kenya are not the only people with culture worth preserving. While I respect hon. Maitha, and I know he has good intentions in bringing this Motion to the House, in order for the utilisation of funds that the EU has offered for the purposes of conserving the Old Town, I am very much suspicious of the motives of the EU. I say this because during the last ten years within Europe; in Bosnia, Croatia, Kosovo and now in Chechnya, Moslems have been massacred by the very same people. The EU is just standing idly by, and doing nothing about it.

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. As per our Standing Orders, I believe the Motion did comply with regulations. Secondly, the insinuation that there is some religious connotations in the Motion is absolutely irrelevant; in the sense that, there was no mention of anything to do with religion, or Moslems in particular. If the hon. Member wanted to bring money from Tehran, Riyadh or Tripoli, nobody would have worried about the preserving of the culture. So, if it is the source which is the problem, he can say: "I am bringing my money tomorrow from Tehran, Riyadh and Tripoli. Why are you refusing it?"

The Temporary Deputy Speaker (Mr. Poghisio): I think, Mr. Twaha, you just need to---

Mr. Twaha: Mr. Temporary Deputy Speaker, Sir, I represent the residents of Mombasa who are Moslems.

The Temporary Deputy Speaker (Mr. Poghismo): Order! Mr. Twaha, you only have three minutes. If you spend your time raising issues rather than that in the Motion, you are going to have your time spent up, and you will not even get very far.

Mr. Twaha: It is not the first time for conservation to be used economically to sabotage certain groups of people in this country. Within Lamu, we have been banned from cutting mangrove [Mr. Twaha] poles in the name of conservation. There is the Dundori National Reserve which is preventing people from farming on large tracts of fertile land, ostensibly for the tourists to come. Not a single tourist has ever visited that area. There are large masses of water in which fishermen are not allowed to fish. This is economic sabotage of certain groups of people in this country. I will not name them any more, if that is what is bothering this House. Land in the Mombasa Island is very valuable. It is very valuable and has potential for development. We have no objection---

The Assistant Minister for Labour and Human Resources (Mr. Maizis): On a point of order---

Mr. Twaha: Ebu nyamaza wewe!

The Assistant Minister for Labour and Human Resources (Mr. Maizis): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Kuna nidhamu kwa hao mabwenyenye kuzambaratisha Hoja nzuri ya jinsi ya kuhifadhi utamaduni wa watu wa Pwani? Kuna nidhamu hapo?

Mr. Twaha: Mr. Temporary Deputy Speaker, Sir, I do not object to an Eiffel Tower or the Tower Bridge in London. We have the Fort Jesus. What we are objecting to is being told by the authority how to build our houses and how to renovate them! What for? Why should one area in the country be singled out for the authority to load us with all this? What for?

What hon. Maitha, who is expected to be a "Mkombozi" should have done is to bring a Motion to this House, to de-gazette Lamu and the Mombasa Old Town, so that the people could have their freedom.

An hon. Member: Umemaliza?

Mr. Twaha: Sijamaliza! Wacheni niongee! Also, we do not want to be under the National Museums of Kenya!

The Temporary Deputy Speaker (Mr. Poghismo): Order! Your time is over! It is now time for the Mover to reply. Mr. Maitha!

Mr. Maitha: Mr. Temporary Deputy Speaker, Sir, because of the interest which my colleagues have shown in this Motion, I will divide my 10 ten minutes among three colleagues of mine and I will start with hon. Nassir who will take about two and a half minutes; then hon. Kalweo, Dr. Kituyi, hon. Maore and then I will take the remaining three minutes.

The Minister of State, Office of the President (Mr. Nassir): Nashukuru sana kwa kupewa nafasi hii kwa sababu nilizaliwa katika Mombasa Old Town na pia nina nyumba mbili katika sehemu hiyo. Ningetaka kusema kwamba watu wa sehemu hiyo wapewe ruhusa ya kufanya mambo yao. Nimefurahi sana kuona kwamba Waziri amekubali watu wa Pwani wahifadhi mambo yao kulingana na Hoja hii.

Kwa haya machache, naunga mkono.

The Minister for Mineral Exploration (Mr. Kalweo): Ahsante sana, Bw. Naibu Spika wa Muda. Nashukuru mhe. Maitha kwa kuona mbali kwa mambo kama haya.

Katika sehemu ya Meru, tunao muungano wa *Njuri-Njeke* ambao tumehifadhi na ungali kule. Ningeomba Waziri aangalie mambo ya *Njuri-Njeke* kule Meru kwa sababu muungano huu umeunganisha Wameru. Jambo lingine ni ustarabu. Ustarabu wa Mwafrika ni lazima uwe na chanzo. Magonjwa kama vile HIV/AIDS yameenea kwa sababu ya watu kutohifadhi utamaduni wao. Tukihifadhi utamaduni wetu, hatutakuwa na njaa. Zamani, lilikuwa jukumu la baba na mama kuhifadhi chakula katika jamii.

Kwa hayo machache, naunga mkono Hoja huu.

Dr. Kituyi: Bw. Naibu Spika wa Muda, mimi pia nitasema machache kwa kuunga mkono Hoja hii. Kwanza kabisa, Hoja hii haina kitu chochote ambacho kinaweza kufanya mtu akosoe kanisa fulani au dini fulani. Kwa hivyo, hakuna sababu kwa mtu yeyote kuanza kulaani vile Wakristo wamewanyanya Waislamu kule Uropa. Jambo la pili, kila sehemu ambayo ina maana kwa uridhi wetu wa Kenya, tunastahili kuipatia heshima inayostahili. Kama mtu ameona kitu kizuri kule kwetu ambacho ni cha maana katika uridhi wa kitaifa, hatuwezi kukikosoa kwa kuleta siasa ya kitoto. Mwelekeo wetu kama Wakenya ni kujiuliza ni kwa nini kumeenea ukosefu wa adabu baina ya wachoraji na wajenzi na hali hii inaendelea kudidimiza ustarabu wetu. Kama tutahamasisha ustarabu wetu, ni lazima tuone kitu cha maana ambacho kinahitaji kuhifadhiwa na tukihifadhi bila kuuliza ni kanisa gani, dini gani au watu wa sehemu gani wanaishi sehemu hiyo.

Bw. Naibu Spika wa Muda, Hoja hii iwe mwanzo wa kufikiria jinsi wa kuhamasisha utamaduni wetu na mila zetu.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I support this Motion because it is talking specifically about cultural-historical significance. The problem we have as Africans is that we do not initiate good ideas. We wait until the European Union shows up with some Kshs400 million; and so, because of money we become so happy about the conservation of the Mombasa Old Town. These are projects that any Government worth its name should be able to make sure that we preserve---

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): On a point of information, Mr. Temporary Deputy Speaker, Sir, I would like to inform the hon. Member that this programme was not done by the European Union, it was initiated by the National Museums of Kenya.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, I also appreciate that information. The Mombasa Old Town is a confluence of so many cultures, for instance, the Germans, Italians, the Portuguese but predominantly, it is the mixture of the Arabs and Africans in the area. We want to support the preservation of this town not for any regions interest but because of our national heritage. We want, 200 years from now, Kenyans to go into the museum in Kabarak Farm and see that golden cockerel and ask themselves why the leader of the Republic of Kenya in the 20th Century was obsessed with the cockerel and the gold! History is very important to the development of a society. In this country, there are the Cushites, Nilots and Bantus. All these groups form the nation of Kenya. We should not assume at any time that we do not exist as different entities. In diversity, we should be able to respect cultures and also recognize what has been there. Swahili is a very important culture in East and Central Africa, both as a language and as a culture. We need to have a place where we can pay homage every year.

With those remarks, I beg to support.

Mr. Maitha: Mr. Temporary Deputy Speaker, Sir, let me thank all Members of Parliament who contributed to this Motion. This is a very important Motion which talks about the preservation of our culture and more especially, the Swahili culture in Mombasa Old Town. I am representing an area where we have the culture of the Swahili and the National Museums of Kenya in conjunction with the Government of Kenya and the European Union have really injected a lot of money in Mombasa Old Town and Lamu and they are doing a very good job. As I am speaking here, many people have benefited from this money which has been invested in Mombasa Old Town. By bringing this Motion, I wanted to shed light so that the Ministry can really give this unit in Mombasa a face-lift so that it can do more things.

Mr. Temporary Deputy Speaker, Sir, we have got the community committee which is doing a good job in the area and what they are asking for is to actually have extra power to do their own things the way they like. I want to differ with those colleagues of mine who opposed this Motion. This Motion did not mention any religion at all or differ with anybody's faith. It is a Motion which I brought in good faith and I have accepted my colleagues' views. In fact, those views represent those of the entire nation.

Mr. Temporary Deputy Speaker, Sir, I urge the Minister in charge, who is present in the House now, to see to it that Mombasa Old Town Office is given all the machinery that it needs so that it can move forward. Whatever is needed in this office should be provided so that the people of this area can see the fruits of the project by the European Union. Normally, these areas are not exempted from paying rents or rates. The conservation unit in every corner of this world can give a lot of money so that the conservation of such areas can always be useful. What we needed is that some of this money should be paid to the local authorities so that these people are bonded out of paying rates and rents. The local authorities getting money from these preservation areas would now be collecting garbage and repairing roads for these people and these people could be left out to enjoy because they do not benefit from the conservation. The National Museums of Kenya is currently pocketing all the money and that money goes round and gets back to these people through other means. So, the Minister should sit with this particular department in order to come up with a system on how these people can be exempted from paying rents and rates in both Mombasa Old Town and Lamu.

With those few remarks, I beg to move this Motion as amended

The Temporary Deputy Speaker (Mr. Poghiso): Order! It is really not the original Motion but the amended one. Also, just to bring to your attention, I have heard Members debating, especially in Swahili, where some Members were referring to this Motion as *Mswada* and others as *Hoja*. "*Hoja*" is the right word because "*Mswada*" refers to a Bill and, I think, we need to take note of those words for those who are going to use Kiswahili.

(Question of the Motion as amended put and agreed to)

Resolved accordingly:

THAT, in view of the historical and cultural significance of the Mombasa Old Town; considering the fact that the area is a centre of tourist attraction in Mombasa Island; and bearing in mind that

property developers may soon invade the area, this House calls upon the Government to immediately establish Mombasa Old Town Conservation Unit and designate it to work closely with the National Museums of Kenya. Next order!

FORMULATION OF WATER RESOURCE
HARVESTING MASTER PLAN

Mr. N. M. Nyagah: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:- THAT, considering the excessive rains caused by *El Nino* phenomenon in the months of December, 1997 and January, 1998, will in effect create a dry spell and cause famine which will force the Government to spend billions of shillings in the importation of famine relief supplies; being aware that most of our river water resources traverse highly fertile lands of Eastern, North Eastern and Coast provinces ending up to waste in the Indian Ocean; this House urges the Government to urgently formulate a *15 year Water Resource Harvesting Master Plan* which should include desilting of dams, opening up of new access roads, providing electricity and other related infrastructure, and further introduce subsidiary legislation which will make irrigation of the opened up land by the owners compulsory in order to stop reliance on imported grains and other agricultural commodities.

Mr. Temporary Deputy Speaker, Sir, from the onset, I hope that all Members of this House will see the need to support this Motion particularly, more so, as a result of what happened yesterday. I would like to thank hon. Munyes for having successfully, through a Motion of Adjournment, brought in a Motion that captured the support of both sides of this House. I have specifically requested the Government for a 15 year water resource harvesting master plan with one reason in mind. One, when the Government told us that they needed to supply water to all Kenyans by the year 2000, they had a target they were looking at. At the onset of Independence, when we were told that the Government was going to give free education, free medical services *et cetera*, they had a target they were looking at. The Government, unfortunately, has not been able to achieve its target. I do hope, pray and wish that this time, the Government will be able to achieve its target. Mr. Temporary Deputy Speaker, Sir, 15 years from now is not a long time for this Government to be able to come up with plans that are going to alleviate the problem. Why should Kenya, as an agricultural country, so far spend Kshs1.5 billion to bring food to give to Kenyans? We are awaiting a further Kshs2 billion to be spend by the Kenya Government from taxpayers' money to be able to feed its own citizens. What happens as a result? The administrators in the name of DCs are the same people who are beneficiaries and, therefore, they will be the first people to want to "kill" what Kenyans are trying to come up with through a Motion of this nature. In fact, I would plead to my Minister for Water Resources to not only depend on this Motion, but to bring in a Bill that will ensure equitable distribution of wealth and development is done as a result of availing the most resourceful product to anybody.

Mr. Temporary Deputy Speaker, Sir, this product should be availed to you in order to survive, sit there, listen and guide me, to the animals that you rear at home and for what you eat. Water is most vital. The Meteorological Department has this habit of telling us what is going to happen tomorrow. They say: "*Kesho itakuwa hivi na vile*", but it is one area that today, you cannot rely on 100 per cent. One day I had the misfortune of organising a wedding for a younger brother of mine and I called the Meteorological Department the day before and asked them: "How is the weather going to be like tomorrow?" Do you know what they told me? They told me: "It is going to be nice and sunny". However, being a Kenyan who sometimes behaves like the man who had to put his hands into the ribs of Jesus to see whether he had actually arisen from the dead, I did not believe them and I brought tents. To their word, it rained heavily. Now, we would want this department to be able to give us good guidance and weather forecasts so that we are able as a country to depend on it.

Mr. Temporary Deputy Speaker, Sir, Kenya, the inhabitants of North Eastern Province which today has gone into waste, rear goats, camels and cattle. That is not enough. As a matter of fact, North Eastern Province alone is known to possess the right nutrients for the soil that it has. It is not any worse than Israel. Today, you will not be surprised if you were told in this Parliament that the oranges that you are going to eat have been imported from Israel that is Jaffer(?) oranges. It is really a great shame for this country that after so many years, we have made Kenyans dependent on handouts. People go to queue to get handouts; this is a tool that has been used excessively when it comes to election time - when people have to go and queue to get food in the form of maize to be able to vote for KANU. We should not pride ourselves when we go to those forums and we say: "We, as a party, are the only people who can provide you with the food; the Opposition cannot". This is not a question of who can provide. It is the duty of any sane Government to provide food, an environment for people to grow that food and security. Therefore, I think this Government must desist from using food as a tool to put itself into power and hence the challenge today. So that when

we are in Government in the next three years and I hope you will be in that Government yourself, you will be---

The Minister for Renewable Energy Development (Mr. F.P.L. Lotodo): On a point of order, Temporary Deputy Speaker, Sir. When did KANU use food as a hook to get votes and from which district?

Mr. N.M. Nyagah: Mr. Temporary Deputy Speaker, Sir, I want to quote the Bible. "We have eyes, but we do not see, and we have ears, but we do not hear." This is the only explanation that I can give to a very good friend of mine, whom I have great respect for and who lives in a good "fortress". I wish you could invite me to that "fortress" and I will come and tell you when and where it happened. It happens all the time.

Mr. Temporary Deputy Speaker, Sir, let us continue and take---

The Minister for Renewable Energy Development (Mr. F.P.L. Lotodo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Still I insist that hon. Norman Nyagah tells us when and where KANU did use food as a hook to get votes? It is not in West Pokot!

The Temporary Deputy Speaker (Mr. Poghiso): In other words, are you challenging him to substantiate his claims?

Mr. N. M. Nyagah: Mr. Temporary Deputy Speaker, Sir, let me appease the Minister by substantiating so that he can be satisfied. All over Kenya, food has been used by KANU as a tool. What is substantiation? It is something that you can lay on the table, hear or see! In my own constituency, in the year of our Lord; December, 1992, KANU gave massive food supplies to the Mbeere people in support of their candidate. If that is not a good substantiation, I have no idea!

Let us get into a more serious business which is before this House, because that is what this country needs. The express aim of the National Water Master Plan of 1974 was to ensure that water was brought closer to the people so that they were able to drink this water. Each household was going to have access to water; so that the water supplies schemes could be initiated and the sinking of boreholes could be done and furrows could be done by the Government. How much of it have we achieved? This is the question that the Minister for Water Development must address himself to.

According to a report by the policy analysis and research groups; the following is what I researched on the availability of water. In North-Eastern Province, 16.91 per cent is the amount of water that has been put into any useful and meaningful resource; in Eastern Province; 35 per cent and Coast Province 52 per cent.

Mr. Temporary Deputy Speaker, Sir, in Nairobi, every single day we are crying about water supply to the residents of Nairobi. Ewaso Nyiro alone, from North-Eastern and Eastern Province, with a lot of underground water, can supply water to 3 million Kenyans living in Nairobi for the next 200 years. Now, this water should be put into some meaningful use so that the people of the North-Eastern Province, the Coast and Eastern Province can benefit from it.

At Independence, we had a mere population of 7 million, but today we are told that it is about 30 million plus. The population demand has risen and the Government must rise to the occasion that you must be able to provide for your own people. I do not want to dwell much on what is contained in the Sessional Paper No.1 of 1999 because it was very ably moved here by the Minister the other day, but this pertains to water relating to household usage and drinking in towns.

Mr. Temporary Deputy Speaker, Sir, I want to talk more and put my focus on livestock and agriculture, with regard to the water catchment areas. We know that Sahara and Karahari Deserts at one stage had the blessing of the flora and the fauna that was there, but because of the greed of mankind, today, those lands are bare. Within a few years, if we do not prepare this country properly, the whole of North Eastern Province will be bare land and we will not have hon. Shidiye, the Assistant Ministers, hon. Leshore and the rest being called people because they shall be extinct; we will be reading history about them!

Mr. Temporary Deputy Speaker, Sir, let me thank Dr. Leakey. In one of his duties, when he took office, the first person he fired and kicked hard was the Government Conservator of Forests, who had no shame in appending his signature to giving business tycoons an okay to go and harvest timber in our catchment areas in Mt. Kenya, Mt. Elgon and all over the country. In fact, he should be followed, if not to his grave, so that he can be prosecuted because he has done the biggest disservice that any human being who is worth being called a Kenya can do. It was not good enough to have this man sacked! I do plead that the next man that he brings into this office is going to be a crude and a hard person with no feelings so that he can protect millions and millions of Kenyans, so that we can benefit from what God created and what God bestowed on us to use for posterity.

Mr. Temporary Deputy Speaker, Sir, the DCs, particularly from Meru, Embu---

An hon. Member: And Kirinyaga!

Mr. N. M. Nyagah: And Kirinyaga, I am told! They have also fallen prey to thinking that because they are in charge and yet they know very little--- But because they are called heads of security, agriculture, this and that--- Some of these people have no academic qualifications and are heading departments purporting to have authority. They have

gone ahead and issued letters for massive destruction of forests.

I remember that my Vice-Chairman missed Parliament the other day and I counted him out on that day. It was the day when I needed him most because we had a very important Motion and we needed his vote. What would have happened if we had lost it to KANU? He had gone to inspect Mt. Kenya Forest. The haven for water in this country lies there; that water is going to run dry very soon if the Government does not take action. I am pleading with them that, if they do not have some policy, let them formulate one.

The other issue is that this Government must address itself to the various ways of conserving and preserving environment. I think we need to be more serious. In a short while, I will be talking of a few Boards that need to be put together so that, we are able to harmonise these things. One, we have a lot of water that comes from our neighbouring countries. We need a policy that is able to put our local Boards and those countries together, so that we can use this water more effectively.

Mr. Temporary Deputy Speaker, Sir, concerning the conflict of interest between countries, I would urge the Minister for Water Development to look into it so that all the sectors that are involved; from the district Boards, apportionment Boards of water and so on and other countries are merged together so that we, as a country, can benefit from that. We have the manpower and professionals within the Ministry; they can plan well for this country. I am sure we have people and a Government that I do believe can come up with policies that can be put into use when all that has been said and done.

The harmonisation of the Water Act which was a creation of an Act under the then British Ordinance of 1929 needs to be harmonised with all other Acts that are enlisted and put before us here. There are 26 other Acts which deal with Water. These Acts are independent or sub-independent of each other. We will urge the Minister to look at those Acts and put them together to come up with a single comprehensive Act.

Mr. Temporary Deputy Speaker, Sir, what are the constraints that we, as Kenyans, envisage or experience as a result of lack of development in water? First, we as a country are unable to win the hard currencies that this country requires. If we had agriculture taken to every single person by being able to have water, this country will be a shining example in Africa. This country would be rich because our country will be able to export literally to every country of this world. If we are able to export what we do at the moment with the few resources that this country has, one stops to imagine what this country can achieve by having this water as an important component put to some good use. With regard to River Sabaki and the Coast Province where hon. Ngala comes from, if you asked him: What is the biggest agricultural produce you have? He will tell you, it is a tree they plant and wait for 50 to 100 years for the cashewnuts to come down. They have the capacity to grow crops like millet, wimbi, sorghum, beans, maize and cassava for export. In fact, he will look even a lot healthier than he is today. Can you imagine him being healthier than he is today and all Kenyans looking healthier than he is? This is what we are asking for.

Mr. Temporary Deputy Speaker, Sir, when Kiambere Dam was being constructed, it was the Government policy under the Ministry of Water that the water from Kiambere Dam would be used for the irrigation of the neighbouring areas, namely; Tharaka, Nithi, Mbeere, Kitui and Machakos. But what happened? The water was siphoned away and it was taken to Kitui because the Minister who took over after the other "good Minister" who was there then, put it to his constituency. I would urge the Minister to look again into this because Tana River, with all its tributaries that pour into it, has massive water that can turn Ukambani areas, namely; Machakos, Makueni and Kitui into a haven for this country.

Mr. Temporary Deputy Speaker, Sir, let me end up by appealing to the Minister that all the boreholes that are in North-Eastern Province, Coast Province and Eastern Province are non-functional. Beg but do not steal, go down on your knees to anybody who can help us so that they are revived, so that we do not wipe out a community, so that they can be used in small furrows like the one in Yatta and Makueni, so that our people can benefit.

With those very few words, I beg to move and ask hon. Shidiye of KANU to second the Motion.

(Applause)

Mr. Shidiye: Mr. Temporary Deputy Speaker, Sir, I stand to second the Motion in the spirit of co-operation that has developed in this House.

(Applause)

Mr. Temporary Deputy Speaker, Sir, this is the most important Motion in this House. It touches on the lives of Kenyans. As we move into the next Millennium, the crisis that this country is going to face is that of water. In fact, the water crisis will be the biggest crisis in the world. Water will be more expensive than oil and any other commodity. So, unless we prepare ourselves as a country to have a master plan for water, we will reach a situation where Kenyans

will suffer. Water is life; that is why I am saying that this should be the country's priority number one.

This country's priorities have been violated. I have used the word "violation" because we have failed to go back to the basics. We have failed to identify the main problem of this country. The problem of this country, first and foremost, is water. Insecurity, famine, and formulation of food policy come after water. Without water, you cannot be in the business of achieving food security; without water, you cannot be in the business of providing security to the northern parts of this country, where cattle rustling incidents occur on a daily basis. Water scarcity brings about hatred, tension, animosity, violence and clashes among communities.

Mr. Temporary Deputy Speaker, Sir, this country loses billions of litres of water to the Indian Ocean every year due to our failure to harvest water. As I stand here, I am crying because my people do not have water. I am "bleeding" because all the boreholes that were sunk in the 1960s and 1970s have collapsed. They are totally obsolete; they are not functioning. Some people talk about food while others talk about other things. On my part, I am not talking about those things because they are luxuries; I am talking about water. If you do not have water, you can as well forget about other things. There is not a single river between Garissa and Mandera apart from River Tana, which is just along the border of the Coast and North-Eastern Provinces. You can travel a distance of 1,200 kilometres without coming across a single river. We all depend on dams, boreholes and some seasonal rivers, which contain a lot of water during the rainy seasons.

As I speak here, people in Lagdera and Wajir South are suffering. Boreholes in those areas have collapsed one after the other. There are no borehole drilling rigs on the ground. Whenever you go there, you find people crying for water, yet the Ministry of Water Resources allocates peanuts to the district headquarters for water development. If you allocate a district like Garissa or Wajir a mere Kshs500,000 to run the office, fuel and maintain vehicles, and meet other expenses for a whole financial year, you are not in the business of providing water to Kenyans.

The Minister is good; he is magnanimous. He understands the problems being faced by people in those areas. Hon. Members in this country complain about water. When you go to the Minister, you find him complaining too. Now, in that case, where would you go to next? We are left with only one alternative - to raise our hands in prayers and ask God to give us rain. However, when the rain comes, we do not harvest its water.

Mr. Temporary Deputy Speaker, Sir, this country has the most fertile soil in this region. Some people say that if you dip your finger into Kenyan soil, it might grow, but are we using this soil? Why are we said to be a proud nation yet, 36 years after Independence, we are unable to feed ourselves, or provide water for our people, which is the most basic commodity? This is what touches our hearts. It is shameful that we are begging for water, food and everything else.

Mr. Temporary Deputy Speaker, Sir, look at what is happening in the district headquarters. If you go to Wajir District, you will find the District Fisheries Officer and, yet, the people who live there do not eat fish; there are no fishing ponds and water. What does such a person do there? If you go there you will also find the District Industrial Development Officer and, yet, there is no single industry in that district. If you visit the district headquarters, you will further find the District Forest Officer although there are no forests in Wajir District. Are you in business of governance? Are you in business of providing services to Kenyans when you post people who are idling literally earning pension in this country? At the age of 20 somebody starts earning pension in the name of salary. You are totally not in business.

For instance, if you go to Mbagathi Hospital, you will find that there are more than 50 doctors while there is none in Kacheliba Constituency, and yet, there is no theatre in that hospital. In fact, all of them are practising in their clinics. They make technical appearances at the hospital and they earn their salary. The Government is losing a lot of money that would have provided water, food and made this country a wealthy State.

This country has one industry that is vibrant in this country and it is called "corruption". That is the only vibrant industry in this country!

(Applause)

People do not work for the Government of Kenya! Kenyans are literally crying; they do not get the services that they require! I would like to inform this House that civil servants are completely running down the Government. People say that it is the politicians who are running down this country, but we are not accounting officers! We do not have the money; we just earn salaries and allowances, which we end up donating at Harambees.

Mr. Temporary Deputy Speaker, Sir, this country has human resource and other resources. You can name them. When you pump oil from Mombasa to Eldoret and, yet, you cannot provide those people with water, are you in business of providing Kenyans with the services they need? These are the things that affect us and we are crying! If you want to help the people of northern Kenya, especially those in Turkana and Samburu Districts, first of all, you must provide them with water. If you do not provide them with water, they cannot be part and parcel of this State. It is

shameful that the most underdeveloped part of Kenya is northern Kenya. If you go there, you will feel that those people are not part of this country. This is because they have no water and security. They have nothing!

Recently, the DC went to my constituency and people asked him openly: Where is that *Mzungu* who was wearing the crochets you are wearing? They told him that, that man provided them with security and made sure that they did not starve. It is shameful that, today, 36 years after Independence, we are calling ourselves a proud nation that cannot provide food and water to its people.

Mr. Temporary Deputy Speaker Sir, we want the Government to reduce the number of Ministries, as the President has done. We want to go further than that. We want to reduce the number of Ministries from 15 to seven and remain with the ones that will deliver services to Kenyans. I would like to inform this House that the Public Service Commission (PSC) does not understand the problem of northern Kenya. Somebody who is in Nairobi decides what is good for Kacheliba Constituency and what is good for Turkana District and Mombasa. Someone will post a Livestock Officer to the Island of Lamu as if there are livestock there! Things have to change and it must start here. I am happy that we passed the Constitution of Kenya (Amendment) Bill here. This is because I believe in institutional building. Institutions in this country are collapsing one after the other. Even family institutions are collapsing because of economic problems, hunger and poverty.

Mr. Temporary Deputy Speaker, Sir, for the last three to four years, people have not been employed in this country. People leave schools, colleges and universities, but they are not being employed. Go round Parliament and you will see people along the fence looking for jobs! The private and public sectors are not helping matters. Cattle rustling comes as a result of the water problem and scarcity of resources. How do we address the water problem in northern Kenya?

We must support the Minister because he is very helpful and hard-working. We want the Minister to get the lion's share in the budgetary allocation so that he can provide the much needed water. It has become a dream that we are going to have clean water in Kenya in the year 2000. Where is the clean water? We do not even get the dirty water!

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

(Question proposed)

Mr. Mwiraria: Thank you, Mr. Deputy Speaker, Sir. I rise to support this important Motion. First and foremost, I want to congratulate the Mover not only for bringing the Motion, but also for moving it very ably. It is true that as we sit here today, parts of this country are gripped with famine which is likely to cost us over Kshs5 billion in purchases of food. It is true that if we spend this money in harnessing our water resources, we will be able to grow adequate food and be self-reliant. It is for this reason that I support the Motion.

I want to divide my remarks into two parts. The first part will deal with those areas of the country which have water flowing through rivers and where we have made certain mistakes. The first mistake that we have made as a nation is that although we have a water bailiff who is supposed to share out available water the water has not been shared properly. In my constituency, there are streams that have run completely dry in the lower parts because people have been authorised to tap water for irrigation and they have taken everything out of these streams. A good example is the Uaso Nyiro River which has also been tapped for irrigation. Due to this, the Samburu area has no water flowing for nine months in the year.

I would urge that when the Minister looks at this Motion, he should implement the provisions of our law which provide that water should be shared properly so that at least people living downstream are left with some supply of water for their use. The other mistake we have made, is that we have this "white elephant" called the Bura Irrigation Project. This is where I would like to urge the Government to take corrective action. This is where, instead of using gravity to provide water to the irrigation scheme, the Government chose to use pumps which packed up many years ago so that, today, Bura Irrigation Project has come to a complete standstill. We should use the gravity, because it costs us very little, other than the piping. It is also very efficient.

Mr. Temporary Deputy Speaker, Sir, having said that, let me urge the Government to look at all the rivers which are flowing, the amount of water available in those rivers and see how it should be utilised to irrigate the land around them, for the benefit of all Kenyans.

I come from a rather unusual constituency in Meru in the sense that part of it is rich agriculturally. That land gets adequate rainfall every year and people can grow what they want. But more than three-quarters of my constituency is on the leeward side of Mt. Kenya, where the rains are very little and there are no rivers flowing. For instance, in Timau, it is only in one year in five, that farmers are able to get good crops. That is when they get adequate rainfall. But the land is so fertile and productive that, all we need is to provide water to the poor farmers. The Government of Kenya has a duty to provide, especially to those people who live in what used to be rangeland before, and who have been settled there, on two and half or five, ten or 15 acres, to be able to exist.

Mr. Temporary Deputy Speaker, Sir, agriculturalists tell us that you require ten acres to sustain one cow per annum. But in an area like Timau and Buri location in my constituency, people are trying to live. A family trying to live on five-acre land is impossible without water.

Mr. Deputy Speaker, Sir, I am supporting the Motion. The Ministry should look at this country in two parts; the areas where there are rivers and arid and semi-arid areas. The Seconder of the Motion spoke very ably on the water resources for North-Eastern Province. I want to support the Motion and say that the Government of Kenya has a duty, not only to revive the old boreholes, but to dig new ones. The Government has a duty to provide dams which will collect rain water. Our country has some of the best soils for dam construction. This should be done, particularly in the arid and semi-arid areas of this country.

Mr. Temporary Deputy Speaker, Sir, the other point which is really important for us is that, in order to avoid constant famine in this country, our Government has a duty to look for crops which will do well in the dry areas and assist in taming desertification. What has been happening in recent years is that, Government officials helped to destroy water catchment areas. Mt. Kenya is an excellent example where foresters have authorised people go and have shambas around the catchment areas; the sources of the springs and the streams.

Mr. Temporary Deputy Speaker, Sir, the Water Act (Cap 372), Section 14 of the Laws of Kenya, provides for the protection of water catchment areas. Perhaps, the biggest water catchment area is Mt. Kenya and the Abaderes where the Tana and Athi Rivers originate from, and yet this is one area where destruction has been worst. The issue here is that we do have the laws, but we do not enforce them. So, while we plead with the Minister to initiate a master plan, it must also be accompanied by legislation as stated in this Motion, and which must be enforced. There is no point of having legislation which is not enforced.

Mr. Temporary Deputy Speaker, Sir, my last point is that if we will have a programme of conserving water to be used for irrigation, then, we need to have a fair system of sharing that water. In most areas where the water system was developed several years ago, the people upstream are using all the water and the people downstream do not get any water, even from some of the Government projects. So, my plea is that a system of sharing water, once the master plan is provided for, must be worked out. And personally I feel that if people benefit to have water for irrigation, then, perhaps, that water should be metered and they should be charged a little sum of money so that they do not waste it.

Mr. Temporary Deputy Speaker, Sir, finally, let me urge the Government to look at Giaki Location in my Constituency which is surrounded by rivers and which can grow lots of food crops, but it has been totally ignored.

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

The Assistant Minister for Local Government (Mr. Affey): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. I wish, first of all, to congratulate the Mover for having brought the Motion to the House. We are talking about water, which is life. We are saying that we would like to have a 15-year water resource harvesting master plan. I would like to suggest now that we are trying to review our Constitution, we should also review the water sector, because the problem of water in this country is most felt in pastoral areas. And because of the lack of this very vital commodity, we have not been able to fully utilise and harness the resources in these areas. But because we are now in the position of reviewing our Constitution afresh, I would like to appeal to this country and to Members to make it a constitutional requirement; in fact, in the preamble of our new Constitution, we should indicate that we not only have a 15-year water resource harvesting plan, but we also have a master plan for the arid and semi-arid lands (ASAL) areas in totality, not only in the water sector, but in almost all the other sectors: roads, agriculture and the entire infrastructural development so that we can be able to catch up with the rest of the country. I think that, that will be a sensible thing to do for the people of the ASAL areas.

When we talk about the provision of water, we are talking about alleviation of poverty. There is direct relationship today between the provision of water and poverty in the country. And my appeal will be---

ADJOURNMENT

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

The House rose at 12.30 p.m.