

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 3rd July, 1996

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Mr. Speaker: Hon. Otieno-Kopiyo's Question.

Question No. 412

ARREST OF PARASTATAL EXECUTIVES

Mr. Speaker: Hon. Otieno-Kopiyo is not yet here? We will move on to Mr. Gitonga's Question.

Question No. 538

LIVESTOCK THEFTS IN LARI

Mr. Icharia: Mr. Speaker, Sir, hon. Gitonga asked me to request you to defer this Question. He cannot be here because a relative of his has passed away.

Mr. Speaker: Very well; I will defer it to next week.

(Question deferred)

Question No. 598

ALLOCATION OF HIGH SCHOOL BURSARIES

Mr. Icharia asked the Minister for Education:-

(a) how much money was allocated for secondary school bursaries for Kiambaa Constituency in the years 1993, 1994, 1995 and 1996; and,

(b) whether he could provide a list of the schools which benefited and the names of the beneficiaries per school.

The Minister for Education (Mr. Kamotho): Mr. Speaker, Sir, I beg to reply.

(a) The total amount disbursed to secondary schools in Kiambaa Constituency in respect of bursaries for needy and bright students was as follows: 1993/94 Kshs875,353; 1994/95 Kshs1,310,482; from July 1995 up to January, 1996 Kshs787,178. We have not been able to get the figures for the amount disbursed for April/May, 1996. I think the amount is still at the district headquarters. No amount was given out during the calendar year, 1993, as implied in the Question, since the first allocation for the programme was made by the Treasury in January, 1994.

(b) I wish to table here the list of schools which benefited. The list shows the number of students who received bursaries per school for 1994/95/96. But I will not be able to table the list of names of individual candidates because you will agree with me - and I have said this before here - that it is a very tedious exercise, which takes a very long time, for the schools to forward the lists of names of the beneficiaries to the district education officers, and then for the district education officers to submit those lists to the Ministry. So, the information that I am going to table should be satisfactory to the hon. Member. We should also note in this House that all hon. members are members of the boards of governors of schools in their constituencies.

Therefore, if surely they wanted to get the names they could do that.

Mr. Speaker: Mr. Kamotho, that is enough; you are leaving the hon. Members with no time for supplementary questions!

(Mr. Kamotho laid the list on the Table)

Mr. Icharia: Mr. Speaker, Sir, there are reports from schools that most poor children do not benefit from the Bursary Fund. There are reports to the effect that children of able parents are awarded these bursaries because the parents are known to chiefs, district officers and other members of the Provincial Administration. I have been a chairman of a board of governors---

Mr. Speaker: Order, Mr. Icharia! You are falling into the same trap as the Minister. Ask the [Mr. Speaker] question.

Mr. Icharia: Can the Minister explain clearly how children are awarded these bursaries? The methods used currently are very unsatisfactory! Can he explain how he identifies a needy child as opposed to a child of able or influential parents?

Mr. Kamotho: Mr. Speaker, Sir, I do not want to be pushed by the hon. Member back to where you warned me against going into. I stated very clearly that hon. Members of this House, including hon. Icharia, are members of boards of governors of secondary schools in their constituencies. He should raise these objections during boards of governors meetings. If he did not raise any objections during the allocations of the bursaries who else does he expect to raise them in the meetings of the boards of governors?

J.N. Mungai: Mr. Speaker, Sir, I think the Minister is also misleading the House. It is quite correct that many of us are members of boards of governors of schools in our areas. But let him not allege that we do not attend boards of governors meetings: We do. But is he aware that most of the agenda items brought by headmasters to most of the boards of governors meetings do not include the bursary allocation? Every time the headmasters are asked about the bursaries they say that the matter is with either the district education officer or the provincial director of education. The headmasters hardly bring this matter to boards of governors meetings because they do not want members of the boards to know how the allocations are made. Is he aware of that?

Mr. Kamotho: Mr. Speaker, Sir, I am not aware of it. If any hon. Member has experienced that kind of behaviour in a board of governors meeting he should report it to me, rather than make a generalised accusation against 3000 secondary schools, where this kind of thing does not happen.

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply and taking into account that the Minister himself is a Member of Parliament and he has had past experience, is he aware that in one constituency you can have about 12 secondary schools? Is he telling this House, that the Member of Parliament can be able to attend all the board of governors meetings in all the 12 schools at the same time? When you are on this side, there is a meeting on the other side.

Mr. Kamotho: Mr. Speaker, Sir, every Member of Parliament has a responsibility to his voters. It is his duty and responsibility to make sure that he serves them in accordance with their expectations. If a Member of Parliament is unable to attend a board of governors meeting he should--- They are not held on the same day!

Mr. Shikuku: You are not like ourselves. We know!

Mr. Kamotho: Mr. Speaker, Sir, I know more than what hon. Shikuku knows about the operations of secondary schools and it is a betrayal of the voters because these Members particularly hon. Shikuku, does not attend the board of governors meetings in Butere.

Mr. Speaker: Very well! Next Question, Mr. Mwangi Gichuki!

Mr. Icharia: The last one, Mr. Speaker, Sir.

Mr. Speaker: I am sorry, Mr. Icharia. I think I have given sufficient air-time for that. Next Question, Mr. Mwangi Gichuki!

Mr. Gichuki: Mr. Speaker Sir, before I ask the Question, I want to register my complaints because I do not have a written answer.

Question No.236

ROAD USAGE BY HEAVY COMMERCIAL VEHICLES

Mr. Gichuki asked the Minister for Public Works and Housing:-

(a) if he is aware that heavy commercial vehicles are using the new Limuru-Maai-Mahiu-Naivasha Road; and,

(b) if the answer to "a" above is in the affirmative, whether he could ensure that heavy commercial vehicles use the old Limuru-Maai-Mahiu-Naivasha Road.

Mr. Speaker: Anybody from the Ministry of Public Works and Housing? Nobody here! Next Question, Mr. Tola Kofa!

Question No.595

REHABILITATION OF BURA IRRIGATION SCHEME

Mr. Kofa asked the Minister for Land Reclamation, Regional and Water Development, when the Government will revamp the Bura Irrigation Scheme project in Tana River District.

The Minister for Land Reclamation, Regional and Water Development (Mr. Mohammed): Mr. Speaker, Sir, I beg to reply.

The Government is already in the process of revamping Bura Irrigation Scheme in Tana River District as follows:-

1. My Ministry has already procured a new pumping set at a cost of Kshs22 million which has been assembled and is being tested in Britain. It is expected to be shipped and received for installation at Nanigi Pumping Station by December, 1996.

2. One of the existing five pumping units has already been rehabilitated at the cost of Kshs1 million and the second one is in the process of being repaired at the cost of Kshs3 million.

3. My Ministry has hired a consultant to study and design and make recommendations on measures to be taken to fully reform the scheme. A draft report on the rehabilitation measure has already been received and is being evaluated for implementation. Designs for a permanent water intake are expected to be completed by January, 1997.

Mr. Kofa: Thank you, Mr. Speaker, Sir. When the scheme was started in 1981, it was supposed to cater for 5,150 farmers but it catered for 2,337 farmers. Money was made available to clear 6,700 hectares, yet it was used to clear only 2,500 hectares. What happened to the difference?

Mr. Mohammed: Mr. Speaker, Sir, it is true the scheme was meant to cater for 5,150 people, but those who were settled in 1981 were 2,237. Most of these farmers have now left the scheme because the irrigation was not functioning properly and there are about 1,800 farmers on the scheme now. As to what happened to the money which was meant for the 6,000 hectares, I cannot tell at this time because it was a long time ago and we only managed to clear 2,500 hectares at that time.

Dr. Kituyi: Mr. Speaker, Sir, arising from the Minister's reply, if you look at the details that are contained in the reply, the Minister is talking about replacing and repairing spoilt pumps which takes the scheme back to where it was, that is rehabilitation. Can you now give us measures which go beyond the initial performance which is implied by revamping?

Mr. Mohammed: Mr. Speaker, Sir, the rehabilitation I am talking about is a short-term measure. We want the irrigation scheme to function again because it is not functioning at all at the moment. We have a long-term plan to have the water flow by gravity and we have already appointed a consultant to advise us on how to go about it and when we get that report we are going to have a permanent solution to that problem of Bura Irrigation Scheme.

Prof. Ouma: Mr. Speaker, Sir, many of the irrigation pilot projects and schemes in this country are more or less on their knees. Could the Minister give us a preview of what he thinks will be done about the management because something is wrong with management? What will he do or what are some of the main things he intends to do so that the management of these irrigation schemes may be a long sustainable line? Management is the key which is wrong. What will he do?

Mr. Mohammed: Mr. Speaker, Sir, there could be some problem of management, but what I am trying to do now is to have a permanent solution in terms of management of irrigation schemes.

Mr. Speaker: Final question, Mr. Tola Kofa!

Mr. Kofa: Mr. Speaker, Sir, in part "a" of his answer, the Minister talked of Kshs22 million which will help revamp the scheme. Is he talking of the original acreage of 6,700 hectares or the 2,500 hectares?

Mr. Mohammed: Mr. Speaker, Sir, the Kshs22 million I am talking of will be used to rehabilitate the existing scheme not the additional 6,000 hectares, it is the existing scheme.

Question No.369

PAYMENT OF MR. WANYAMA'S NSSF DUES

Mr. Sifuna asked the Minister for Labour and Manpower Development:-

- (a) whether he is aware that Mr. Charles Kassimu Wanyama, NSSF No.009590072, has not been paid his retirement benefits since April, 1994; and,
- (b) when Mr. Wanyama will be paid his dues.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Mr. Speaker, Sir, I beg to reply.

I am not aware. However, as for part "b" Mr. C. K. Wanyama was paid his NSSF dues in January 1996.

Mr. Sifuna: Mr. Speaker, Sir, that is not true. Could the Assistant Minister tell this House the exact date this man was paid this money, the address, cheque number and how much?

Mr. Ali: Mr. Speaker, Sir, the cheque was issued on 5th January, 1996 in favour of Mr. Wanyama and it was cheque No.327849 in the sum of Kshs35,826-20.

Mr. Nthenge: Mr. Speaker, Sir, does the Assistant Minister realise that it is a defeat of the purpose for people who qualify for NSSF benefits to suffer and even borrow money before they are paid and even when they are said to have been paid the money does not reach them like in this case?

Mr. Ali: Mr. Speaker, Sir, as for this case, Mr. Wanyama should contact the NSSF office Bungoma.

Mr. Sifuna: On a point of order, Mr. Speaker, Sir. I am not satisfied with the answer given by the Assistant Minister because up to now this man has not received this money, and yet the Assistant Minister is telling us that Mr. Wanyama should contact the Bungoma NSSF office. Is he in order when I have brought the Question here and he tells me to go and ask the NSSF Bungoma branch?

Mr. Speaker: No, you should ask him. Would you like to respond, Mr. Ali? He is asking you?

Mr. Ali: Mr. Speaker, Sir, I think the hon. Member should assist Mr. Wanyama, maybe he has no proper communication with Bungoma District NSSF office.

Mr. Kapten: Mr. Speaker, Sir, do you realise that we are having questions every now and then on NSSF; people who have left employment and they have not be paid their dues? This is a problem which the citizens of this country have. What steps is the Assistant Minister taking to ensure that people who have left employment or who have retired are paid in time? Is he contemplating bringing legislation in this House to restructure the payment of the retirees?

Mr. Ali: Mr. Speaker, Sir, the delays are normally caused due to lack of information either from the employer or employee.

Mr. Speaker: Very well. Next Question, Rev. Ommani.

Question No.334

DISMISSAL OF COLLEGE EMPLOYEES

Mr. Speaker: Is Rev. Ommani not here? Well we will leave his Question until the end. Let us move on to the next Question, Dr. Kopyo for the second time.

Dr. Otieno-Kopyo: Mr. Speaker, Sir, I beg to apologize for coming late, it is not usual. I beg to ask Question No.412 for the fourth time in the House.

Question No.412

ARREST OF PARASTATAL EXECUTIVES

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

- (a) how many parastatal executives have been arrested and charged with offenses relating to fraud during the last two years; and,
- (b) how many of these executives have been convicted.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, I really do not want to

answer this Question because the issues involved are contained in the Public Investment Committee Report (PIC). The Report has not been tabled in this House and there is no reason at all why I should answer now.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. Even though it is unparliamentary to say that the Assistant Minister lied, this time one is tempted to use that word, but I would not use it. So, I would---

Mr. Speaker: First of all, Dr. Kopiyo, you have already used it by uttering it. Will you unutter it by withdrawing?

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, I did not use it, but if you say so, I withdraw it. Therefore, he misled the House thoroughly.

There was the Fourth Report of the Public Investment Committee (PIC), the Committee that was chaired by hon. Anyona. It named names of officers of those parastatals who should be surcharged and the Attorney-General was urged to take action. Then the PIC of the same year did the same under the Chairmanship of late Jaramogi Oginga Odinga. Then the following year, Prof. Anyang' Nyong'o, chaired another Committee of PIC, and named names and recommended certain specific action, but nothing was done. I am not talking about the PIC Report which is pending for debate before the House. Could he now tell us the basis of his refusal to answer when I am not referring to those matters at all? I can bring the two reports - they are in the library - to clarify the issue?

Mr. Speaker: Maybe, Dr. Kopiyo, you can help the Chair to help the House. What particular period of years do you have in mind because we know what reports have been adopted by the House and which ones have not been adopted?

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, I was actually explaining that as you were consulting with the Clerk of the National Assembly. I have said that the Fourth and the Fifth Reports---The one he is referring to is the one which is pending for debate, and we are not touching on that. Those other reports have been brought to the House they have been adopted and passed.

Mr. Speaker: Very well. Any Report that has been adopted by this House is a subject of further queries by the House. So long as the House has adopted the Report, it is upon the Government to respond to questions based on it.

(Applause)

The Assistant Minister Office of the President (Mr. Awori): Mr. Speaker, Sir, this particular one is contained in a Report that has not been tabled.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. Let me read the Question for the benefit of the House: How many parastatal executives have been arrested and charged with offenses relating to fraud during the last two years; and (b) how many of these executives have been convicted? Which part of this Question refer to which Report?

Mr. Speaker: I suppose to my understanding it can only be referring to 1994/95 and below. Could I make a better ruling on this that I suppose will meet the wishes of this House? I think it is clear, Mr. Awori, that what the hon. Member is asking you to disclose are incidences of Reports previously adopted by the House not the ones not yet adopted. So for that reason and with that understanding I will defer this Question so that you come back and answer it with that in mind. You base your answer on Reports already adopted by the House not the ones pending.

(Question deferred)

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. I just want to remind the House that this is the fourth time this Question is being deferred. One is then given to feel that there is something that the Government would like to hide in respect to this Question.

Mr. Speaker: Question No.236 once again.

Question No.236

ROAD USAGE BY HEAVY COMMERCIAL VEHICLES

Mr. Gichuki asked the Minister for Public Works and Housing:-

(a) if he is aware that heavy commercial vehicles are using the new Limuru-Naivasha Road; and,

(b) if the answer to "a" above is in the affirmative, if he could ensure that heavy commercial vehicles use the old Limuru-Maai-Mahiu-Naivasha Road.

Mr. Speaker: Is there anyone here from the Ministry of Public Works and Housing? Well, I am afraid I have to defer the Question to next week.

(Question deferred)

Mr. Speaker: Sorry, Rev. Ommani's Question for the second time.

Question No. 334

DISMISSAL OF COLLEGE EMPLOYEES

Mr. Speaker: Rev. Ommani is still not present?

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

NON-COLLECTION OF TEA LEAVES

(Mr. P.N. Ndwiga to ask the Minister for Agriculture, Livestock Development and Marketing:-

(a) Is the Minister aware that tea farmers in Ngida, Ngandori and Gaturi locations are forced to sleep at the buying centres for more than four days due to non-collection of tea leaves by Kenya Tea Development Authority?

(b) Is he further aware that farmers are losing a lot of money since most of the tea loses quality and sometimes dries upto the point of being thrown away as a result of Kenya Tea Development Authority's negligence?

(c) What urgent arrangements is the Minister making to ensure that tea in these three locations is collected on delivery and that more vehicles are allocated for this exercise?)

Mr. Speaker: Mr. P.N. Ndwiga not here?

(Question dropped)

SHORTAGE OF DRUGS IN SIAYA DISTRICT

Mr. Achieng-Oneko: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Will the Minister inform the House why 1,362 dispensary ration kits meant for the whole country were sent to only three districts?

(b) Is he aware that due to shortage of drugs that has seriously affected Siaya District, many people have died of Malaria and other diseases?

The Assistant Minister for Health (Mr. Criticos): Mr. Speaker, Sir, I would ask this honourable House if this Question can be deferred until Tuesday, 9th July, 1996 for further investigation into this serious matter. So, we seek the leave of the House.

Mr. Achieng-Oneko: On a point of order, Mr. Speaker, Sir. This is a Question by Private Notice, how can it be deferred? The fact that it is by Private Notice means that the matter is serious and urgent.

Mr. Criticos: Mr. Speaker, Sir, I actually said that this is a grave matter and it will take some time to investigate as we have not received the report yet. So, I am asking the permission of the House to have extra time up to Tuesday to investigate the matter. I think it is only fair to the hon. Member on a serious matter like this.

Mr. Speaker: Mr. Achieng-Oneko, do you not think that, that is in your own interest?

Mr. Achieng-Oneko: Mr. Speaker, Sir, I agree to the postponement.

Mr. Speaker: Very well. The Question is postponed to Tuesday next week.

(Question deferred)

ELEPHANTS MENACE IN KWANZA

Mr. Kapten: Mr. Speaker, Sir, I beg to ask the Minister for Tourism and Wildlife the following Question by Private Notice.

(a) Is the Minister aware that on 26th May, 1996, elephants and buffaloes from Mt. Elgon National park invaded Nabeki farm and caused massive destruction to crops in Nabeki farm in Kwanza Division, Trans Nzoia District?

(b) What steps is the Minister taking to prevent wild animals from destroying people's crops?

Mr. Speaker: Is anyone here from the Ministry of Tourism and Wildlife?

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. I do not know whether you are aware that the Order Paper for Wednesday morning sometimes does not get to the Members until Wednesday morning. So Members are not aware that they are expected to ask a lot of these Questions that are on the Order Paper, and some Ministers are not also aware that they are supposed to answer. Could we request through you, that this Order Paper be made available on Tuesday evening as we leave Parliament?

An hon. Member: Correct!

Mr. Speaker: Well, I suppose that is a reasonable request, but I think, normally, what they do is supply a week's schedule of what Questions to come. Maybe, there could be an excuse for hon. Members but, certainly, not for Ministers because their Permanent Secretaries have got the Questions, and it is their duty to let their Ministers know.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: On what, Dr. Kituyi?

Dr. Kituyi: Mr. Speaker, Sir, on the same matter. While I appreciate that the only significance of the whipping system for Parliament is that, at the end of the week, the Whips know what business to expect the next week, to oblige the Members to be present; we are receiving the notice of the summary of the Questions to be asked on Tuesday afternoon. It will only make sense on a number of things. One, that we know roughly the nature of business for the coming week at the end of Business on Thursday. We are receiving the programme of Questions on Tuesday afternoon which does not help very much, especially, for those who come from up country to attend to Parliamentary business.

Secondly, the Wednesday programme, particularly Questions by Private Notice; if the Order Paper is only ready on Wednesday morning, there is nothing you can read from the Programme of Parliament Business to know what is coming on Private Notice.

Mr. Speaker: I have already said that we have noted that and it would be best when Members also raise that issue at the Sessional Committee level because that is where the business of this House is agreed to and decided.

(Mr. Kamuyu stood up in his place)

Mr. Kamuyu, I think I understand what worries you. I remember it was that question by Dr. Wameyo.

Mr. Kamuyu: No, Mr. Speaker, Sir.

Mr. Speaker: Is it a different one?

Mr. Kamuyu: Mr. Speaker, Sir, I want to remind the Chair that the Assistant Minister for Tourism and Wildlife is here now.

Mr. Speaker: Oh, he has come?

Mr. Kamuyu: Mr. Speaker, Sir, I also want to say that I do not agree with the hon. Members about this notice before hand. I think that will make attendance much less on Wednesday morning. I believe that Ministers and Back benchers and everybody else must come here. They have a duty to come to the House whether they have got Questions or not. They are being paid for that and they must attend on time.

Mr. Speaker: Mr. Kamuyu, you are absolutely right. There is no excuse under the sun why Members should not attend the Business of the House, whether it is early or late. Anyway, I have already dropped the Question by Private Notice. I will now---

(Loud consultation)

Order! Hon. Angatia, yesterday you asked me for time. I think I had made an order that, that Question be--- Did

I say that it be dropped?

An hon. Member: No, deferred.

Mr. Speaker: Then I think I can re-instate it. Is the Minister for Tourism and Wildlife here?

Hon. Members: Yes!

Mr. Speaker: If you are ready then I can re-instate that Question and have you answer it now. Proceed, Mr. Kapten. You can ask your Question for the second time.

ELEPHANT MENACE IN KWANZA

Mr. Kapten: Mr. Speaker, Sir, I beg to ask the Minister for Tourism and Wildlife the following Question by Private Notice.

(a) Is the Minister aware that on 26th May, 1996, elephants and buffaloes from Mt. Elgon National park invaded Nabeki farm and caused massive destruction to crops in Nabeki farm in Kwanza Division, Trans Nzoia District?

(b) What steps is the Minister taking to prevent wild animals from destroying people's crops?

The Assistant Minister for Tourism and Wildlife (Mr. Sing'aru): Mr. Speaker, Sir, first of all, I apologise for coming late.

Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that on 26th May, 1996, elephants and buffaloes from Mt. Elgon National park invaded Nabeki farm and caused massive destruction to crops and farms. My Ministry, through the Kenya Wildlife Service (KWS), has set up a range outpost at Kiplogot adjacent to Nabeki farm with a strength of eight men and an accessible motor vehicle to check and curb any incident of crop destruction and threat to human life from wildlife.

(b) In addition, educational campaigns are being conducted by KWS personnel to sensitise the community on issues pertaining to human life and wildlife counselling management.

Mr. Kapten: Mr. Speaker, Sir, I personally went to this farm and saw how animals had destroyed the crops, and yet the Assistant Minister is telling us he is not aware. Has he actually sent his team to find out from the local people whether, in fact, elephants destroyed crops on this farm? There is no point for the Assistant Minister to come here and tell us that he is not aware when we know, and I know myself because I witnessed it, that there was this destruction.

Mr. Sing'aru: Mr. Speaker, Sir, it is the duty of my Ministry to see that wild animals are not destructive to human lives or to crops. Therefore, we are doing all we can to see that all this kind of destruction is curbed.

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

Mr. Speaker: I have given the Floor to Mr. Wamalwa.

Mr. Wamalwa: Mr. Speaker, Sir, this is an area that I am very familiar with, and destruction of crops by wild animals in the Mt. Elgon area is a very frequent occurrence. The Assistant Minister has talked about educating wananchi in the area and sensitising them. I do not know what you are going to educate them about elephants destroying their crops. Would he seriously consider putting an electric fence in that area so as to put an end to this, once and for all?

Mr. Sing'aru: Mr. Speaker, Sir, it is the duty of the Ministry to put an electric fence around all the farms neighbouring game parks. Therefore, I think my Ministry will do all we can to see that an electric fence is put there.

Mr. ole Tuya: Could the Assistant Minister answer the Question properly? People are suffering. Even if they are going to fence, how will they fence all the Game Parks and National Parks? What can you do before you do that?

(Applause)

Mr. Sing'aru: We are going to do all that we can so that all this destruction by wild animals is curbed.

Mr. J.N. Mungai: On a point of order, Mr. Speaker, Sir. The hon. Assistant Minister either appears to be misleading the House or he does not want to answer the Question; or he was not given the full details of what happened by his field officers. In view of the fact that farming in this country has become quite an expensive exercise, we are likely to land into famine in the future, if we do not take care of it. Would I be in order to ask, through the Chair, hon. Assistant Minister and hon. Kapten to go to Mt. Elgon areas and bring an answer in this

House whether it is true that animals have really destroyed the crops and that the Assistant Minister was not given the true answers about what is happening there.

Mr. Sing'aru: Earlier on, I said that my Ministry has set up an outpost at Kiptukot which is adjacent to the Park. The KWS has sent eight men with serviceable motor cars there to look into this problem.

Mr. Moiben: On a point of order, Mr. Speaker, Sir. In fact, these elephants have been destroying crops not only in Nabeki farm, but also at Cheperes farm and whenever they destroy the maize, they come and drink water in my farm and sleep there. Can the Assistant Minister be serious and tell us for how long we shall tolerate these elephants? For a period of 8 years now, these farmers have had no crops from Nabeki farm, Cheposit farm and Kaisaper farm and as well as my farm. Can he be serious and answer the Question?

Mr. Sing'aru: As I said earlier on, it is the duty of my Ministry to see to it that all this kind of destruction is curbed.

Dr. Kituyi: I appreciate very much what the Assistant Minister has said that it is the duty of his Ministry to make sure that what happened does not happen again. Since the eight wardens of KWS are insufficient to stop the destruction of crops and community based education does not stop elephants from destroying crops; and the consortium of donors have stopped funding the electrification of the boundaries between parks and farms, what measures is the Ministry taking to accomplish its duty of protecting these crops?

Mr. Sing'aru: I am going to repeat what I said earlier on that my Ministry will do what it can to put the electric fence around the Game Parks, so that all these conflicts between the farmers and KWS are stopped.

COMMUNICATION FROM THE CHAIR

SITTING ARRANGEMENT: OPPOSITION FRONT BENCH

Mr. Speaker: I appreciate that this matter of conflicts between human beings and wild animals is very sensitive across the country. I gave what I would consider to be adequate time, and therefore, that brings us to the end of Question Time. I now wish to make the following communication from the Chair.

Hon. Members, during yesterday's evening sitting, an issue arose as to the seating arrangements on the Front benches and the contributions of Members from the Dispatch Box. The Temporary Deputy Speaker withheld that ruling for my considered ruling, which I now wish to make. The provisions of Standing Order No. 172 reads as follows:

"All seats in the front benches of the Chamber shall be reserved for the exclusive use of Ministers, provided that, whenever there is an Opposition Party, seats shall be reserved on the Front Bench to the left of Mr. Speaker's Chair, for the number equal to one quarter of the Members of that party and if one quarter is fractional, the number following."

This therefore means, whereas the Front Bench to my right is reserved for the exclusive use of Ministers, on the left side of the Chair, it is only one quarter of the Official Opposition Members who will be allowed to seat on the Front Bench. This means that I expect, eight Members of the Shadow Cabinet of FORD(K) to be occupying seats to my left in the Front Bench to the exclusion of all others.

Thank you, very much.

Mr. Obwocha: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, hon. Obwocha. There is a saying in my local dialect which says: A goat scratched the earth until it found a knife with which it was slaughtered." It is you who caused this to happen yesterday. You must swallow it. I am afraid that the Standing Orders are clear. It is up to hon. Wamalwa to make me know who of the 32 Members of his party will occupy the Front Bench. Everybody else will go to the back bench.

Mr. Wamalwa: Mr. Speaker, Sir, I have no wish whatsoever to contest the ruling of the Chair. But I think that kind of arrangement, notwithstanding the Standing Orders, will make the House look rather truncated in the sense that one side of the House will be fully loaded because there will be eight people here and there will be a big gap. I think this will offend a sense of balance.

Mr. Speaker: You will remember hon. Members that yesterday was not the first time that this issue was raised. It was raised long time ago. While I did communicate to this House, again yesterday, hon. Obwocha and hon. Shikuku were very vehement. In fact, they read from a book and also from a certain handbook. I am not now reading from guidelines or handbooks. I am now reading from the Standing Orders and that is what they mean precisely and that is how they will be applied.

(Applause)

Mr. Speaker: Order! Order! I will give what is called a truce until this afternoon when hon. Wamalwa will give me the list of his eight "Ministers".

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. I am not challenging your ruling, but I went further and demanded a clarification from the Chair as to who should address the House from the Dispatch Box.

Mr. Speaker: Order! Order! I am now making it plain and absolutely clear that only Government Ministers and those eight from the Official Opposition who will be notified to me will use the Dispatch Box. Everybody else will have to use the microphones from where they sit at the back. Hon. Members should know this. That is why we have Front-benchers and Back-benchers. And that applies to both the Government and Opposition Members. There are Front-benchers in the Official Opposition and there should be Back-benchers in the Official Opposition and other Opposition Parties. So, that is the rule. Now let us proceed. Mr. Angatia.

Mr. Obwocha: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Are you pleading with me? I am sorry for now. Order! Maybe at another time, but for now can I hear the Minister for Health.

MINISTERIAL STATEMENT

PRODUCTS LACED WITH INTOXICANT DRUGS

The Minister for Health (Mr. Angatia): Mr. Speaker, Sir, there are two statements which I was supposed to give this week. One was clarification on the National Hospital Insurance Fund investment (NHIF). This particular statement will come later, but the second statement which is on the allegations that there were certain products in Nairobi which were laced with intoxicant drugs, I wish to make the following statement.

Mr. Speaker, Sir, of late there have been reports in the print media and warning letters being circulated about the presence of some consumer goods laced with drugs and being sold to children in schools.

Mr. Speaker, Sir, apparently nobody is listening.

(Loud consultations)

Mr. Achieng-Onoko: On a point of order, Mr. Speaker, Sir. The consultations going on now are now quite too loud.

Mr. Speaker: Order! Order, hon. Members! Shall we hear the Minister. Proceed Mr. Angatia.

The Minister for Health (Mr. Angatia): Thank you Mr. Speaker, Sir. I said that I was supposed to give two Ministerial Statements this week. One was on the NHIF and the manner in which the funds of the Fund have been invested. I said that the Director of that Fund is still working on the figures and I will give this Statement at a time which you will direct.

The second Statement was on certain documents which have been circulating in Nairobi and a copy of which I was given last week. Mr. Speaker, Sir, I have the following to say about this particular Statement. Of late there have been reports in the print media and warning letters being circulated about the presence of some consumer goods being laced with drugs and being sold to school children in schools. The Ministry of Health has carried out investigations to establish the truth about this matter. The Ministry has done this in conjunction with other relevant Government Departments including the Government Chemist and the Director of the Criminal Investigations Department

Mr. Speaker, Sir, the investigations so far carried out indicate that these allegations are unfounded and, in fact, all tests which have been carried out have been negative as far as psychotropic and narcotic drugs are concerned. I wish to, however, caution the public to be aware of such hoaxes which can result in unnecessary panic and concern among children and their parents.

Mr. Speaker, Sir, any suspect items are supposed to be submitted to the Ministry or to the Kenya Government Chemist for verifications. For the time being, parents and children should ignore these hoaxes when they come across them.

Thank you Mr. Speaker, Sir.

Mr. Speaker: Next Order.

MOTIONS

ESTABLISHMENT OF IRRIGATION SCHEMES

THAT, in view of the ceaseless occurrence of famine in this country, and being aware that such famine is primarily occasioned by the vagaries of weather conditions, this House calls upon the Government to immediately carry out a comprehensive survey of both the surface and underground water resources in the country with a view to establishing irrigation schemes especially in the arid and semi-arid area lands.

(Mr. Mcharo on 12.6.96)

*(Resumption of debate
interrupted on 12.6.96)*

Mr. Speaker: Mr. Ligale, I think you have ten minutes to reply to this Motion.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Speaker, Sir, thank you for giving me the chance to respond to this Motion.

Let me say at the outset that we in the Government and through our Ministry are quite happy and so support this Motion. In so doing, I would like to indicate that the Government has, all along, been establishing irrigation schemes in those areas of our country that are arable and have sufficient quantities of water for this purpose.

However, Mr. Speaker, Sir, the pace at which these schemes have been opened does not match our food requirements and, therefore, there is a need for us to step up our efforts particularly in the areas where we have had drought on a prolonged basis. Like we have indicated in the past, it is the intention of the Government, throughout our Ministry, to encourage construction of dams particularly in the high potential areas as well in the arid and semi-arid areas where we intend to increase water for domestic purposes so that any excess water can be released downstream for other needs including irrigation.

Mr. Speaker, Sir, in particular we intend to encourage the scooping of dams in the Arid and Semi-Arid Lands (ASAL) and also to ensure that seasonal rivers can be harnessed to be able to create water for this purpose. The potential for irrigation in this country is quite large. We estimate that given the amount of water that is available both surface and ground water, it is possible to irrigate well over 800,000 hectares of land in this country. Currently only 65,000 hectares of land have been irrigated which is only about 15 per cent of the available potential. In order to be able to encourage further development, we intend to adopt the following policies: One, we intend to give priority to small-scale irrigation schemes which can be harnessed and developed by wananchi themselves because these are simpler and easier to operate and they are cheaper to run. Two, we intend to open up areas adjoining densely populated locations so that this can get our second priority. And thirdly, those areas where agriculture has potential, but water resources is a handicap.

Mr. Speaker, Sir, there are 140 small-scale irrigation schemes spread throughout this country covering approximately 7,000 hectares of land. Most of these are being developed by the farmers themselves and we are encouraging them, through Government as well as donor funding, to ensure that they can realise their potential.

These irrigation schemes are, as I stated, preferred because of the funding involved. They are cheaper to construct and to operate, and it means that we are transferring technology to wananchi themselves. Indeed, Mr. Speaker, Sir, if you go to countries like Egypt, Sudan and others where irrigation is very well developed, you cannot find a propounders of huge schemes like the Gezira Irrigation Scheme. Those are really exceptional. The majority of the irrigation schemes are mainly small scale run by the farmer themselves. In fact, if you go to countries like India, which used to be a food begging country in the 1940s, when they took to small scale irrigation schemes by farmers by providing electricity, pumping water and making it available to farmers on individual basis, this was able to elevate that country to now a net exporter of wheat and rice as opposed to countries that went about begging. I think that is the way our country should go and run in the future if we can make water available to farmers on a small scale basis for them to grow their own food crops. That should be the solution to our food security problems for the future. My Ministry and the Government, generally intends to put more emphasis on small scale irrigation schemes run by farmers themselves because they will be cheaper to operate.

Mr. Speaker, Sir, there is, of course, also a proposal to establish 160 large scale irrigation schemes. Among these, 18 schemes have already been selected for further analysis, and they include the following: The

Kano Plains with 25,000 hectares of land that can be irrigated and intensified, Kibwezi Extension with 13,000 hectares of land that can be enhanced, Ewaso Nyiro with 20,000 hectares of land largely untapped, the Lower Nzoia/Bunyala Extension with about 10,000 hectares of land to be developed as well as the Tana Delta Irrigation Scheme, where there is approximately 12,000 hectares of land that can, in fact, be irrigated. Of these, the construction of the Tana Delta Irrigation Scheme has commenced and extensions to Mwea Irrigation Scheme, were, in fact, completed last year. These two schemes would mainly be used for paddy rice production and they are estimated to produce approximately 45,000 tonnes of paddy rice annually.

Mr. Speaker, Sir, large scale irrigation development is an expensive undertaking. I would like, therefore, to appeal to hon. MPs, to address themselves seriously to the issue of financing, particularly when we are able to place a request for additional funding. We should also appeal to the donor community to come to our assistance so that we can have enough resources to fully develop these irrigation schemes that would alleviate the problem of food production in this country. The development of the proposed small scale and major irrigation schemes, if completed, would be estimated to cost K£1,226,000,000. That is a very major investment which, at the present time, we cannot afford, but which is required.

Mr. Speaker, Sir, allow me to thank the donor community for assisting the Government in the establishment of irrigated agriculture in this country. In particular, I would like to recognise the Japanese Government that did assist, particularly in the expansion of the Mwea Irrigation Scheme, as well as the Dutch Government that has done quite considerable work in the Lower Bunyala and Lower Yala Swamp Irrigation Scheme. I would also appeal to other donors to be able to come to our assistance so that we can realise those other schemes that are important. In an earlier answer to a Question on the Floor of this House this morning, my Minister did refer to the efforts that are already in hand in the rehabilitation and extension of the Bura Irrigation Scheme. We are hoping that those efforts, including the new pumping set that is being put together in the UK, once they come to us and are implemented, we can be able to see that important Bura Scheme being put into use and being able to assist the farmers that have been settled there.

Mr. Speaker, Sir, we in the Government are certainly keen to realise these important projects and do whole-heartedly support this Motion by the hon. Member for Mwatate.

With those few remarks, Mr. Speaker, Sir, I would like on behalf of the Government to accept the Motion. Thank you.

Mr. Speaker: Mr. Mcharo, it is time to respond now.

Mr. Mcharo: Mr. Speaker, Sir, I would like to surrender only three minutes to hon. Rotino.

Mr. Speaker: How do I measure three minutes? Yes, Mr. Rotino.

Mr. Rotino: Mr. Speaker, Sir, I would like to thank the hon. Member for availing to me some of his time because I really wanted to speak on this Motion. I want just to mention a few things that pertain to irrigation because this is a very, very pertinent issue in this country. I speak that with a lot of authority because I come from the Kerio Valley Development Basin where a lot of rivers run along the Valley and very little has been done by the Government as far as irrigation is concerned.

Mr. Speaker, Sir, we have recurrent droughts and on very many occasions we go to the Office of the President, requesting them to give us relief food while we have a lot of rivers and potential in the Valley that needs to be developed by the Government. If you go through the Budget and the Printed Estimates, very, very little money, if any, has been given to the Kerio Valley for irrigation, and yet we always run for famine relief food and hand-outs all the time, while our people are capable of producing food if only they can be given small assistance. The Valley is known in history, even if we go to the archives, to be having the oldest farrow irrigation in this country, and yet the Government has not recognised that to be able to develop that to enhance what the people have done.

Mr. Speaker, Sir, I want to talk about the National Irrigation Board (NIB). What is its objective? What is the work of NIB because if they are concentrating on the highland areas with enough rain, and if they go to Mwea Irrigation Scheme and try to get some water to irrigate the rice there, why can they not go down to the Kerio Valley and use those potential which is there and try to develop those areas? Also, I want to comment about the North-Eastern Province. As I spoke the other time, we are using a lot of money pumping oil all the way from Mombasa to Eldoret and then to Uganda, while our people are suffering and they have no food to eat, and yet we have the potential, the whole land which is not being utilised.

Mr. Nthenge: Ukweli mtupu!

Mr. Rotino: Mr. Speaker, Sir, I want to thank the hon. Member for giving the opportunity to contribute and now I want to conclude by supporting the Motion.

Mr. Mcharo: Thank you very much, Mr. Chairman.

Hon. Members: Mr. Speaker, Sir!

(Laughter)

Mr. Mcharo: Mr. Speaker, Sir, I would like to thank all the hon. Members who spoke earlier and who have spoken now in favour of this Motion. I realise that there has not been a single voice that was in opposition to this Motion, and that the Assistant Minister who has just responded has spoken very positively on this Motion. The gist of the Motion is to urge the Government to take irrigation schemes in this country a little bit more seriously than they have done in the past.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, we realise that in the Budget which was read a few days ago, a little more money has been increased in the Ministry of Land Reclamation, Regional and Water Development Vote.

The amount set aside in the Budget for water development is far from being adequate. This is why I would like to repeat what I said three weeks ago, when we started debating this Motion. There is need for the Ministry for Land Reclamation, Regional and Water Development to sit down and think seriously on how to increase the Vote for water development. We must also go out to the donor countries to ask them for assistance in developing the water resources in this country for the benefit of our people. Time has gone when this country should not be going out to the United States of America and other countries to keep on begging for food. We have enough potential in this country for water. There are a lot of rivers, lakes and underground water sources which are not being utilised. This is why we are saying that our priorities have not been very correct. If we put our priorities in order, we should now begin concentrating on harnessing and managing all our water resources in this country to irrigate 80 per cent of our arid and semi-arid lands in this country. I believe that if the regional authorities that have been created in this country are given sufficient money, with adequate manpower, and total support, this country is going to produce enough food and famine will never affect us again. It is not just a question of producing food, also we want to produce cash crops like cotton. This country can be a producer of cotton, enough for our textile industries locally and also for export. This will assist us in earning a lot of foreign exchange which we need so disparately for the wellbeing of our economy. So, this Motion is a straightforward Motion, it is a development- orientated Motion and everybody in this country, particularly those who are managing our finances, the Minister for Finance, should begin to think seriously on the question of looking for money to assist in the development of water resources in this country.

On Lake Victoria, as far as I am concerned, very little of its water is used for irrigation purposes to produce food and to grow cash crops for the wellbeing of this country. There are other major water resources like the lakes in the Rift Valley and the very important water resources, from Mt. Kilimanjaro, the Mzima Springs which I talked about last time and the lakes around there. This is where we must go to and begin to tap this water for the benefit of our people and our livestock. The arid and semi-arid lands in this country, the vast lands need water, dams, boreholes so as to produce food for us. We have a lot of land for livestock development but we are not producing enough livestock, cattle, goats, sheep and even camels in North Eastern Province. We need these animals for the Kenya Meat commission and those other organisations which are responsible for meat production. We need to develop this so that we can export beef to Middle East countries and others so that this country can grow rich.

Mr. Deputy Speaker, Sir, I do not want to say more than what I have said and what we said last time, but I would like to urge the Government and all our well wishers, our donors, to concentrate, from now henceforth, in providing funds for the development of water resources for this country for our benefit and for the benefit of future generations of this country. Without water life will never be comfortable in this country. Indeed, now life is not comfortable because some people are asking for food relief which is a shame to this country because we have very good fertile land which is not being used.

With those remarks, I would like to urge the House, when voting, to vote 100 per cent in favour of this Motion and the Ministry of Land Reclamation, Regional and Water Development to begin to look seriously into the question of irrigation schemes. We would congratulate them for the irrigation schemes they have initiated, but it is not enough, we would like them to be a bit more serious and go further than what they have done in establishing more and more irrigation schemes.

With those remarks, Mr. Deputy Speaker, Sir, I beg to move the Motion.

(Question put and agreed to)

BANNING OF FOREST EXCISIONS

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, in view of the concern caused by the indiscriminate excision of forests in Kenya in recent times and the negative impact this is bound to have on the environment; this House urges the Government to immediately outlaw the exercise as part of the environmental protection and the upholding of the principles of the United Nations Environment Programme.

This Motion is meant to draw or focus our attention on the fact that the on going indiscriminate excision of forests within this country spells some doom unless remedial actions are taken. The dangers of desertification which are likely to result from the on going practice of excising large chunks of our forests are well known. I think it is time that the Government intervened and made sure that a stop was put to the excision of forests. In essence, I am, through this Motion, calling for a comprehensive policy on forests because the only policy paper we have on forest in this country is the Sessional Paper No.1 of 1968 which has since become totally inadequate. It is time that, in view of the focus being put on the environment, and in order for our own Government to show that it is not just rendering lip service to the issue of environmental protection, it took appropriate steps to ensure that our environment is not only protected but improved upon for the use of the future generations. So, let us not merely render lip service to the issues of environmental protection but come up with a comprehensive policy that will adequately address the issues in place.

Mr. Deputy Speaker, Sir, when I think of excisions it is not just day-dreaming, it is in the common practice in this country that in the last four or so years, large chunks of our forest land has been excised. I will in this regard just quote from the *Kenya Gazette* of 19th October, 1995, where the Minister gives notice of his intention to excise a fairly large chunk of one of the forests. It reads:-

"This is in accordance with the provisions of Section 4(2) of the Forest Act. The Minister for Environment and Natural Resources gives 28 days notice with effect from the date of publication of this notice of his intention to declare that the boundaries of the Marmanet Forest shall be altered so as to exclude the area described in the Schedule hereto an area of land of approximately 1,773.5 hectares lying within and adjoining the north-eastern boundary of Marmanet Forest situated approximately 20 kilometres north of Nyahururu Township on the Laikipia District, Rift Valley Province, the boundaries of which are more particularly delineated, edged red on boundary plan No.175/226 which is signed, sealed with the seal of the Survey of Kenya".

Mr. Deputy Speaker, Sir, we have had so many such notices within the last four years and that is just one example of the many cases. We are talking of a total of 290,000 hectares of land which has since been excised. On top of that, there is another 35,000 hectares of land which has either been already excised by now or it is due to be excised any time. Now, all these figures are partly contained in a book which I think has been published by among others, one of the local NGOs which is concerned with conservation of our forests. So, I am sure that the Minister is very well aware of what I am talking about and they are indeed matters that are already being addressed at different quarters.

The Minister for Environment and Natural Resources (Mr. Sambu): On a point of order, Mr. Deputy Speaker, Sir. Whereas I would have not liked to stand at this juncture because I will be responding to the Motion, it is not right for the hon. Member to quote wrong figures. In the first instance, he has quoted a notice from the *Kenya Gazette*. I have no quarrel with that but he is misleading the House when he quotes a figure of 290,000 hectares. That is alarming and it is not right.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, as you can see, we have a problem in this country, in that, we have a miller in charge of our national forests and I have reasons to be afraid that unless something is done, all our forests are going to be razed down.

Mr. Rotino: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to refer to a Minister as a miller? Is it wrong for anybody to have businesses in this country? He is being sarcastic and he should apologise.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, I wish you could protect me at least to continue and put my point. I am sure my other colleagues are going to have their time to bring up their arguments when the time comes.

As I have said, the question of excision of forests in this country is a matter of grave concern and this is the time that appropriate steps should be taken to put to an end this excision. If we fail to do that, we are going to ruin this country completely. Among the areas that are most affected are highlands in Rift Valley most of which act as water catchment for most of the rivers in this country. It is an open secret that most of the rivers that drain into Lake Victoria notably, Nzoia, Yala, Nyando, Miriu and so on, have their water catchment areas in the areas that have since been excised. The dangers involved here are an open secret because we are undermining the very process that gives part of this country water which is life. So, if we are going to do nothing about a situation that threatens the provision of water in this country then we are in the process undermining life itself. So this is a very serious matter that could even result into wars because there is an agreement governing the management, protection of water catchment areas of the rivers flowing into Lake Victoria.

There is a 1952 agreement between the Governments of Kenya, Tanzania, Uganda and other Lake Victoria regions, Sudan and Egypt as countries that benefit from River Nile which, as you all know, emanates from this lake. I am sure that the objective of that agreement was to ensure that the water catchment areas are not interfered with in any way because by so doing, the life of people downstream are bound to be affected. So, it is an open secret that the Minister has in recent years been excising most of these lands. I have a long list of the forests that are affected, the amount of land that has since been excised, and I think this is well known to the Minister. What we are saying is that this excision amounts to an economic sabotage because it is going to affect the life of this country at a future stage.

Mr. Deputy Speaker, Sir, this House will be failing in its duty, if it did not take appropriate steps to put an end to these practices.

We have also had illegal allocation of forest lands. A case in point is Diani Beach forest at the Coast, where large chunks of that forest have since been allocated to certain individuals for private use. The argument the Minister has been advancing is that, whereas he has excised land in the Coast part of the country, he has made up for it in other parts of the country. That argument cannot stand any test because each forest has its own unique characteristics. So, if you destroy forest land down at Mombasa, you cannot make up for it in Kakamega. This is because bio-diversity differs from one place to another. So, the Minister's argument does not hold any water at all.

The worst part of it, as I have mentioned, is how countries like Sudan and Egypt are likely to raise objections to what we are doing. If we could do that, people downstream, that is, those who live in the lowlands in Lake Victoria region and so on, have not been consulted about what is being done upstream, and yet they are going to be affected. When we talk about environment, there is that inter-dependence. So, what we are saying through this Motion is that steps should be taken. If some action is going to be taken upstream, it is important that the people downstream are consulted so that they can also have an input. This is because they are part and parcel of the environmental set-up.

So, we are calling on the Government to, at least, come up with measures that will ensure that anything that is done on the matter is done through appropriate consultation.

Mr. Deputy Speaker, Sir, through this Motion, I am also calling on the Government to take a fresh look at the laws governing environment, especially, with regard to forests. The laws in place, as indicated in the Forest Act, are inappropriate. I think it is time for the Forest Act to be amended so that it can reflect the current trends. I am saying this because the question of desertification is a well known phenomenon in this country. We have a country in which three quarters of the land is semi-arid. The situation is already bad enough, and we need to come up with appropriate steps to improve on the amount of land that can be utilised. We need to increase the one quarter part of this country which is agricultural. If we can improve more than one quarter to become agricultural land, we can make good use of the available land in this country, rather than sitting down and doing nothing. The time has come for the Minister concerned to come up with appropriate steps, and even undertake the necessary studies to determine how best we can convert most of our land from being semi-arid to agricultural lands. This can be done.

If you look at a country like Israel, which we know of, as a very success story today, it is a clear example of what used to be an arid land that has since been turned into an agricultural land. So, I am sure that if the Israelis can do it, Kenyans can do it too. It is time the Minister did something in that regard.

Forests are very important natural assets that this country can have. The beauty of this House is brought about by the wood content here. If we did not have this wood content, I am sure we could be having a totally different matter. That is just one example of what wood can do in this country. I am sure that we can be a top exporter of wood, if we managed our forests properly. So, why do we not start with the necessary programmes that could turn Kenya into a big exporter of wood, rather than just sit by and do nothing? It is time something was done on those lines. To this end, it is my proposal that we should establish what could be known as "Kenya

Forestry Commission" to undertake the management and use of forests and forest products.

Mr. Deputy Speaker, Sir, I am sure that if we had an organisation that addressed the issue of forests in this country on a daily basis, we could be able to achieve a reasonable level of afforestation. As of now, I do not think enough has been done.

I also want to suggest that hills in this country be turned into community property so that they can be owned by communities and not just individuals. There should be an arrangement under which every available hill in this country is turned into a forest, so that some deliberate efforts can be made towards that goal. This could help to avoid soil erosion and other things. I would like to see the Minister come up with appropriate steps to have this kind of arrangement, so that we can turn our hills into forests, instead of them being sources of soil erosion, as is evident in very many places.

Mr. Deputy Speaker, Sir, we are not against any developmental initiatives that can help this country. But nature is such that you cannot interfere with the bio-diversity and then hope to keep the trends the same. Once you interfere with bio-diversity here, the trends change everywhere, and that does not augur well.

We have Nyayo Tea Zones which have been developed in lands excised from forests. A good 6,600 hectares of forest land has since been turned into Nyayo Tea Zones. It is agreed that tea is a fantastic source of revenue for this country, but at what cost to this country? I think if a study is conducted, it is likely to reveal to the Minister that the overall benefits generated from these tea zones does not measure with what we could gain from these lands, if they are retained as natural forests and improved to give more forest products. So, I would rather say that as much as I agree that we need much more tea, I think there are areas that can be better turned into tea zones than forest lands. So, I really want to call on the Minister to stop converting part of our forests into tea zones. The God who gave them to us as forests knew better and, therefore, I think it would be much better if we preserved these areas as forests and not turn them into tea zones.

Mr. Deputy Speaker, Sir, I also want to draw the attention of the House to what the President had occasion to mention the other day. He said that time had come for environment to be made a subject to be studied in our school system. I think the sooner this was done the better. I am glad that the Minister for Education is here and is sitting close to the Minister for Environment and Natural Resources. I think it is time we found a way of incorporating this subject in our school syllabi. It is not going to be the first time this will be done. I remember that when you and I went to school nature study was being taught. I think that was quite an important subject for it taught people how to preserve forests and natural artifacts. So, it is time we went back to the drawing board and came up with a syllabus for the teaching of the environment in our schools.

This country is also privileged to host the United Nations Environmental Programme (UNEP) Headquarters. I feel that, as a country, we stand to benefit a great deal from the existence of this institutions here.

But from the present goings on, it would seem as if we have not used that institution sufficiently. It is time the Government devised ways and means of making the best use of UNEP in Nairobi.

With those remarks, I beg to move. I would call upon hon. Orenge to second the Motion.

Mr. Orenge: Thank you very much, Mr. Deputy Speaker, Sir. I stand to second this Motion. This is a very important Motion. The threat of desertification for Kenya, as the Mover of the Motion has stated in his contribution, is a reality. For many years studies have shown that, in fact, the Sahara Desert is moving southwards. For a country where figures show that over two thirds of its land area is arid or semi-arid the issue of desertification must be taken seriously. We must do everything possible to protect the environment and conserve our forests.

The population of this country is growing every day and by the year 2020 it is predicted that it will be more than 50 million people. That means that by the year 2020, which is less than three decades away, our present population will have more than doubled. This will continue to make growing demands on the arable land, which is just about a quarter of the total surface area of this country. With industrialisation and increased development in this country the demand for land will also increase. It is very easy for the Government, the Minister and other people concerned to turn to forests in order to provide land legally or illegally. It has been the easy or obvious solution: To excise forest land and give it to those who desire it for legitimate or illegitimate purposes.

I, therefore, very much agree with the Mover of this Motion, that we should establish a forest commission. But even before the establishment of this forest commission I think there should be a moratorium on all planned and proposed excision of forest land until clear policy guidelines are in place. Since the Sessional Paper of 1967 was published there has been no clear guidelines in so far as forests and forest management is concerned. I suggest that the Ministry and the Government should declare a moratorium, so that forest, as it were, would have a breathing space.

Mr. Deputy Speaker, Sir, just last year alone, through gazette notices, the Minister excised land from

almost every available forest in this country. The forests included in that excision were parts of Mau, Kitalale and Karura Forests. I think the police should complain because they have the habit of torturing people at Karura Forest. Unfortunately, they have not complained. But even this forest has been excised by the Minister. Other forests are Loitokitok, Kaptagat, Ngong and Chepalungu. Even forests in the Minister's own Nandi District have not been spared. Forests have been excised in Tindaret Constituency. I hope he has not established a saw mill there. Other forests are Bahati, Kapchemutwa and Eldoret - I do not know whether that is where the bullets factory is. But I do not think that excising a forest in order to establish a bullet factory is what we need.

But in all seriousness, in the conservation of the environment so as to ensure clean air, forests play a very important role. In fact, I dare say that in the colonial days and in the early years of Independence there was a very aggressive policy of afforestation, particularly in hills. Even in many parts of Nyanza Province, which is arid, hills were being afforested. The same exercise went on in Busia District at Odiado Hills. If my colleagues from Western Province know where Odiado Hills are they will know that those hills are part of Luoland which was excised to Western Province. Those hills were afforested, but now they are in terrible danger.

Now, forests are a source of resources like wood, charcoal and many other things. Even wildlife depends on them. Furthermore, Nairobi was once known as the "Green City in the Sun" because it was not only green in the parks, but also forests have been part of this City. All that is going with the many illegal allocations and encroachments on public land.

I think probably we need a minister who is broad minded like hon. Ligale, whose contribution on the Physical Planning Bill impressed me very much. If he was a full Minister, probably, he would see things more globally. Unfortunately, those who are have been given these responsibilities probably do not know what a forest means. General Mulinge may know what a forest means in a battlefield, but in terms of conservation probably he has no idea of what role forests play. This is unfortunate, and I hope that the Government will try to ensure that our forests are conserved for the benefit of both the future and present generations.

Nairobi prides itself in hosting the UNEP and Habitat. I was part of the NGO at the time when I was at the university, and really complaining at that level that, one of the United Nations agencies should be headquartered in Nairobi and particularly one to do with environment because we knew what the First World had done to its environment, and we had hope that with the United Nations Environment Programme being headquartered in Nairobi, followed up by Habitat, the issue of the environment would play a very important role in our planning. Unfortunately, this Government has not come out with any clear policies regarding the environment and it looks like an oddity for the country to pride itself of hosting these two very important UN agencies if we are not taking seriously the issue of environmental conservation and the protection of our ecology, and the question of having sound ecological policies and management. I think the Minister should be aggressive.

Ten years ago, I remember, there was a big campaign, which the President initiated, of planting trees and having tree nurseries all over the country. It was a good policy and some of us participated in it. Hon. Kamotho would not know that at one time, we went to Machakos to plant trees with Njonjo; I was there and we were drinking water which Njonjo had brought from---

Mr. Deputy Speaker, Sir, I beg to second this very important Motion.

(Question proposed)

The Minister for Education (Mr. Kamotho): Thank you, Mr. Deputy Speaker, Sir, for giving me a chance also to make a contribution to this important Motion.

Mr. Deputy Speaker, Sir, as far as I am concerned, I would like to thank the Member, hon. Mak'Onyango, who moved this Motion. The spirit and objective of the Motion is good because I think its objective is to promote the conservation of our national environment. I, however, have a few objections to the Motion as it is, and it is my hope that my colleague, the Minister for Environment and Natural Resources, will look into the possibilities of bringing about some changes in it so that we are all able to support the spirit and objective of the Motion.

Mr. Deputy Speaker, Sir, I say this because it is our responsibility as citizens and as a nation to ensure that we encourage afforestation and conservation of our natural environment. I do not agree with the objection raised by hon. Mak'Onyango about the Nyayo Tea Zones, because, the Nyayo Tea Zones had very noble objectives.

The Nyayo Tea Zones were meant to promote employment of our large number of young people who were idle in a lot of parts of this country for lack of employment. But with the starting of the Nyayo Tea Zones, a lot of young people got employment in various parts of the country. Additionally, the Nyayo Tea Zones have been able to generate a lot of badly needed foreign exchange for this country. So, in addition to providing employment, the Nyayo Tea Zones have also been generating a lot income for this country. Thirdly, the Nyayo Tea Zones also act

as a buffer. They provide a buffer zone to prevent further encroachment into forests because apart from the tea which is planted in the Nyayo Tea Zones preventing soil erosion, these tea zones also act as buffer zones to prevent people---

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to mislead the House that the Nyayo Tea Zones are preventing encroachment to the forest when the Minister himself is encroaching on the forest as depicted in the gazette notices?

The Minister for Education (Mr. Kamotho): Mr. Deputy Speaker, Sir, that is a very serious allegation from the hon. Member, and I would like him to listen much more carefully and also not to drag me into his predicaments. I am sure the hon. Member has never seen a Nyayo Tea Zone because, first of all, he represents an urban area; a town that has no forests at all. Some of us come from areas with large tracts of Nyayo Tea Zones and we know the benefits which the communities and this country have been reaping from these Nyayo Tea Zones.

What I said is, the Nyayo Tea Zones act as buffer zones between forests and the rural communities. They provide income, employment and also, as I said, prevent soil erosion in those areas. In addition, in areas where we have tea zones, the local people, in conjunction with the Ministry of Environment and Natural Resources, do also a lot of replanting or planting of trees in those areas. Therefore, they also play a part in further afforestation and also preserving the sources of our water which were drying up in a lot of parts of the country because of encroachment by people into forests.

Mr. Deputy Speaker, Sir, the other point I would like to emphasise upon is that which His Excellency the President said the other day; that is directing the Ministry of Education to include in the school curriculum, from primary all the way to universities, a study of environment. In other words, environmental education, which I would like to confirm to this House that the Ministry of Education, through the Kenya Institute of Education, is carefully studying and incorporating into our curriculum down the line. I think, this House is already aware that Moi University has already got a Faculty of Environmental Studies. Therefore, it is our responsibility down the line to ensure that we prepare young people from the very early days - from primary all the way through secondary schools, the middle colleges and the universities - about environmental awareness.

Therefore, I would like, finally, to oppose the Motion as it is, but support the spirit and objective of the Motion, and call upon the Ministry concerned to come out with more rational amendments so that we can all support the Motion. Thank you, Mr. Deputy Speaker.

Mr. Mwaura: Mr. Deputy Speaker, Sir, thank you very much, for giving me this opportunity to also add my support to this very important Motion because it is a Motion which is talking about our environmental ability to sustain this country and to make this country green.

I would like to start by asking a question to those who have seen a film that was filmed in 1963 when Kenya became a nation. If we look at that film, it is an indication showing how much this country has not made an effort to make not only afforestation sustainable but even the town itself which was green in 1963 has now become a shamble of a city that is not really conducive even to foreigners.

The other question one would want to ask is this: Immediately, when our present President became a President in 1978, he undertook an initiative of afforestation. He went around the country, like somebody else has said here trying to construct gabions, planting trees and so on, but we do not see any result of all those efforts. So, it is extremely very important that the Minister for Environment and Natural Resources takes a very serious look at how this country can be able to sustain afforestation.

It has been said that a country that cannot preserve its forests is also creating malnutrition of the soil because, like human being body that requires food, the soil also requires to be cultivated in such a way that it will be able to get nutrition of the soil.

In my own constituency Kigumo - hon. Kamotho comes from Murang'a and I do not know whether his area is like my area - you can see how afforestation on the people's initiative can be done. We have trees which we call in our area, *mikima*; if you look at the whole of Kigumo area, it is completely green because of the initiative of the people.

I am not sure that after 33 years of our Independence in this country, there is anything we can point at and show, like many other countries have done in world, as to what we have been able to do about afforestation. In Maasai area, which has remained the way it was when we attained our Independence, the Government has not made an effort to carry out afforestation. In areas where we have nomadic people, if we had created afforestation, then water catchment would be available and this would help our country very much.

I am not sure what this Motion is calling for if this Government is really going to take it seriously because we have had the UN Habitat Mission in this country for the last 15 years, and yet this country has not made any effort to utilise the brains, resources, ideas and so on of the Mission in order to turn this country into a green country.

Look at the land grabbing, or the forest grabbing in this country over the years; if you look at the City like has been said, for example, Spring Valley, the areas which were green in the centre of the City today have all been grabbed. The land has been given to people, one sees buildings coming up and there is no effort of planting trees.

The National Assembly of this country is the supreme body of our nation or any nation. I believe that the Motions that are brought here in order to protect the future of this country must be taken seriously. We should not just become a debating House which does not implement what is good for the future of our country.

Recently, there was an article in the *Newsweek* magazine which was concerned with the world or global declining in afforestation. This article was saying that Africa as a whole should probably be given to the United Nations Organisation to be managed because the African leaders have failed to manage their own countries. What we see today is corruption, civil wars and all other evils, and we have completely closed our eyes to such a very vital matter like the environment of any nation. Countries like South Korea have shown the world what nations can do. In 1976, South Korea was being referred to as a developing country. Not only was afforestation a good example of that country, but an industrialisation effort really was there. I would urge those in the Government to support a Motion like this because this is not a Motion that can be seen to becoming from the Opposition party. It is a Motion that would help our children tomorrow and other generations in this country. Kenya is a country which attracts tourists from all over the world and among other things that attract the tourist is a country that shows development and the effort that the nation has done. Afforestation is one of the things that we should be able to show these people when they visit our nation.

The issue of Nyayo Tea Zones has also been raised here. I do not believe that the Nyayo Tea Zones can be an aspect on which we can dwell too much in an important Motion like this because the destruction of our forests has not come about because of the Nyayo Tea Zones. It has no relevance to what we are talking about, and the Mover of the Motion did mention that. All I believe he was saying is, do not try to encroach into the forests using the tea zones but we should not dwell on the issue of Nyayo Tea zones because like the other speaker has said here they have created, of course, employment for our youth. We have known that they have also brought foreign exchange to this country, but nevertheless, there are a lot of shortcomings that have been seen regarding the Nyayo Tea Zones because of what is happening.

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

The Minister for Environment and Natural Resources (Mr. Sambu): Thank you, Mr. Deputy Speaker, Sir. In responding to this Motion, I want to thank hon. Otieno Mak'Onyango for the concern that he, like other hon. Members, has shown regarding our environment.

The environmental degradation of our nation is caused by many factors. We have a fast growing rural and urban population. When the population grows fast, there are a lot of demands on the natural resources. People go on to encroach on areas where they ought not to have been cultivating. When our population was much smaller than it is today, people had enough land to cultivate and on which to graze their animals. At that time, people respected the forests but because of this fast expanding population, there are forest areas coming under exceedingly great pressures on encroachment by people who need land to cultivate. Some of the cultivation methods we have are not in keeping with soil and water conservation. We tend to get soil and water erosion, and that is one of the major factors of degradation of our environment. Because of this fast expanding population, requirements like firewood, charcoal, poles for construction and timber have to be met. This tends to put pressure on the wood supply, and many at times, you find that the demand on this wood based products is greater than the capacity at which we are re-planting, or, our re-afforestation efforts. In the Arid and Semi-arid areas, the population of the nomads has expanded and each one of them wants to keep the same number of livestock or even more and, this leads to overgrazing of land. Overgrazing is also a major factor in the problem of degradation and the encroaching desertification.

Mr. Deputy Speaker, Sir, before I explain the situations which we have been faced with, I agree that we have de-gazetted some excisions. But first, I want to explain that our nation has got about 2.7 million hectares of gazetted forests, and these are various types of forests ranging from the coastal mangrove forests to the alpine forests on the moorlands of the mountains. Some of these forests are Trust forests while some are Government forests. The Trust forests were created out of the Trustlands and the ownership of these forests should really be vested in the County Councils. Of the gazetted Government forests, only 170,000 hectares is under industrial or plantation forests. This is the area where we have cypress, pines, the blue gums and other planted forests which are managed by the Forest Department of my Ministry. These are the forests which supply the pulp for the paper mills, the wood for the saw mills and the firewood in the blue gum plantations. This 170,000 hectares of land is not a lot of land, considering that we have to supply a population of almost 28 million people.

Mr. Deputy Speaker, on excisions, I agree that between 1993 and 1996, we have excised, through legal

notices in the Kenya Gazette, 8,652 hectares. I would like to put it on record that many of these excisions were formalisation of excisions which had previously been done. If you take the major one, that is the Chepalungu in Bomet District, which covers 5,210 hectares; this is an area which was Trustland, taken from the Kipsigis people in the early colonial times. In 1958, the Colonial Government, on seeing that the population pressure on agricultural land in Kericho was increasing, gave back to Chepalungu people their land that had been taken. These people were allowed to settle on the land in 1958. From 1958, up to date, it has been continually reflected on our records that we have a forest called Chepalungu forest which had 5,210 hectares yet, practically, and on the ground, there was no such forest. People were settled there and there were schools built on that land. There came a time when the land had to be demarcated and legal registration of titles had to be done. The Commissioner of Lands could not issue legal titles unless we issued a legal gazette notice to formally excise the land. I have only excised 8,6000 hectares; 5,200 hectares of which were in Chepalungu, which was a formalisation of something that was done in the Colonial era. The other 1,700 hectares which my colleague referred to in Marmanet, is land which was given out between 1970 and 1975 in the Katero and the Ol Arabel Settlement Schemes. This was an exchange. The Government gave out forests in Marmanet in exchange for Ol Arabel and the Kabero Schemes, which we have converted into forests. When that land was given out from Marmanet forest, no gazette notice was issued. These people settled on land which was not de-gazetted and, therefore, no legal title could be given. Perhaps, my only fault, maybe, has been to help these people by formalising what had already been done. My heart bleeds for the forests. I do not want to issue any gazette notices. But when we have to formalise, there is nothing we can do because we have to help our people who are already settled on the land.

Mr. Deputy Speaker, Sir, there are many other areas in Marakwet district and in Nyandarua. As you know, Nyandarua was a new district and after Independence, a lot of settlement schemes were created, which also affected some of the forests. Some of these excisions had to be formalised because they had already been done. We have also done other excisions to take care of the Dorobos. We have the Dorobo people living in many districts where indigenous forests are found. We have Dorobos in the Rift Valley around Nakuru and Uasin Gishu, we have them around Mount Kenya in Nyeri and Meru. These people have continued to live in the forests. In the early Colonial era up to about 1940s or 1950s, they lived as hunters and honey gatherers. But these people have now also adopted the modern living methods. So, we have to take care of them. If we allow them to live in the indigenous forests, they will do more damage. Because they are now agriculturalists and herders of livestock. If they stay in the forests, they will destroy our indigenous forests. It would be better if we moved them out and settled them, say, on two acres instead of allowing them to roam in the forests. Some of the excisions we have done in Nakuru District were to take care of these Dorobos. We are also bound to do it in the area around Mount Kenya, specifically in Nyeri District.

The policy of the Government from the early Colonial times up to about 1988, was to use what we call resident employees of the Forest Department who lived in camps in the forest stations. For many years people lived there, but by 1988, we realised that these people were now dependent on the Government. They realised that they had nowhere else to go and the Government terminated this policy of resident labour for the Forest Department. These people created the problem of squatters who had nowhere else to go. Some of them had been in the forests from 1920, from the time of their grandfathers to date. So, now you find that there are many areas where we have squatters. In Ragati area in Nyeri, you will find squatters living by the road side and your heart bleeds for them. We realise that we have to settle these people somewhere and get them at least two acres. But now we do not allow the squatters to live in the forests. There are other areas for, example, in the Rift Valley and Lugari, where the residents' labour is used. In Lugari, we have over 4,000 squatters who have nowhere else to move to. We have to get some forest land to settle them. We reckon that the opportunity cost of taking a thousand acres to settle the squatters is more beneficial than allowing them to live in the forest and continue destroying our forests. We are now trying to involve our communities in the management of the forests because we have realised that if we live it to the Government alone, we will not manage because we have not been given adequate money. So, we are now sensitising the communities through NGOs and other bodies and I am happy that the communities in many areas like my colleague here referred to Kigumo, have now taken up the practice of Agro-Forestry. People are now planting trees so that they can get wood products cheaply without having to destroy the forests. It is very important that the communities are integrated in the protection of our forests. We are getting the communities living around the forests to be involved and we are giving them certain rights and we are allowing them more grazing rights, firewood rights and we are also allowing them medicinal gathering rights.

This is because we realise that without the involvement and good will of the communities living around our forests, it will be difficult to just police or to just control and protect the environment around our forests simply by policing it. We have to have the goodwill of the communities living around our forests.

Our policy now is to encourage Agro-Forestry. At this juncture, I am also requesting the hon. Members of Parliament to help us in spreading the message to the people through NGOs so that our people can engage in Agro-Forestry. There is no way that this nation will be self-sufficient on wood products based on Government forests only. Some of the wood products will have to come from the farms. Communities living around areas like Bungoma, near the Webuye Paper Mills should put more areas in Agro-Forestry so that they can be able to supply to the Paper Mill, so that the factory can have more suppliers like the in the area of Plywoods and thus buy wood from the farmers living around them. We cannot be able to supply our demands based on Government forests alone.

We have already prepared a Sessional Paper on Environment and Development. We are going to table this Sessional Paper for discussion in this House. We have prepared this Sessional Paper on Environment and Development through consultation. We went down to the Provincial level and we involved the NGOs also.

We have also prepared a new paper on Forest Policy. The Sessional Paper we have on Forests was prepared in 1968 and was approved by this House in the same year. With the help of some of our friends, we have prepared a Sessional Paper on Forest Policy and that will also come before this House very soon. We have also done a complete re-draft of the environmental laws. As you realise, environmental laws have been spread over different sectors of our laws. The Government has now prepared a draft on environmental laws, and it is in the final stages of drafting; it will soon come into this House for debate.

There were suggestions made by the Mover of this Motion that the Government should form a Forests Commission to help in formulating some of these policies. When we will discuss the forests policy and the Environment and Development Paper, some of those issues can be discussed because this Paper is not final until it has been approved by this House. We will consider some of those recommendations which hon. Members will bring up. With that, I would say that because of the good spirit of the Motion, I will only propose slight amendments. I wish to propose an amendment by deleting the words between the words "by the" in the first line, and the word "environment" in the third line and by deleting all the words after the words "Government to" in the third line and by inserting the following words between the words "by the" in the first line and the word "environment" in the third line: "Encroachment of forests in Kenya by the rapidly growing population and the negative impact this is bound to have on the" and by inserting the following words between the words "Government to" in the third line and the words "as part of" in the fourth line. The words to be inserted are "to ensure no further encroachment on forests takes place."

The amended Motion therefore, will read as follows:

THAT, in view of the concern caused by the encroachment on forests in Kenya by the rapidly growing population and the negative impact this is bound to have on the environment, this House urges the Government to ensure that no further encroachment on forests takes place as part of environmental protection and upholding the principles of the United Nations Environmental Programme.

With those slight amendments, I would like to say that we should adopt the Motion as amended. I want to say that if this Motion as amended is adopted, then we are going ahead to mark forest boundaries so that our boundaries will no longer be encroached on.

With those few remarks, I wish to propose that amendment.

The Assistant Minister for Education (Mr. Komora): Mr. Deputy Speaker, Sir, in seconding the amendment that has been moved by the Minister for Environment and Natural Resources, I wish to thank both hon. Mak'Onyango and the Minister for bringing this Motion and for moving that amendment and making the Motion supportable by broadening its aims and purposes respectively.

Mr. Deputy Speaker, Sir, all we have to do is to look around the House and see the beauty of this House by the presence of tree products. Therefore, that alone is enough for all Members of Parliament to support the move and the spirit for developing our forestry industry in this country and for making every Kenyan to be conscious of the importance of growing trees and plants thus making our land more habitable.

Mr. Deputy Speaker, Sir, trees are part and parcel of our national existence. Trees are part of our food. Trees provide employment in many countries and they are doing the same in this country. We can provide more employment for our youth by making sure that we develop our forestry industry. Where we have water, trees can grow freely but trees can also be deliberately grown and I am sure that the Minister for Environment and Natural Resources will take this into consideration in the same Sessional Paper he is drawing because we definitely need a better approach to tree growing than the normal annual exercise of the Tree Planting Day. It should be an effort, determination, policy and an exercise for everybody in Kenya to grow trees everyday.

Mr. Deputy Speaker, Sir, I have myself witnessed irrigation schemes in dry and semi-arid areas like in Bura which is in Tana River District and in Hola where there is water, forests have been grown, trees have come

up and where there is an irrigation scheme in every part of this country, it can be turned into a forest or tree growing zone. Trees are essential because they provide us with everything that we need. They provide us with food, shades, and water. Water catchment areas are important and we must restore some of these catchment areas which have been destroyed by the expanding population and the destruction which has been caused by not only people but also by animals. It is important to have measures in order to make sure that these forests are restored. It is important not only to make sure that our hills are covered with forests but it is necessary that even the valleys of this country are grown with trees.

Mr. Deputy Speaker, Sir, we have just concluded and supported a Motion for surveying the underground water resources for the benefit of growing crops for humans. That should also apply to forests. Wherever we have surveyed and planned for water, we should also do the same for trees, crops and plants for the benefit of making our lives more stable and realistic.

Mr. Deputy Speaker, Sir, the Minister for Environment and Natural Resources should actually, if necessary, get some of the staff in the Ministry of Agriculture, Livestock Development and Marketing who are lying idle and who are not probably fully employed in the rural areas where we have these so called Technical Assistants who are supposed to be assisting farmers but who are not assisting farmers to be drafted in to the Ministry of Environment and Natural Resources to be utilised to grow trees wherever they are.

Mr. Deputy Speaker, our riverbanks, today, because of circumstances beyond our control when we have droughts which culminate in the movement of people in large numbers to go to riverbanks because of the need for water are being destroyed because of concentration of population both of livestock and human beings around them. This can be restored by having a definite policy so that as you provide more water to the interior and we grow more trees and provide more plants for livestock population. So, we can go on and on speaking in favour of growing of plants in this country. In the whole country of Kenya, there will be virtually no place here where crops, trees, plants cannot be grown. If deserts in Israel and in Saudi Arabia can provide forests and provide export products from tree crops like oranges and other crops from the Middle East, then we can do the same here in Kenya and there is virtually no part of this country which we can term as total deserts. And with the development of our water resources we should be really able to restore a lot of our forests in this country and conserve them. The spirit of this nation should be towards supporting the growth of trees and crops by everybody in this country. When His Excellency the President instructs us to make sure that education includes natural resources, particularly the growth of trees and crops and the study of nature, he has the notion back in his mind of every Kenyan having to be conscious of the importance of trees because our survival depends on trees.

Mr. Deputy Speaker, Sir, so I second the amendment and I support the amended Motion. Thank you.

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

Dr. Kituyi: Thank you very much Mr. Deputy Speaker, Sir for giving me a chance to talk on what I consider an important Motion and in the process also talk about a proposed amendment which will make an interesting Motion but totally different from the Motion which was proposed by the Mover.

Mr. Deputy Speaker, Sir, I wish to start with hon. Kamotho's remarks while he was talking about the original Motion on the importance of the Nyayo Tea Zones. First of course nobody is surprised that the hon. Kamotho will never criticise anything that has a prefix "Nyayo". So it was not surprising that hon. Kamotho took such a strong line defending the Nyayo Tea Zones. But more importantly---

An. Hon. Member: He does that in every place.

Dr. Kituyi: Okay, he does that in that place. I think critical consideration is the following: All international conventions and the current international dialogue about environmental protection has already departed from all notions of protecting environmental resources from people and I like the bit that was brought out by the Minister for Environment and Natural Resources that environmental protection can only be sustainable if it caters for the interest of the community that is immediately close to what is being protected. The populations that live around the forests in this country are the principal traditional custodians of those forests. The challenge for viable interventions by Government are not how to create an artificial competitive relationship between the resource to be protected and the people but how to nurture a linkage that does not destroy the viability of the resource.

The Nyayo Tea Zones have made the people to be seen as enemies of forests. So you create a situation which stops the people from reaching the forests. Forests can only make sense environmentally if they can be used. The people should be able to get firewood from the forests and those who want to do certain things which

they cannot do in the open, should be able to do them in the forest. But once you start seeing these people as enemies of the forests that you have to cushion them away from the forests. That method of doing conservation is not sustainable. You criminalise traditional justifiable uses of the forests. That is not sustainable, and that was the worst mistake about the Nyayo Tea Zones.

Mr. Deputy Speaker, Sir, having said that, now I wish to move to the substance of the Motion itself.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, I heard the best thing I have ever heard from the hon. Sambu, today, when he said that his heart bleeds for the forests in this country. I wish all public leaders in this country could repeat that sentiment and mean that sentiment because in a country with a rapidly growing population, with insufficient biotic resources, a major crisis about what will be inherited by the next generation of Kenyans is the limited indigenous forests of the land. One of the more laudable things about this Motion, is that, it is a challenge to all of us to take stock of what we are destroying today and to think about the dangerous methods in which we are destroying our indigenous biological diversity in this country. Starting with this Motion, I think it is important that we start thinking about what we are doing about the different kinds of forests in this country.

Mr. Temporary Deputy Speaker, Sir, the first point is in relation to the difference between the original Motion and the proposed amendment. The original Motion is seeking Parliament to urge the Government to stop excising from the existing Government forests. To urge that the Minister for Environment and Natural Resources stops cutting parts of Government forests because of the environmental consequences that it has. The amendment does not in any way ask the Minister to stop excising from the Government forest, but instead it urges that the people should stop encroaching on forests. Both of them are interesting and, perhaps, justifiable Motions, but there is no way that one can be seen as a viable amendment to the other to sustain its original meaning. Already, for the reasons I have said, once you focus on encroachment, what you are talking about is to stop the people from making non-sustainable exploitation of forests or, for example, making permanent residence and indiscriminate destruction of trees in the forests. That is the encroachment by the people. That encroachment has nothing to do with overpopulation in this country because if you look at our forests, the ones that have had the greatest level of encroachment are not the ones which are surrounded by great populations. The Kakamega Forest which is surrounded by some of the most dense population in rural areas in this country, is not under any significant threat of encroachment by the local population. So the population *per se* does not constitute a threat to the viability of indigenous forests.

There are other dynamics and sustainable use and alienation for use other than forestry resources. These are the habits that we want to deal with. That is the reason why I am saying that this amendment has a good spirit if properly coached in terms of non-sustainable uses of forestry resources, but does not constitute a strengthening of the original Motion. It is a totally different Motion and only related because it is also talking about trees and environment. Secondly, more critically, I think we want to take advantage of the opportunity offered by the Mover of this Motion, to take stock of what we can do to protect the bio-diversity of this country.

Mr. Temporary Deputy Speaker, Sir, if you look at one of the most interesting indigenous protection of forest resources in this country, you have to go among the Mijikendas of the Coast Province, with their *Kaya* system. The *Kaya* has traditional shrines and not only social-cultural and religious institution, but as a critical source fuel wood. This is a perfect example of how identifying the traditional methods of sanctity of forest resources can be the basis of viable community intervention in the protection of forests. Yes, I liked when the Minister called upon for greater expansion of agro-forestry. In fact, we should even go further and start encourage silver agro-forestry. Some slots for livestock, forestry resources and for cultivation. But that is an area where you can start increasing in putting emphasis in line with our commitment to the instruments of Agenda 21 in Rio after noticing that we should not destroy what already exists. Indigenous trees, unfortunately are resources that are not very easy to re-generate once you have destroyed them and this particularly is the case with the range lands. Our range lands are the homes of the greatest bio-diversity among the biotic resources of this resources, and today, they are faced with a threat, the multiplication of maize cultivation, the growing production of wheat and barley in parts of Narok and Laikipia. These are the major sacrifices of a diverse biotic regime and replacing it by an annual crop, which makes the soil more vulnerable to erosion and which destroys a heritage that cannot be rejuvenated in a period of even one generation. It is a collective challenge that while we are protecting available forests, we should also think about the nurturing of land use methods in the range lands which do not

compromise the bio-diversity of the range lands.

Mr. Temporary Deputy Speaker, Sir, similarly I would like to say the following. At the time when we are increasing and realising the wealth of our bio-diversity, it is critical that before the Government embarks on projects like the construction of dams, the damming of rivers, that we give priority to pre-investment environmental impact assessment, particularly on the impact of damming on the riverine forests. Today, there is growing evidence that the damming of the Turkwell River over a period of three years while attempting to fill the dam upstream, has permanently reversed the texture of the bio-diversity of the Turkwell River. One prays and hopes that this actually does not get confirmed, but if the reality is confirmed that the riverine forest of the Turkwell River has permanently been affected by the damming of the Turkwell, what it means, is a very, very disastrous thing for the Turkana livestock herder and that the only foundation for the retention of sub-terrain water flow during the dry season which is the cause of shallow wells for watering animals in the dry season in the range lands to the north-west of Kenya, is totally shuttered. And that five or six years down the line apart from the translation of drought into famine, we see a situation where a non-resuscitable natural forest is destroyed by man's careless intervention in the so-called development, which is not preceded by considerations of the environmental impact.

Mr. Temporary Deputy Speaker, Sir, I would like to challenge the Minister for Environment and Natural Resources, to move from the question of the forests before the House now and be the service Ministry for all other Ministries, that all new interventions of developmental nature of uncertain changes of the natural landscape are preceded by a clear objective environmental impact study before we make more painful sacrifices than we have already done.

With these few remarks, Mr. Temporary Deputy Speaker, Sir, I wish to oppose the amendment.

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

*(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 amended proposed)

Mr. Boy: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii niseme machache juu ya Hoja hii muhimu sana. Pia, uzuri wa Hoja hii kama ilivyofanyiwa marekebisho ni kwamba, Waziri yuko hapa kutusikiliza vizuri. Hii ni kwa sababu imekuwa ni tabia ya baadhi ya Mawaziri kwamba kila tusemayo hapa na kuwaunga mkono wakienda ofisini mwao, watayabwaga wakituona sisi ni watu ambao hatuna akili. Ukweli wa mambo ni kwamba, tumechaguliwa na wananchi kuja hapa kuwatumikia, si kupigana. Lakini kuwakilisha katika maoni ambayo tunayotoa kama Wabunge.

Nikiunga mkono Hoja hii, Bw. Naibu wa Muda, nina huzuni sana kwa sababu ninazungumza kama Mbunge ambaye ana misitu mitatu katika eneo lake la uwakilishi Bungeni. Msitu wa kwanza ni Shimba Hills, ambao hivi sasa ni National Reserve. Uchungu wangu mkubwa ni kwamba watu wa Shimba Hills hawafaidiki kutokana na msitu huo. Wanaofaidika ni wafanya biashara kutoka Mombasa, Wahindi wakubwa wakubwa walio na mashine za kupasua mbao, wanapewa kibali cha kupasua mbao. Wakati Mdigo akipatikana na mbao moja, anapelekwa kortini. Nina wazee kumi ambao juzi, walishikwa na kupelekwa kortini kwa sababu hawakutoa mlungula. Na hao ndio Wadigo asilia wa huko Kwale. Sasa msitu huu unatupatia faida gani? Mhindi ndiye mwenye mashine za kupasua mbao huko Kwale; Krishna Saw Mills, Pakistan Saw Mills na kadhalika. Lakini Mdigo akiwa na Seleiman Saw Mills hiyo ni dhambi. Hawapewi kibali, hawapewi chochote. Faida ya msitu huo ni nini basi? Yafaa upelekwe Bara Hindi kwa sababu unafaida kwa Krishna Saw Mills na haumfai chochote mwana asilia wa Kwale. Yafaa Waziri alichunguze jambo hili vilivyo.

Jambo la pili, msitu huo tunaouzungumzia uko karibu na lokesheni za Shimba, Mkongani na Mwalukhamba. Kina mama wa sehemu hiyo, wakipatikana ndani ya msitu wakiokota kuni tu, wanatiwa ndani. Wanawake sita walishikwa huko wakitafuta kuni juzi. Kina mama hawajui kupasua mbao, hawana mashine za kukatia miti mikubwa. Kwa nini wao wanashitakiwa? Maoni yangu kama mwakilishi wa sehemu hiyo ni kwamba msitu huo hauna faida kwa watu wa Kwale. Hautuletei manufaa yoyote sisi watu wa sehemu ile. Ndiyo sababu tunamwambia wazi Waziri asikie. Mimi kama Mbunge wa sehemu hiyo, naonelea kwamba eneo hilo

lingepewa wananchi wa Pwani badala ya kunyanyaswa na maofisa wa Wizara yake.

Msitu huu unawafaidhi ndovu; ana uhuru wa kutembea katika msitu huu. Kuna ndovu 600 ndani ya huo msitu, hawahusiki na maofisa wa misitu, Wizara haina wasiwasi nao, wana haki ya kutembea manaake ndio waliompigia Bw. Sambu kura. Wako na uhuru kamili kutembea kila sehemu ya msitu huo; kutoka sehemu ya A mpaka sehemu ya B. Lakini Mdigo yeyote hana uhuru. Sisi tunaishi karibu na huo msitu, faida tunayopata ni kuuawa na ndovu, Wahindi Krishna Saw Mills wawe matajiri. Sisi Wadigo tupate nini? Kazi yetu ni kutasama malori yakiingia na kutoka yakiwa yamebeba magogo tu. Na ndovu naye anapiga masikio yake akisema "Sambu, Sambu". Basi, kutokana na hali hiyo, tunaona kuwa msitu huu hauna manufaa kwetu. Maanake kitu cha kufaa ni kile ambacho kinachotufaidi. Lakini hakuna hata jambo linalomfurahisha mtu wa Kwale. Inasemekana msitu huu waleta mvua. Lakini hiyo ni theory ya UNDP; sisi tulio na msitu asili hatuelewi.

Kuna mnyama mwitu mwingine mkubwa, anayekaa msituni humo anaitwaye nyani. Yeye ana uhuru wa kukaa msituni bila wasiwasi, hashitakiwi na ofisa wa msitu wala kuulizwa kibali cha kuingia msituni. Lakini mtu mwingine yeyote? Sasa haya ni maonevu kwetu! Tunamwambia Waziri atusikilize. Ofisa wa kutoa kibali ni lazima awapatie kibali watu asilia wa pale, kwa sababu sisi ndio tunapata shida. Watu asilia kama sisi ndio tuna haki ya kupata manufaa kutoka kwa msitu huu kushinda mtu kutoka nje. Lakini leo hakuna tunachopata kutoka kwa msitu huu!

Pili, kuna msitu unaoitwa Marenje. Sidhani kuwa Waziri amewahi kufika huko. Katika msitu huu wa Marenje hakuna hata kitu chochote hapo, ni miti ambayo imekauka. Lakini sehemu hiyo inatambuliwa kama Marenje Forest. Watu hawaruhusiwi kuokota kuni. Sasa ni faida gani kulinda eneo ambapo miti imekauka? Msitu ni mahali penye kijani kibichi, lakini msitu wa Marenje umekauka. Msitu mwingine ni ule wa Mrima. Wasiwasi mkubwa ni kuwa watu wapatao sita wamepeleka barua za maombi kwa DDC wakitaka wepewe msitu wa Mrima. Wengine wanasema wataanzisha mtambo wa kutengeneza machungwa na kadhalika. Haya yote kwa maoni yetu, ni gimmick. Kwa sababu msitu huu uko katika eneo lenye rutuba. Sehemu ya Mhe. Mwamzandi, juu kabisa. Mahali pazuri sana. Tunamwambia Waziri kinagaubaga, kwamba kuna aja ya kufikiria kuondoa msitu huo katika orodha ya misitu, basi wale watakaopewa nafasi ya kwanza ni watu asilia wa huko. Kwa sababu kuna tabia ambapo wakati mwingine unaambiwa kuwa msitu umekuwa degazetted kwa manufaa ya watu. Lakini manufaa yenyewe huwa si ya watu wa Kwale. Hilo ndilo jambo lingine ambalo tunalipigia makelele.

Jambo lingine ni la walinda msitu. Tumekubali msitu ulindwe. Tuna misitu huko Kwale, lakini mlinda msitu anayefanya kazi huko, ametoka Nairobi! Mlinda msitu anastahili aajiriwe kutoka kule kuliko na msitu. Nafasi kumi na nne za walinda msitu zikitangazwa, watu kumi watoka Nairobi. Sasa sisi watu wa Kwale twapata nini? Tunamwambia Waziri kuwa kama ni kuajiri walinda misitu, waajiriwe watu asili wa eneo linalohusika. Kama ni Kiambu, waandikwe watu wa Kiambu, kama ni Nandi waajiriwe watu wa Nandi, kama ni Kwale waajiriwe watu wa Kwale. Watu kutoka bara wanajuaje kulinda msitu? Baadaye wanaumwa na mbu na kuambukizwa malaria, wanakufa bure na kuzikwa huko. Fikirieni watu wa Kwale. Simkatazi kuajiri watu wa Tinderet kutoka huko Nandi. Lakini ukituletea mlinda msitu kutoka Nairobi, akifika kule hajui hata mahali msitu ulipo, anaanza kuuliza, na hii haifai.

Jambo lingine ni ufisadi katika Wizara hii. Juzi kumeshikwa lori mpakani mwa Kenya na Tanzania. Lori limeleta mbao kutoka Tanzania, lililofika mpakani tayari lilikuwa limepigwa mihuri ya Kenya huko Tanzania. Sasa tunajiuliza, huu mhuri ambao unahifadhiwa na maofisa wa Kenya nchini, ulifikaje Tanzania? Gari lenyewe liko mpakani na limesimamishwa saa hii likiwa na mbao. Mbao zenyewe lazima zipigwe mihuri na maofisa wa misitu wa Kenya. Lakini lilipofika mpakani likiingia Kenya, tayari lilikuwa limepigwa mihuri wa Kenya. Mihuri huo ulitoka wapi? Tueleze? Haya ni mambo ambayo ni kama miujiza. Inaonekana kuwa Kenya ina baadhi ya maofisa huko Tanzania? Yafaa Waziri atueleze vile mihuri ya Kenya iliweza kufika Tanzania, kama huo si ufisadi.

Isitoshe, juzi kulipita mikoko kutoka Tanzania kupitia Lunga Lunga kwa gari, ilipofika mpakani, ilikuwa na mihuri tayari. Gari likisimama kukaguliwa tayari lina mihuri wa Kenya, na maofisa wako pale pale! Hakuna ofisa anayeyuliza. Huo ni ufisadi wa hali ya juu. Tunawambia maofisa walio kule Kwale wasikae huko kwa muda mrefu sana. Maanake tuseme ukweli, Shali na Patel wanajuana sana kulainisha koo za wazee wa kazi. Njaa imezidi baada ya petroli kupanda bei; koo hukauka sana, hata soda pia imepanda bei. Shali huwauliza, "what can you do, can you take Kshs200,000?" Mwafrika akisikia Kshs200,000, na siku hizi pesa hizo ziko katika noti za Kshs1,000, ni kidogo na zinaweza kuingia katika koti lako, kumbe ni Kshs200,000. Kwa hivyo, maofisa wakikaa sana wanahongwa.

Kwa hayo machache naunga mkono.

Mr. Nthenge: Ahsante sana, Bw. Naibu Spika wa Muda. Ninasikitika sana kwa sababu nilitumaini kwamba Waziri atasema kwamba hii Hoja ina kasoro kwa sababu haijasema kwamba tuendeleo kupanda miti

lakini sasa anahimiza kupunguzwa kwa misitu. Kama hatuna misitu tutakosa maji na tukikosa maji hatuna uhai na tukikosa maji pia tutakosa chakula. Nilikasirika sana kwa sababu nilifikiria kwamba katika kusahihisha Hoja hii, Waziri atasema tupande miti mingi lakini sasa yeye anasema tuwe tukikata miti michache. Sasa imekuwaje tena? Lile sahihisho halikuhimiza jambo la kupanua misitu yetu. Watu wengi kama sisi ambao wamepata nafasi ya kusafiri kwa ndege tumeona kwamba Kenya ni nchi kubwa sana. Kama mtu ana haja sana ya ardhi si aende akatumie ile ambayo bado haijatumiwa? Kuna haja gani kuingilia ardhi ambayo tayari imefanyiwa kazi nzuri na Mwingereza? Ni bora kunyunyizia maji mimea yetu na kwa njia hiyo kufanya ardhi iwe na rutuba. Badala ya kuzingatia jambo la kufanya nchi iwe nzuri zaidi, sasa tunakubali kukata miti.

Zaidi ya theluthi mbili za nchi ya Kenya ni kavu na zinaweza kutumiwa kwa kupanda misitu. Tunaweza kunyunyizia miti maji na kupata misitu. Hawa watu ambao tunataka kuwapa nafasi ya kuishi misituni tuwapeleke huko kwenye sehemu kavu kwa sababu nia yao ni pahali pa kuishi. Mbona tusinyunyizie maji pahali pale pakavu ili tupate chakula na kuacha misitu? Nina uchungu sana kwa sababu ya jambo hili la kukata miti. Nimesema kwamba miti husaidia katika kuzuia mmomonyoko wa udongo. Pili, sisi tunahitaji mbao za kujengea na hivi tukiendelea kukata miti, hizo mbao tutazipataje? Vile watu wanavyoongezeka ndivyo misitu inastahili kuongezwa kwa sababu hawa watu watahitaji kula, maji na kujenga. Maji, kuni na majengo ni vitu vitatu vya muhimu sana katika maisha ya mwanadamu na havipatikani bila misitu. Sasa sisi badala ya kuongeza misitu tunasema tukate miti michache. Tuna sehemu kubwa sana ambayo haina kitu na kwa nini tuingilie ile ambayo ina kitu? Vile tungefanya ni kupanda misitu mingi ndiyo maji yawe mengi na kwa njia hiyo tusiwe na shida ya kuni.

Huu mpango wa mtu kutifikiria kesho au kesho kutwa ni makosa. Tumekuja hapa kutizama hali itakavyokuwa kesho. Watu wengine kama mimi wana vitukuu na tunastahili kufikiria jinsi Kenya itakavyokuwa kesho. Ni juu yetu kuwatengeneza nchi yetu watoto wanaozaliwa leo. Tungependa iwe nzuri kuliko tulivyoipata sisi. Nina bahati mbaya kwa sababu mimi nilikuwa miongoni mwa wale watu anvai walimfukuza Mwingereza kutoka nchi hii.

Wale Wafrika 33 waliokuwa wakipigania uhuru wa nchi hii, mimi nilikuwa mmoja wao. Sasa hivi hata baada ya kupata uhuru badala ya mambo kuwa mazuri yanazidi kuharibika. Ukiangalia barabara zetu ni mbaya, tayari tumeanza kuipunguza misitu yetu na mambo mengi mabaya. Ningependa kumwambia Bw. Waziri aende Yatta pahali panapojulikana kama Kithimani aone mtaro uliotengenezwa wa kunyunyizia mashamba maji. Pahali ambapo palikuwa pakavu sana sasa pamekuwa pazuri sana. Hata sisi pia tunaweza kutengeneza mito na kupanda miti zaidi na kuwa na misitu mingi. Sio tu kuacha mito yetu kumwaga maji yake katika bahari, bahari haina haja na maji. Bw. Waziri ahakikishe kwamba anaongeza misitu na pia awaambie wale wanaohusika na misitu na kutafutia watu makao wawatafutie pahali pa kuishi ambapo hapana misitu. Haya ninayowaambia yatawafaidi watoto wetu kwa sababu mimi karibu niondoke. Nimezaa na hivi nina watoto 17 na bado hawa watoto wanazaana.

Nyinyi pia mna watoto na watazaana. Sisemi haya ninayosema kwa sababu yangu bali ni kwa sababu ya watoto wenu. Jua langu linatua lakini watoto wangu na vitukuu wanastahili kuishi vyema. Wewe Bw. Waziri waambie wale watu wanaohusika na makao ya watu wakumbuke kuna sehemu kavu za nchi hii.

Nitakuambia Mwingereza alivyofanya. Mwaka wa 1945 walipotoka katika vita walikimbia pale Ukambani na kuona kwamba nchi iliyokuwa bora ilikuwa imejaa. Wakaenda Makueni na kwa vile nchi ilikuwa kavu, wakaitengeneza na hivi sasa ukienda Makueni watu wanaishi humo. Juzi nilienda Arusha na nikaona kwamba tuna sehemu kubwa ya nchi ambayo ni kavu na hata maji tunayo. Uliza watu kama mhe. Falana na mhe. Godana watakuambia kwamba kuna sehmeu kavu tele. Kuna mto Tana na Lake Victoria ambazo zina maji tele. Tangu hapo mwaka 1961 nimesema kwamba maji yawekwe Timboroa na hapo yatatiririka popote Kenya. Sasa mhe. Waziri awaambie hawa watu wafanye hivyo na kuacha misitu. Sio kwamba ninawachukia watu lakini kila kitu kina haki yake. Waingereza wanasema, "Ishi na mimi niishi", yaani wewe ishi kwako na mimi niishi kwangu. Zile Wizara zinahusika na kutafutia watu makao zitafute sehemu kavu ya nchi na wewe kazi yako ni kuhakikisha kwamba hatutakosa kuni, maji au mbao za kujenga.

Kwa hayo machache, naunga mkono.

Mr. Mak'Onyango: Mr. Temporary Deputy Speaker, Sir, may I on the outset thank those hon. colleagues who have contributed to this Motion, and at the same time register my concern that the amendment has completely altered the original spirit of this Motion. This is because the original spirit of the Motion was to restrain the Government, since it is through the Government's acts of excision that the future of forests in this country is threatened. We wanted to put an end to that. What we now have is that, the Government wants to restrain the people for whom this Motion sought to preserve the forest. So, the Motion now restrains them from getting into the forests. That is a totally different thing.

However, I wish to bring to the attention of the House yet again, that we are addressing a very, very worrying situation. Through this House, we are seeking to move the Government to come up with measures that would help the situation.

Mr. Temporary Deputy Speaker, Sir, may I read from a newspaper report about the worrying trends as far as the forests are concerned. There is a body called The Environmental Investigation Agency, which is the investigation arm of the United Nations Environmental Programme (UNEP), which said recently in a report that:

" Tropical deforestation which is held to be responsible for global warming or the green house effect is estimated at around 17 million hectares *per annum*".

That is a very, very big figure, indeed, and out of that figure, Kenya alone contributes the tune of about 5,000 hectares of land being deforested every year.

From that information, you will see that Kenya's contribution towards the degradation of the environment is colossal. It is time we woke up to that reality and did something to save the situation. Yet again, I want to say that the trend as it is right now is worrying because, within the last three to four years alone, we have had more forest land excised than what had been excised for more than 28 years, before the current Minister took over office. That is a reason for us to take a fresh look at this thing here and do something about the situation.

I want to refer briefly to the contribution made by hon. Kamotho, which suggested that by using parts of forest land for Nyayo Tea Zones, we were creating more jobs for our people. Nothing could be further from the truth. This is because when you come to think of it, if we developed our forests more, more people would earn their livelihood from forest resources today than they can earn from tea and the like. I have called for the establishment of Kenya Forestry Commission so that we have an institution solely charged with the management and the day-to-day running of the affairs of these forests, in order to remove them from the current situation in which an individual enjoys overwhelming power and he is able to undermine the interests of the country just like that. I am sure that if we had a commission manned by some experts and people trained in the management of forest resources, we could stand to benefit a great deal more. In that way, if we had a body that would systematically see to the utilisation of forest resources, this country will be able to generate more funds from our forests than it is currently being done. This is because if anything, as one of the contributors had the occasion to point out, many people who really benefit from these resources are non-Kenyans. It is time we managed these resources for the maximum benefit of our people. This kind of commission will help to look after our forest resources.

Kenya is a signatory to the Rio Principle and Agenda 21. Both the Rio Principle and Agenda 21 are essentially concerned with the preservation and conservation of the environment. If we are going to end up with a situation in which the Government of Kenya, instead of accepting the spirit of both the Rio Principle and the Agenda 21, we are from henceforth putting an end to the continued excision of forest land in order to enhance our conservation of forest resources, I think we are rendering lip service to afforestation in this country. We are not being very serious on matters like land grabbing because the President himself has already told this country that this is an evil that must be put to an end. One way of putting to an end things like land grabbing is to put an end to excision of forest land by outlawing the exercise as sought for in this Motion. So, I think by diluting this Motion to be one, whereby, the Government refuses to accept responsibility or to act in a way geared towards putting an end to these excisions, we are merely rendering lip service to environmental protection management and land grabbing. I feel that it is time, even if the Motion has not gone through in its original form, this side of the House will have succeeded in putting on record what is good for this country. I am sure that posterity will bear us out on that.

Mr. Temporary Deputy Speaker, Sir, I do feel very strongly that the question of environment and forests in this country is a matter that needs to be addressed with more seriousness than previously done.

May I also take this opportunity to suggest that some of the large scale users of forest products like Kenya Power and Lighting Company (KPLC), Kenya Posts and Telecommunications Corporation (KPTC) and so on, should be made to grow their own forests, so that they can harvest from their own forests, what they need for their use, instead of relying on what has been preserved for the future posterity of this country. In that way, I think we will be able to improve on the forests situation in this country.

Mr. Temporary Deputy Speaker, Sir, I also want to go a step further and suggest that when it comes to whatever legislation the Minister is contemplating to introduce, I would rather that this House insists that there be a requirement that anybody who owns land along any road should plant some trees along the road edge of his or her land. That should be made mandatory as a way of enhancing tree growing in this country. The practice is already common in hon. Kamotho's area. There, you will find that there are trees almost along every road. It is a practice that I would like to see extended to all other parts of the country. In that way, I am sure we will be able to address the question of afforestation and tree availability more realistically than we have hitherto been able to do. Up to now, we have seen more of lip service than action being paid to this area. We want to see more action than just lip service.

With those few remarks, I beg to move.

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

Resolved accordingly:

THAT, in view of the concern caused by the encroachment on forests in Kenya by the rapidly growing population and the negative impact this is bound to have on the environment; this House urges the Government to ensure that no further encroachment on forests takes place as part of environmental protection and upholding the principles of the United Nations Environmental Programme.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, although Hon. Gichuki is here to move his Motion, we hardly have enough time to start on it. I think this should be a convenient moment to adjourn the House. The House, therefore, stands adjourned until this afternoon at 2.30 pm.

The House rose at 12.25 p.m.