

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 6th November, 1996

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.490

FUNDS RECEIVED FROM ACP/EEC

Mr. Speaker: Mr. Murungi is not yet here? Next Question! Rev. Ommani!

Question No.388

MURDER OF GLADYS AYOYI

Mr. Speaker: Rev. Ommani is not yet here? Next Question! Mr. Obwocha!

Question No.712

MONEY OWED BY KANU

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

(a) whether he is aware that the Kenya African National Union owes the Government money taken as I.O.U.s and A.I.E.s before December, 1992, General Elections;

(b) if the answer to "a" above is in the affirmative, could he give the list of the debtors as at 31st December, 1995; and,

(c) what efforts the Government has made to recover the said money.

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

(a) Yes, I am aware.

(b) The main debtor is KANU headquarters which borrowed a total of Kshs23,410,979.10 to hold party elections in the Republic between 1985/86 and 1986/87 Financial Years.

(c) Several letters have been written to KANU headquarters, asking the party to refund the money to my office vide my several letters, the latest being AC/20/2/23 of 16th December, 1994. KANU has agreed to refund the money.

Mr. Obwocha: The Assistant Minister has not answered part (b) of my Question. He has not tabled the list of the debtors. This money was borrowed from the various district treasuries in the country, totalling Kshs23,410,979.10. The Government has no business funding a political party like KANU, because they are not funding other political parties. Could the Assistant Minister table the list of where DCs from all the districts in the country, in fact, about 39 have taken money by way of I.O.U.s. and A.I.E.s? Could he table the list under part (b) of the Question?

Mr. Awori: Mr. Speaker, Sir, this Question was asked on 22nd June, 1995; I answered it exactly the same way I have answered it this morning and tabled that list on the same date.

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. I never asked that Question! I think it was asked by another Member of Parliament and this is a different Session. This Question is being asked by the Member for West Mugarango.

Mr. Speaker: Mr. Obwocha, if information is in the journals of this House, is that not in the public

domain? Anyway, you can ask your question.

Mr. Obwocha: Mr. Speaker, Sir, the Assistant Minister is misleading this House. On that list, KANU headquarters took only Kshs4 million and the rest of the money is in the various districts. They even funded the Director of Intelligence to the tune of Kshs105,221 to help KANU in logistics in 1992. Could the Assistant Minister tell us why they are involving the Provincial Administration in matters that are political?

Mr. Awori: The Question as constructed this morning was ably replied to on 22nd June, 1995. The list requested was tabled in this House. This information is available in the HANSARD. If the hon. Member wants to ask a different Question

in so far as the Government financing political parties, then he will have to bring a fresh Question.

Dr. Oburu: Could the Assistant Minister tell us under what provisions of the law the Government funded a society like KANU?

Mr. Awori: Mr. Speaker, Sir, KANU just borrowed the money at that time.

Mr. Mutere: Arising from those answers that have been given by the Assistant Minister, is it also the Government's policy to fund other parties other than KANU?

Mr. Awori: Mr. Speaker, Sir, borrowing is voluntary. Any party can borrow and if---

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. Is he in order to say that there is a provision for a society to borrow money from the Government? Ford(K) or Ford(A) for example, is not allowed to use the same provision?

Mr. Awori: Mr. Speaker, Sir, those are hon. Kopiyo's words. At no time did I---

Question No.963

REPLACEMENT OF KENYANS BY EXPATRIATES

Mr. Speaker: Mr. Muite is not here? Next Question! Dr. Kituyi!

Question No.855

DEATH OF SUSPECT

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

(a) whether he is aware that Mr. Ndungu, one of the 21 people arrested after a robbery at the Ngararia Trading Centre died at the Thika District Hospital on 21st May, 1996, allegedly as a result of police torture;

(b) what steps he has taken to apprehend the culprits and charge them before a court of law; and,
(c) why the family of the deceased was not informed about his death until the father visited the police station.

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

(a) The late Noah Ndungu was arrested and beaten by members of the public on 12th May, 1996 at Ngararia Trading Centre on suspicion that he was one of the gangsters who had broken into several shops at the centre. The suspect was handed over to the police at 12.35 p.m. on that same day and he was taken to the hospital for treatment. He died on 21st May, while undergoing treatment.

(b) The Kandara police inquiry file No. 18/96 is still pending under investigations.

(c) The family of the deceased was informed of the death on 22.5.96 and they went to view the body on the same day.

Dr. Kituyi: Mr. Speaker, Sir, at a time when there is increasing evidence of police brutality against persons who have been arrested before being charged in court, it is only fair that the Government Assistant Minister is more forthright in matters concerning the lives of people who have been arrested. In the first place, Mr. Noah Njuguna Ndung'u was not beaten and arrested by the public. He was one of 15 people who were arrested in a police swoop. Be that as it may, could the Assistant Minister tell this House why Mr. Ndung'u was arrested on 12.5.96 and stayed in Kandara Police Station until 21.5.96 when he was taken to Thika District Hospital and pronounced dead upon arrival? If the injuries were inflicted when he was being arrested by the civilians on the 12.5.96 why did the police from Kandara only take him to Thika District Hospital on the day he died?

Mr. Awori: Mr. Speaker, Sir, the suspect was taken to Thika District Hospital on 19.5.96, two days

before he died. Indeed, the suspect was beaten up in what is popularly known now as "mob injustice". It is the police who rescued him from the irate members of the public, contrary to the hon. Member's claim that he was arrested in a police swoop.

Dr. Kituyi: Mr. Speaker, Sir, I have read this morning the postmortem report on Mr. Ndung'u prepared by Dr. Lucas Munyua. Dr. Munyua states the following, inter alia:-

"A 28-year old African man, Noah Njuguna Ndung'u, died on 21.5.96 upon arrival at Thika District Hospital from Kandara Police Station, where he had been since 12.5.96. The said Njuguna Ndung'u had bruises on both legs and knees and thighs, gaping wounds on both buttocks, blood in his left side of his chest cavity, called haemothorax, bruises on the front and the side of the skull, blood under the skull over the brain, which is called subdural haematoma. He died because of the chest and brain injuries caused by blunt objects."

Let us assume that this person had only been beaten by the public, that he had deep gaping holes on his buttocks, that he had blood between his skull and the brain and he had received these injuries on 12.5.96. Let us even pretend that the postmortem's assertion that Mr. Ndung'u arrived in hospital on 21.5.96 is wrong. Can the Assistant Minister explain why it took the police in Kandara from 12.5.96 to 19.5.96 to take to Thika District Hospital a person with this level of accelerated injuries?

Mr. Awori: Mr. speaker, Sir, as far as the police at Kandara Police Station were concerned, there was no need to take Mr. Ndung'u to hospital on that particular day.

Mr. Speaker: Mr. Gichuki's Question.

Question No.695

ELECTRICITY SUPPLY IN OL-JORO-OROK

Bishop Kimani, on behalf of **Mr. Gichuki**, asked the Minister for Energy what plans he has to supply Gathangi-Ngano-Silibwet areas of Ol-Joro-Orok with electricity.

The assistant Minister for Energy (Mr. Marita): Mr. Speaker, Sir, I beg to reply.

My Ministry will programme the electrification of Gathangi-Ngano-Silibwet area of Ol-Joro-Orok once adequate funds are secured.

Bishop Kimani: Mr. Speaker, Sir, the hon. Assistant Minister has always been telling this House that he would supply electricity when funds are secured. When will the funds for the supply of electricity to these areas be secured? These people need electricity so that they can open their businesses.

Mr. Marita: Mr. Speaker, Sir, projects are implemented with money. If money is not available at the moment we cannot do the job. We have surveyed the area and determined the amount of money needed to implement this project. The amount is about Kshs14 million. When we get this money from the Ministry of Finance we will immediately implement the project and supply the area with electricity.

Mr. Kamuyu: Mr. Speaker, Sir, this is a densely populated and farming area. We have seen this Ministry supplying electricity to areas where there are only goats, cows and tortoises. Can the Assistant Minister tell the House why he is ignoring this area? Is it because it is basically an Opposition area?

Mr. Marita: Mr. Speaker, Sir, we have not ignored this area. If we had money we would supply electricity to all the people in this country, without considering whether they are in Opposition areas or not. We have even managed to supply electricity to the hon. member's area.

Mr. Nthenge: Since the Government is determined to supply electricity to the area, can the Assistant Minister tell the House the earliest he expects the Government to secure money and supply electricity to this area?

Mr. Marita: Mr. Speaker, Sir, that is a different question, but let me tell the hon. Member that we have surveyed this area, and when money will be available we will implement the project and supply electricity to Kangui Water Purification Project, Kangui Primary School---

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. Is the Chair satisfied that the question I asked is being answered? The Assistant Minister says I asked a different question.

Mr. Munyasia: Mr. Speaker, Sir, the Assistant Minister says that they have already surveyed the area and prepared estimates. I suppose that the estimates are for this year because they cannot be for any time in the future like, say, five or six years to come. Has the Assistant Minister made the application to the Ministry of Finance for the Kshs14 million that is required this year to complete that particular project?

An hon. Member: He does not know!

Mr. Marita: The hon. Member is aware that we are supposed to do our estimates for future projects this

year or next year. He cannot say that estimates can be done only in this year!

Mr. Munyasia: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to evade the simple question that I asked? Has he made the application to the Ministry of Finance for the Kshs14 million that he requires this year to complete that particular project? He has not answered that question! He should say yes or no.

Mr. Marita: Mr. Speaker, Sir, even if we make an application to the Ministry of Finance, everything will depend on whether that money is available.

Question No. 111

HARASSMENT OF MS BEATRICE YAGAN

Dr. Lwali-Oyondi asked the Minister for Lands and Settlement:-

(a) whether he is aware that Mr. Joseph Yator has been harassing Ms Beatrice K. yagan, an employee of the Ministry of Public works and Housing, Nakuru through a local firm of advocates claiming ownership of a house on Block 10/185 which is a

Government house; and,

(b) if the answer to "a" above is in the affirmative, who the rightful occupier of House Block No.10/185, Nakuru is.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): Mr. Speaker, Sir, I beg to ask that this Question be deferred until Wednesday, next week when I can get the correct answer.

Mr. Speaker: What is your reaction to that, Dr. Lwali-Oyondi?

Dr. Lwali-Oyondi: Mr. Speaker, Sir, last week, this Question was deferred. This Question is from 1995. I do not know what they are afraid of. These things are very clear---

Mr. Speaker: But what do we do if he has no answer?

An hon. Member: Mr. Speaker, Sir, sack him!

(Laughter)

Dr. Lwali-Oyondi: Mr. Speaker, Sir, when will he bring the answer to this Question? This is a very old Question.

Mr. Speaker: Order, I will request the Ministry to bring the answer here next Wednesday with strict instructions personally to Mr. Sumbeiywo that you will come and answer it.

Next Question!

Question No. 384

INSTALLATION OF STREET LIGHTS

Mr. Sifuna asked the Minister for Local Government:-

(a) whether he is aware that Bungoma Town has no street lights; and,

(b) what urgent plans the Ministry has to provide street lights in the town.

Mr. Speaker: Is anyone here from the Ministry of Local Government? We will leave that Question until the end then. Next Question.

Question No. 1001

AMOUNT OF CESS PAID BY SUGAR COMPANY

Mr. Wetangula asked the Minister for Local Government:-

(a) how much cess was paid by Nzoia Sugar Company to Bungoma County Council during the year 1995; and,

(b) how the said money, if any, was utilised.

Mr. Speaker: Is there anybody from the Ministry of Local Government yet?

Mr. Wetangula: Mr. Speaker, Sir, this Question was deferred yesterday to today because the Minister

was not there.

Mr. Speaker: Very well. We will come back to it later. Next Question.

Question No.1016

PAYMENT OF BENEFITS TO FORMER EMPLOYEES

Prof. Mzee asked the Minister for Labour and Manpower Development:-

(a) whether he is aware that the 137 former employees of the Caribbean Village, Magic Rnglhyn Shanzu Beach, P.O. Box 10252 Bamburi, Mombasa were not paid their terminal benefits, when the hotel was closed early this year;

(b) if he is further aware that their terminal benefits were remitted to Mr. Kishore Nanji (Advocate) through his Account No.101278417 of City Bank, Mombasa, on 29th May,1996; and,

(c) if he could instruct Mr. Kishore Nanji to pay the benefits and all statutory deductions such as NHIF and NSSF.

Mr. Speaker: Is there anyone here from the Ministry of Labour and Manpower Development? Well, we will come to the second round.

Mr. Murungi's Question for the second time.

Mr. Murungi: Mr. Speaker, Sir, before I ask my Question, I would like to apologise for coming late.

Question No. 490

FUNDS RECEIVED FROM ACP/EEC

Mr. Murungi asked the Vice-President and Minister for Planning and National Development:-

(a) how much money the Government of Kenya has received

[Mr. Murungi]

under the ACP/EEC Coffee and Tea Stabex Fund in each of the years, 1990, 1991, 1992, 1994 and 1996; and,

(b) if he could give a detailed statement on how this money has been spent.

The Assistant Minister, Vice-President' Office and Ministry of Planning and National Development

(Mr. Oyondi): Mr. Speaker, Sir, I beg to answer.

(a) Under the ACP/EEC Coffee and Tea Stabex Fund, the Government of Kenya has received from the European Union a total of 79,480,519 European Currency Units (ECU) since 1990 as follows:-

<u>Year</u>	<u>Amount in ECU</u>
1990	29,870,422
1991	16,413,425

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to give us figures in a currency we do not know?

(Loud consultations)

Mr. Speaker: Dr. Lwali-Oyondi, I advise you to cultivate decent patience. Proceed, hon. Oyondi!

The Assistant Minister, Vice-President's Office and Ministry of Planning and National Development (Mr. Oyondi): Mr. Speaker, Sir, for the remaining years, we received Stabex Fund as follows:-

<u>Year</u>	<u>Amount in ECU</u>
1992	16,739,564
1993	16,457,108
1994	Nil
1995	Nil

Total	79,480,519

This amount is equivalent to Kshs5,722,597,368 at the current exchange rates.

(b) The Government intends to utilize the above funds in the following priority activities:-

Mr. Speaker: How long is the list?

The Assistant Minister, Vice-President's Office and Ministry of Planning and National Development (Mr. Oyondi): Mr. Speaker, Sir, I have five priorities.

Mr. Speaker: Alright.

The Assistant Minister, Vice-President's Office and Ministry of Planning and National Development (Mr. Oyondi): Mr. Speaker, Sir the priorities are as follows:

1. Improvement of roads particularly in coffee/tea growing areas with the aim of facilitating the transportation of coffee and tea.

2. Rural Electrification programmes in coffee/tea areas to allow mechanization and modernization of coffee and tea processing.

3. Improvement of the payment system particularly for small-holders through commercial banks and coffee agencies by way of appropriate credit schemes.

4. Fund study on a strategy for the long-term development of coffee/tea sectors.

5. Other priority areas agreed upon by the Government and the European Union.

An hon. Member: Good answer!

Mr. Murungi: Mr. Speaker, Sir, this is a very disappointing answer. It clearly shows that the Government has been sitting on about Kshs6 billion for over three years when the coffee and tea farmers have been complaining about roads and Rural Electrification in various areas in this country. Can the Assistant Minister explain why this money has not been spent over the last three years? Secondly, how much have they set aside for the improvement of roads and Rural Electrification in the coffee and tea growing areas?

Mr. Oyondi: Mr. Speaker, Sir, Kenya has not utilised the funds given in the years 1990-93 because of the framework of mutual understanding with the European Union which has not been agreed upon. Negotiations are continuing and it is hoped they will be concluded soon. However, regarding the second question put up by the hon. Member, already we have, through the DDCs the priority projects. So, we cannot say we will spend so much before the money is received because the money is in an account where we are earning interest. The account is managed by the European Union and the country concerned under the Lome Convention.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, will the Assistant Minister agree or deny that the reason why this money has not been utilised is because some people want to have a bit of it before it is put into use?

Mr. Oyondi: Mr. Speaker, Sir, I strongly deny that.

Mr. Magwaga: Can the Assistant Minister tell the House how they will use the interest which the money is now accruing while it is in the bank?

An hon. Member: Very good!

Mr. Oyondi: Mr. Speaker, Sir, that is a very interesting question. Once you have money in the bank, that is your money and you can make use of it.

Mr. Murungi: Could the Assistant Minister tell the House why it has taken long for the Government of Kenya and the European Union to agree on a policy framework for spending this money? What are the requirements that the Government of Kenya has not fulfilled?

Mr. Oyondi: The hon. Questioner wants to know why we have not agreed on a policy framework. There are quite a number of reasons which if I start giving them here, will take a long time to be enumerated.

Question No.388

MURDER OF GLADYS AYOYI

Mr. Speaker: Rev. Ommani's Question! Is he not in? We will drop that Question.

(Question dropped)

For the second time, Mr. Paul Muite's Question!

Question No.963

REPLACEMENT OF KENYANS BY EXPATRIATES

(Question dropped)

For the second time, Mr. Lawrence Sifuna!

Question No.384

INSTALLATION OF STREET LIGHTS

Mr. Sifuna asked the Minister for Local Government:-

- (a) whether he is aware that Bungoma Town has no street lights; and,
- (b) what urgent plans the Ministry has to provide street lights in the town.

Mr. Speaker: Is the Minister for Local Government in the House? I am afraid I will defer the Question.

(Question deferred)

For the second time, Mr. Wetangula's Question!

Question No. 1001

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- (b) how the said money was utilised.

Mr. Speaker: Anybody from the Ministry of Local Government?

(Question deferred)

For the second time, Prof. Mzee's Question!

Question No.1016

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- (b) whether he is further aware that their terminal benefits were remitted to Mr. Kishore Nanji (Advocate) through his Account No.101278417 of Citi Bank, Mombasa, on 29th May, 1996; and,
- (c) whether he could instruct Mr. Kishore Nanji to pay the benefits and all statutory deductions such as NHIF and NSSF.

Mr. Speaker: Is the Minister for Labour and Manpower Development not here? I defer the question!

(Question deferred)

Mr. Kamuyu: On a point of order, Mr. Speaker, Sir. You notice that the Wednesday Order Papers are always affected by the absence of Ministers, resulting in a lot of confusion in the subsequent Order Papers. Can the Chair kindly issue a communication blasting these Ministers so that we can streamline this issue? I think these Ministers are here to joke. We all wake up early on Wednesday morning while they continue sleeping with their young wives!

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, in the same vein, I

would like also to protest that when Questions have been put on Order Paper, Members, particularly from across the side, do not come to ask. Yesterday, there were several Questions which were not asked by Members and this morning the same thing has happened.

Mr. Speaker: Order! I would, as I have done in the past, urge all hon. Members to take seriously the business of the House. If the House thinks that sitting on a Wednesday morning is too inconvenient for the House, then it is up to the House to decide and take remedial action. In the meantime, the House expects business to continue as scheduled every Wednesday and Members should take that seriously.

POINT OF ORDER

MINISTERIAL STATEMENT: KOIGI WA WAMWERE'S HEALTH

Dr. Kituyi: I rise on a point of order, requesting a Ministerial Statement from the Minister of Home Affairs and National Heritage regarding the matter of Koigi wa Wamwere.

On Monday this week, Koigi wa Wamwere was admitted at Nairobi Hospital. The admission was for 1 O'clock Monday afternoon, but after Koigi had left Kamiti Maximum Prison at 1 O'clock, the vehicle bearing him was kept moving around Nairobi until 7 O'clock in the evening for the one reason that they wanted him to be brought to hospital after dusk so that he could not attract attention on the car park at Nairobi Hospital.

Secondly, the normal practice has been that at Kamiti Maximum Prison, there are three police or prison guards who follow a prisoner taken to Nairobi or Kenyatta Hospital. I wish the Minister for Home Affairs to explain to this House why it took five hours after 7 O'clock in the evening for Koigi to be admitted in Nairobi Hospital because the prison officers were insisting that eight guards remain around, three inside the wards and five on the corridors of Nairobi Hospital?

In the same vein, I want the Minister to explain to this House why a Dr. Muiruri at Kamiti Prison is striking out dietary prescriptions by senior professional doctors for Koigi, Ngengi and the other arrested on the Koigi matter. What authority does he have to do that?

MINISTERIAL STATEMENT: INVESTMENTS IN IMENTI

Mr. Murungi: Mr. Speaker, Sir, two weeks ago, I asked the Assistant Minister, Mr. Oyondi, in the Office of the Vice-President and Minister for Planning and National Development to answer a question regarding how much money has been invested in North Imenti, South Imenti and Central Imenti constituencies in Meru District. The Minister promised to answer that question on Tuesday, last week, but he did not do so. Can the Assistant Minister now explain when he is going to answer that question?

Mr. Speaker: I am sorry I cannot ask him to explain that, since he has left the House. I suppose what you can do is to get in touch with him. Next Order then!

MOTIONS

IMPLEMENTATION OF BEIJING PLATFORM FOR ACTION

THAT, in recognition of the great need to enhance the political and economic empowerment of women; in view of the key importance of the Platform for Action of the Fourth UN Women Conference held in Beijing in September, 1995, in enhancing women's empowerment and further recognising that there are many bottlenecks that hinder grassroots women's access to information, this House calls upon the Government to:-

- (i) translate, interpret, simplify, clarify and disseminate the resolutions of the Platform for Action to the grassroots women;
- (ii) convene seminars, workshops and other fora in all sub-locations to explain the Beijing Platform for Action; and,
- (iii) to allocate adequate budgetary provisions for the enhancement of the welfare of women, implement and continuously monitor and assess the said Platform for Action programme.

(Mrs. Ngilu on 30.10.96)

(Resumption of Debate interrupted on 30.10.96)

Dr. Kituyi: Mr. Speaker, Sir, I wish to continue adding my accent to the sentiments that had been expressed by all the speakers who had contributed on the Motion before the rise of the House, last week.

There is a critical matter that I think, we as leaders, need to address ourselves to. We have addressed the matter of growing brutality against women by men, but there is another angle to it that has to be given particular attention right now.

Two weeks ago, a gracious lady, an hon. Member of this House, the hon. Charity Ngilu, the person moving this Motion, was physically assaulted by members of the police force of Kenya. It has been expressed before that it is outrageous enough for an hon. Member of Parliament to be physically assaulted and it defeats all reason, acceptable standards of human conduct that Members of this House are not only being physically abused, but that a gracious lady, Member of Parliament, is beaten up by policemen. If brutality to women is to extend to the level that police are beating up women Members of Parliament, it is a shame among us that we are not doing anything to stop such criminal and brutal behaviour.

Like most Members have seen in the recent past, there is a case of one Lucy Muthoni whose only crime is that she was a fairly hefty woman. Lucy Muthoni was arrested because there was talk of a heavy woman who was leading thugs on the streets of Nairobi. Just because of the size of her body, this woman was tortured for more than a week in police custody. This woman's hair was plucked out by the police. This cannot be an isolated case. It must be the reality that many women who get into police custody on suspicion of having committed a crime, are now becoming victims of the brutal violence, that in the past was only known to happen to men suspects. It is not an attempt to justify violence or police brutality against male suspects, but one wishes to express outrage at the debasement of our minimal human values. If we can live in a society where a woman is arrested because she resembles another woman who is suspected to be a criminal, tortured for 17 days with hair being plucked out of her head, and she is abused and traumatised; what will her children think about her? What will the rest of the world think about this society and the way it treats its women?

At the bottom of it all is the reality that for too long, this society has refused to talk to itself about its declining standards of morality. For too long, this society has refused to take seriously, the plight of its women. The plight of its mothers, wives, sisters and daughters.

We rarely ask ourselves questions like: Why is it that in societies where anxiety and poverty lead to the most desperate efforts at seeking explanations to social problems, that in such societies, when the so-called witch-hunting starts, the main victims who get tortured and torched are women? Why does the male society kill women members of its society, in order to explain away the failings of the community which is dominated by men? Why do men in this society not express sufficient outrage about that phenomenon?

Mr. Speaker, Sir, there is a little phenomenon that I want to revisit, and which to the best of my knowledge, has never received any accent on the Floor of this House. It is an old habit which many of us thought had died off. But it has started re-emerging in the Northern part of this country. Among the Borana, for different ecological reasons, many years ago, it was acceptable to have infanticide through the gender system, that the society would oblige mothers to murder their daughters, so that the sons could survive. It is emerging again, and it is about time that this society condemns any forms of infanticide whether justified by any traditions or the customs of any of the people of this country.

With those few remarks, I beg to support.

Mr. Boy: Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii, ili niunge mkono Hoja hii muhimu kwa kutoa maoni yangu.

Hoja hii inazungumzia mkutano mzuri uliofanyiwa kule Beijing. Kwanza, tunatafsiriwa mazungumzo yaliokuwa huko. Pili, kufanywa kwa washa mbali mbali, na tatu, kutengewa pesa.

Kwa maoni yangu, mimi ninaunga mkono Hoja hii, haswa kwa kuwawezesha akina mama wa mashambani kujua kilichotendeka huko Beijing. Mkutano wa Beijing ulikuwa muhimu na mashauriano yao ni yale yanayofaa. Mimi naunga mkono maamuzi yanayofaa, lakini siyo maamuzi ya kumkalia baba kwa kichwa. Naunga mkono maamuzi yanayohusu mama anayepata shida mashambani. Lakini siungi mkono maamuzi eti baba ni sawa na mama. Napinga kabisa maamuzi kama huo.

Tunachotaka sisi ni heshima sawasawa kwa mama, baba na Mwafrika. Lazima baba ajulikane ndiye baba, na mama ajulikane ndiye mama. Lakini shida tunayopata katika Kenya ya leo, na lazima tuseme ukweli, ni kwamba, mimi kila siku huona akina mama wasomi wamevaa mabuibui makubwa, vilemba vikubwa huku wamejipaka rangi ya midomo kutoka upande mmoja hadi mwingine, wakisema wanazungumzia juu ya shida za akina mama wa mashambani. Huu ni uongo mtupu kwa sababu shida za akina mama wa mashambani

hazitatuliwi katika mahoteli makubwa kama vile Inter-Continental Hotel na Hilton Hotel. Kila siku, wao hufanya washa katika Hilton Hotel wakiwa na nia ya kuzungumzia juu ya shida za akina mama. Ukweli wa mambo ni kwamba, shida za yule mama wa mashambani hazijatatuliwa. Na hawa wakubwa wanatumia mashirika yasiyo ya Kiserikali kila siku wakisingizia kwamba wanazungumzia maslahi ya akina mama si watu wa kweli kabisa. Kitu kikubwa kinachofanyika ni kwamba, wanatumia pesa za mashirika haya yasiyo ya Kiserikali kwa kuwafaidisha hawa akina mama wachache. Kila siku ni wao tu. Utawaona kila siku kwa magazeti. Pia [Mr. Boy] wengi wa akina mama hawa hawana mabwana kwa sasa. Wanazungumza kwa niaba ya akina mama ambao wana mabwana.

Mambo haya yananishangaza sana. Kama mama ambaye ni kiongozi wa haya mashirika na anashindwa kukaa na bwana wake nyumbani, na anataka azungumzie kwa niaba ya mama kutoka sehemu ya Kwale ambaye mpaka leo anakaa na mume wake, huo ni upuzi mtupu. Kitu kikubwa wanachofanya ni kujipaka rangi mbali mbali za midomo. Ukiangalia kwa runinga, utawaona wametengeneza staili mbali mbali za nywele, huku wanadai wanazungumza kwa niaba ya akina mama wa mashambani. Ni akina nani hawa akina mama wa mashirika yasio ya Serikali? Ikiwa ni wa kweli, waende katika sehemu za mashambani wakachaguliwe kama walivyochaguliwa mhe. Asiyo na mhe. Ngilu. Hawawezi kupata hata nusu ya kura zao. Kazi yao kubwa ni kufanya mikutano katika mahoteli makubwa, huku wakijidai wanazungumza kwa niaba ya akina mama. Ni akina mama gani? Mimi wananishinda.

Ninatoka kumsifu mama huyu Kenya Women Finance Trust (KWFT) bila woga. Ninataka kumsifu mama huyu kwa sababu shirika lake limefikia akina mama wa kawaida huko mashambani. Lakini hawa wanaokaa hapa katika mahoteli makubwa hawana chochote. Mimi ninasema kwamba, shirika hili la KWFT liko katika lokesheni ndogo katika sehemu yangu ya uwakilishi Bungeni ya Matuga. Shirika hili linawasaidia akina mama kifedha na kuwaelimisha. Hili ndilo shirika ambalo tunataka. Lakini hawa wengine, kazi yao kubwa ni kuonekana mbele ya kamera tu, kwenda mikutano huko Ulaya kutukana nchi. Mambo kama haya hayasaidii chochote. Kazi yao kubwa ni kuandika makala katika *Sunday Nation* kutukana nchi. Lakini ukiwauliza kwa kirefu wana mipango gani huko mashambani, hakuna. Hawa akina mama hawana uhusiano wowote na akina mama wa mashambani. Wananishangaza sana, Bw. Spika. Nimekuwa nikiwachunguza sana.

Mr. Murungi: On a point of order, Mr. Speaker, Sir. Is hon. Boy in order to attack those who write articles in the *Sunday Nation*, when he himself has never written an article in his life?

Mr. Speaker: By the way, before you reply, I would like hon. Murungi to acquaint himself with what a point of order is. Proceed, hon. Boy.

Mr. Boy: Bw. Spika, simshambulii yule aliyeandika makala katika gazeti la *Sunday Nation*, lakini ninashambulia wazo la kuwa wanazungumza kwa niaba ya akina mama, na hali hawana kazi yoyote wala uhusiano wowote na hawa akina mama wa mashambani. Ninashambulia wazo hilo na wala si mtu yeyote. Ninasema hivi kwa sababu kila siku, mimi niko na akina mama wangu. Ni kwa nini nilisema kwamba huyu mama wa KWFT anafanya kazi nzuri? Ni kwa sababu yuko huko mashambani.

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. Is hon. Boy in order to speak both in English and Kiswahili? Is it not in order for him to speak in Kiswahili because he started with Kiswahili?

Mr. Boy: Bw. Spika, unajua shida ya mhe. Mulusya. Sina haja ya kuendelea na yeye. Niache nitoe maoni yangu. Ninamshukuru Mbunge aliyeleta Hoja hii kwa sababu alikuwa na wazo la maamuzi haya yaende kwa akina mama. Sisi tunakubaliana kwamba wapigaji kura wengi ni akina mama. Mtu ambaye anakosea akina mama haungwi mkono mashambani. Ninaongea juu ya akina mama huko mashambani lakini siyo hawa wa Nairobi. Yule ambaye anaunga akina mama wa kwetu, utamwona kila siku hapa.

Lakini wale ambao wanaunga mkono hawa kina mama hapa Nairobi, ninasikitika kuwa watashindwa katika mlolongo.

Bw. Spika, ninaunga mkono Hoja ya kuangalia sheria ambazo zinaumiza kina mama. Ninaunga mkono Hoja hii kwa sababu kuna baadhi ya mila nyingine zetu za Kiafrika ambazo zinatakiwa kubadilishwa. Lakini huwezi kubadilisha mila hizi kwa kumwambia mama asimame ili ampinge baba. Mama atafukuzwa kutoka nyumbani na watoto wake watahangaika. Tukitaka kubadilisha nia, kwanza tubadilisha nia za kina baba kwa sababu tutakubaliana au kukataa. Sisi ni Waafrika, si Wazungu na mila za Kiafrika zote lazima zifuatwe. Kama kuna shida, tubadilisha nia za kina baba kwanza kama tunataka kufaulu kubadilisha kina mama. Lakini kama nia za kina baba wetu hazijabadilika, jambo kubwa litakalotendeka ni kufanya washa na kutumia pesa nyingi kuwafanyia cock-tail party nyingi, vilema vikubwa vikubwa, lipstick na mafuta mazuri, lakini hakuna chochote kitakachotendeka kwa kina mama wa kawaida huko vijijini.

Wacha tuseme ukweli na anayekasirika, akasirike na kupasuka, hanipi kura yake kwa sababu ninapewa kura na kina mama wa Matuga na ninaongea kwa niaba yao. Sina wasi wasi wote, nisubiri hapa mwaka wa

1997. Ukweli ni lazima usemwe. Ikiwa tunataka kuwasaidia kina mama, tukubaliane kwamba ni lazima kuwe na mwamko wa kiusawa huko vijijini. Lazima pia kuwe na mwamko wa kupinga saa zote na wakati shida inayompata mama wa kijijini. Lakini hatujadili kwa kikamilifu shida zao.

Bw. Spika, katika kuunga mkono Hoja hii kwa dhati, ninataka kusema kwamba pesa nyingi sasa ziko katika Mashirika yasiyo ya Kiserikali (NGOs), wacheni kutumia NGOs kama msingi wa siasa. Hatutakubali jambo hili. Kama tunataka kutumia NGOs kwa maslahi ya kina mama, hizi NGOs sizitumiwe kwa siasa. Ninakubali na ninaunga mkono Kenya Women Finance Trust kwa sababu haijajingiza katika siasa. Lakini NGOs hizi zingine ambazo ni Upinzani ndani ya picha ya NGOs, hatutazikubali kamwe. NGOs hizi hasiungwi mkono na kina mama huko vijijini, lakini zinaungwa mkono na wakubwa wakubwa hapa Nairobi. Hali hii ya kujidanganya danganya na Nairobi haisaidii. Niko tayari kuwapinga hawa kina mama na huko vijijini hawataona chochote. Kwa sababu jambo kubwa ni kudanganyana hapa Nairobi na mabalozi saa zote na maneno ambayo hayana msingi. Serikali yetu na Upinzani wana haki kujadiliana kuhusu shida za kina mama kwa pamoja na mambo ya ukweli. Si mambo ya urongo.

Kwa hayo machache, ninaunga mkono.

Mr. Shikuku: Asante sana, Bw. Spika. Mimi mwenyewe nafurahi sana kuzungumza kwa Hoja hii kwa sababu mimi ni mwanachama wa maisha wa Maendeleo ya Wanawake. Ninajua shida ya kina mama. Mimi ukitaka kujua uzito wangu uko wapi, uko upande wa kina mama na tunafahamikia sana. Lakini Hoja hii inasema kwamba mambo yale yaliyopitishwa kule Beijing yaweze kusambazwa katika nchi hii. Wanasema hapa kwamba:-

"and further recognising that there are many bottlenecks that hinder grassroots women's access to information, this House calls upon Government to:-"

Bw. Spika, tutaipitisha Hoja hii. Lakini ukweli ni kwamba si kina mama pekee ambao wananyimwa habari. Sisi Wabunge wa Bunge hili hatupatiwi habari na tunaambiwa kuwa Serikali hii, ni Serikali ya wananchi. Serikali hii inapendwa sana na wananchi na hali wale wananchi hawawezi kupatiwa habari kuanzia na Wabunge wao hapa. Ukienda katika afisi ya Serikali na ikiwa wewe ni mwanasiasa, yule afisa pale, kwanza anapindua faili na kama zilikuwa zimefunguliwa, anazifunga. Anaona kama amekutana na shetani na hali Serikali hiyo ni yako. Anakuficha nini? Ni siri gani walio nayo ambayo Wabunge, ambao ni wawakilishi wa wananchi hawatakiwi wajue? Ikiwa Mbunge na diwani hawawezi kupatiwa habari kutoka kwa Serikali, sijui hawa kina mama watapata habari hii namna gani? Sijui ni mbinu gani watatumia kupata habari hizi?

Bw. Spika, ukweli ni kuwa lazima Serikali ya sasa ya KANU tukufu ibadilishe nia yake ya kuona kwamba baba, mama na watoto wa nchi hii wanapatiwa habari. Lakini haiwezekani kwa sababu Serikali yenyewe ni Serikali ya wafisadi na mfasadi hawezi kukupa siri zake. Hiyo ndiyo taabu iliyopo. Ijapokuwa tunaweza kupitisha Hoja hii kwamba kina mama wapewe habari hii, hawatapata habari yoyote kwa sababu Serikali hii ni ya wafisadi kutoka juu mpaka chini.

Jambo lingine, Bw. Spika, ni hili na limetajwa kidogo na mhe. Boy, mimi ninaweza kusema kwamba nina ujuzi kidogo katika uandalishi kwa sababu kama huna uandalishi, huwezi kuingia katika Bunge hili. Ukweli ni kwamba kina mama wale wanaovaa viatu ambavyo vinasema "sitaki uchafu" na wanatembea kwa vidole, wao na kina mama wa Butere ama Matuga ambao wanatembea bila viatu na miguu yao imepasuka kiasi cha kuhifadhi centi 20, hawawezi kusikilizana na wale wanaovaa viatu vya "sitaki uchafu". Vinaitwa "high heeled shoes" kwa Kiingereza. Hawawezi kupatana. Wakati umefika wakitaka kupatana na wale wengi ambao hawavai viatu vya sitaki uchafu, wavae viatu vya kawaida na waende wakae na kina mama kule vijijini.

The Minister for Culture and Social Services (Mrs. Mwendwa): (Inaudible)

Mr. Shikuku: Bw. Spika, sijui mhe. Nyiva anasema nini, lakini ninamwambia ukweli. Aje kule Butere, afunge kanga na aanze kutembea na kina mama kule vijijini kote bila kupaka mdomo rangi.

Bw. Spika, huo ndio utaratibu wa shirika hilo. Mimi, mhe. Shikuku, sijawahi kuonekana katika Butere nikiwa nimevaa "Bow-tie" tangu 1963. Wakati mwingi nikiwa Butere huvaa kaptula na kutembelea wananchi huko---

The Minister for Culture and Social Services (Mrs. Mwendwa): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member of Parliament for Butere to tell me how to dress?

Mr. Shikuku: Bw. Spika, mimi sikusema yeye, lakini nimesema waache tabia hiyo. Hii ni kwa sababu ni lazima kujitambulisha na watu fulani, uonekane ukiwa na watu. Ninasema watu wa Butere hawajawahi kuniona nikiwa nimevaa suti na tai tangu 1963. Lakini wanapooona picha yangu wakati wa uchaguzi wanastaajabu na kusema: "Kumbe huyu mtu wetu anafunga tai!" Mimi huwa sifungi tai nikiwa Butere, hutembea kwa miguu au kwa baiskeli na kuzunguka huku na huko nikila viazi vya akina mama, kunywa uji huko sokoni, huko nikitoa mizaha na hawa pia wanitania na kadhalika. Kwa njia hiyo mnapatana vizuri sana. Lakini ikiwa

wewe umevaa suti yako tu na hata Wabunge wengine hapa huenda katika mikutano ya hadhara kama wamevaa suti na wananchi ambao wanahutubia hawana suti wala viatu. Ni lazima ujionyeshe wewe uko pamoja nao, lazima ujue shida zao na lazima---

The Assistant Minister for Education (Mr. Lenges): Bw. Spika, ninasimama kwa jambo la nidhamu nikitaka kuuliza mhe. Shikuku ikiwa mtu akivaa tai je hawezi kutembelea watu wake?

Mr. Shikuku: Bw. Spika, wakati wa maswali umepita! Na yeye ajue ya kwamba yeye ni [Mr. Shikuku] Waziri na hawezi kuuliza swali!

(Laughter)

Kwa hivyo, ninataka akina mama ambao ndio nguzo kubwa ya maendeleo katika taifa hili--- Akina mama wanafanya kazi kushinda wanaume. Akina mama wakifa wote leo, hawa wanaume wote watakufa! Kwa hivyo, ni lazima wanaume na wanawake wafanye kazi vilivyo. Na ile familia ambayo baba na mama wanafanya kazi inakuwa na maendeleo makubwa kushinda ile familia ambayo baba anatembea na kunywa pombe huko akimwachia mke wake jukumu la kutunza familia yao. Hakuna maendeleo yanayoweza kupatikana kwa kumtegemea mtu mmoja. Ni lazima mwanamume na mwanamke kwenda sambamba katika kufanya kazi.

Jambo lingine ambalo "linawaua" akina mama ni kusema "sisi akina mama, siku sote tunaonewa." Hamuonewi, lakini ni lazima tushirikiane pamoja katika kufanya kazi. Bibi yangu ukimwambia ati mimi ni mbaya, basi, hawezi kukuunga mkono. Unataka bibi yangu aende wapi na yeye hana mahali pengine isipokuwa kwangu tu! Unaweza kuwaambia juu ya uhuru wa wanawake kutoka kwa wanaume? Jambo hili la "uhuru wa wanawake" ndilo linaloharibu maendeleo katika nchi hii. Waambie akina mama wawapende wanaume wao ili waweze kufanya kazi pamoja na watainuka. Lakini ikiwa unawaambia juu ya "gender issues," mwambie habari ya "gender issues" hakuna. Tumia mapenzi yako na mume wako kujenga nchi hii.

Ni wajibu wa wanaume na wanawake kwenda pamoja. Wabunge wengine hapa wanazungumza juu ya "gender issues" na walipigiwa kura na wanaume, kwa hivyo hakuna mambo ya "gender." Sisi wote tushirikiane katika kufanya kazi na hili ndilo jambo ambalo lilinifanya kuwa mwanachama wa kudumu wa chama cha Maendeleo ya Wanawake hapa nchini.

Tunataka tushirikiane pamoja ili kina mama wapate maendeleo na waweze kushikilia madaraka na wakati huu Serikali yetu inawapa madaraka, tuna wanawake ambao ni DC, DO na kadhalika.

Kwa hayo machache, ninaunga mkono Hoja hii.

The Minister for Culture and Social Services (Mrs. Mwendwa): Mr. Speaker, Sir, I would like to give my five minutes to hon. Wetangula.

Mr. Wetangula: Thank you, Mrs. Mwendwa, for giving me a bit of your time---

Mr. Orengo: On a point of order, Mr. Speaker, Sir. You have just declared Mrs. Mwendwa, the Gracious Lady, as the Government respondent. The 20 minutes is for the Government respondent for exposition of the Government's position in so far as this Motion is concerned. I do not know whether surrendering of that time does not destroy the notion of this nation being entitled to know what the Government thinks on a serious issue like this? We want to know---

Mr. Speaker: Mr. Orengo, I am incapable of reading anybody's mind. One person can say the same words in two hours while another can do exactly the same and probably better in two minutes. Proceed, hon. Wetangula!

Mr. Wetangula: Mr. Speaker, Sir, I thank hon. Mwendwa for giving me a bit of her time.

Mr. Speaker, Sir, I want to support this Motion in its entirety and say the following. The Government must take very seriously, problems that afflict women in this country.

The following are critical areas of attention that the Government ought to take into account. Violence against women which has been talked about by other speakers before me is an issue that must be addressed urgently. Everyday you open the newspapers, there is not a single day you fail to see a case related to violence against women. The Government must ensure that actual violence against women is not only stemmed out, but culprits are brought to book to face the law.

Mr. Speaker, Sir, women in this country do not get a fair deal in education. I do know that there is no discrimination in terms of provision of education, but we have situations where women are unable to go through legacy of education because of the cultural practices, attitudes from their parents and so on. We have, for instance, the tragedy story from Busia where only 2 per cent of the girls that start standard one end up reaching form four. This is something repeated all over the country and we have to look into it.

Mr. Speaker, Sir, both in Kenya and all over the world, women do not get fair value for their labour.

They are routinely overworked and underpaid and it is high time that we streamlined our labour laws to give equality between men and women in terms of remuneration.

Nothing is worse or prejudicial to women than in the area of credit. In this country, a married woman has no access to credit save with the confidence of her husband. Yet, men routinely borrow money using family assets and squander that money. I want to urge the Government to remove these bottlenecks and give women equal access to credit as the men do.

There is a question of destruction of the environment in this country. And again, the victims are women.

Women in ASAL areas like Ukambani where the gracious Minister comes from have to walk long distances to look for water to feed their families, to get their husbands to bath and do all sorts of family duties. The Government must ensure, at least, in the next few years, every Kenyan woman has a tap of water outside her house.

As we talk of seminars, the women seem to lose direction on the question of seminars. If women truly want to bring the issue of equality between men and women, it does not make sense to me to organise seminars and, endless workshops of women alone. They have to bring in the men and make it known to them that they are displeased with bias that the men exhibit against them. If women sit on their own and discuss issues of biases, the men are unlikely to hear them and change their ways.

Mr. Speaker, Sir, with those few remarks, I beg to support this Motion.

[Mr. Speaker left the Chair]

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

The Minister for Culture and Social Services (Mrs. Mwendwa): Mr. Temporary Deputy Speaker, Sir, I beg to respond.

I agree with the Motion and support it as follows:-

My Ministry has already formed a Task Force with the objective of domesticating the Beijing Global Platform for Action within the Kenya context and then develop the National Programme for Action. The Ministry has already convened three national workshops to disseminate the Platform for Action; One, a symposium was held in February whose objective was to press for the adoption of the documents into the Kenya context and initiate implementation programmes and the Task Force was formed. Two, sector specific workshops have been held whose objectives have been to disseminate the Beijing Platform for Action to synthesise the sectors of Gender Responsive Policy Formulation and Planning. Two other sector specific workshops are scheduled to be held before the end of the year. A training of trainers workshop was held in July to lay strategies of disseminating of the Beijing Platform for Action and to equip trainers with skills in gender analysis while provincial and district seminars have been lined up to have the same course.

Mr. Temporary Deputy Speaker, Sir, my Ministry has initiated formation of units for gender issues to streamline gender concern in policy formulation. We have also initiated Planning and Programme designs in the main sectors of the Government enhance budgetary provision towards the implementation of the Platform for Action. The Ministry is developing a Sessional Paper on gender and development. This will provide policy guidelines for the implementation of Platform for Action and provide instruments by which to approach other national, regional and international gender concerns. The Ministry is also developing a plan of action detailing strategies of implementation as well as mechanism for monitoring and evaluation of programmes and projects. The Ministry has published and disseminated a booklet on facts and figures on women and men in Kenya as illustrated by the statistical data and published a detailed situational report on the status of women and men in Kenya. This will enable the Ministry to evaluate and monitor the impact of women and men on various policies and programmes and guideline development of policies aimed at bridging the gaps created by sex discrimination and facilitate implementation of Beijing Platform for Action.

Finally, the International Women's Day, was observed in March countrywide as a period of disseminating the African Global Platform for Action. The districts had the opportunities of identifying the critical areas of concern relevant to their areas which will address towards the implementation of the platform.

Mr. Temporary Deputy Speaker, Sir, as we talk about the Platform for Action, a lot of people, and especially men, do not understand what we are talking about because even some speakers here have mixed our objectives. When we are talking about the implementation of Platform for Action, some hon. Members here, particularly hon. Juma Boy, are talking about women sitting on men. That is not what we are talking about; what we are talking about is those areas where through tradition and practices, there has been discrimination against

women. The Platform does not tell women that they should start being heads of the family; that is not the case because the man is the head, but the deputy is the wife. There is no home that is going to work unless we take our proper positions. If the woman is a nobody; if she is not a human being, she is not regarded as she should be, surely, that home is in danger. We have had some comments here that, perhaps educated women do not reach uneducated women. I think that is a misconception. If uneducated man can reach an educated man, why should educated women not reach the uneducated women? The women have no classes whatsoever. In fact, uneducated women are very proud of the educated daughters and sisters and they allow us to speak for them and we have no quarrel about that.

Mr. Temporary Deputy Speaker, Sir, it is a pity that the Mover of this Motion is not even in the House because initially there was a big quarrel that the Government does not support this Motion. I am part of that Government and I fully support this Motion. How does the Government support this Motion?

The third meeting of women was held in Nairobi in 1985. If the Government was not supporting the improvement of the women, the meeting would not have been held in Nairobi. We had the largest delegation after the United States and Nigeria in Beijing. We chose ladies from every location, if not sub-location. Why did we do this? We did so in order for the women to go to Beijing and see what other women were doing and take that information themselves back home. If we did not value what was happening, then we would have taken just a few women and there would be no problem.

Mr. Temporary Deputy Speaker, Sir, let me point out that there was no discrimination when we were choosing those women. There was no opposition and there was no discrimination, we all went as women of Kenya and we worked together throughout the time and there has not been any complaint. There is a lot of lowering down or trivialising what the women want in this country. What we are asking is very simple.

Dr. Kituyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the gracious lady, given an opportunity to state specifically what the Government is doing to follow up the Beijing Platform for Action and resolutions, to dwell so lengthily about how they recruited many people to go extravagantly to Beijing?

The Minister for Culture and Social Services (Mrs. Mwendwa): Mr. Temporary Deputy Speaker, Sir, if only the hon. Member would listen, he would agree with me as to what the Kenya women want; we want to be given our rightful place everywhere.

Mr. Orenge: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is a very important opportunity for the Government to tell us concretely what the agenda is for the women of this country and the gracious lady is not spending this time as a Minister, instead she is talking about women. I know that she is a woman, but for the moment she can think of herself as a Minister of Government.

The Minister for Culture and Social Services (Mrs Mwendwa): Mr. Temporary Deputy Speaker Sir, I happen to be both, a Minister and a woman.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, could she be asked to withdraw?

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Karua, I understand you are replying on behalf of hon. Ngilu.

Ms Karua: Mr. Temporary Deputy Speaker, Sir, let me start by saying that the mover of this Motion is out of the country on an official trip but I do hope that I will ably represent her. One thing I have noted is that none of the hon. Members who have spoken has opposed this Motion and the Minister responding on behalf of the Government has supported this Motion. I think the entire House is unanimous that, as a community and as a society, we need to do something towards women empowerment. I think that this is something of a landmark in the sense that for once we are agreed that there is need to have a gender policy in this country.

Mr. Temporary Deputy Speaker, Sir, it is true, as the Minister has said, that the Government has previously supported women's conferences. The two most notable ones were the 1985 UN Conference which was held here in Nairobi and the Beijing Conference in 1995 where the Government sent a large delegation. What this Motion is calling for is for the Government to move a step ahead. We do not only want support for conferences. We want support and action to implement the decisions made in these important conferences. And we are saying as a coming home with the Beijing Platform for Action, can we have some action? That is what we are requesting the Government to do. And we think, the starting point is that the Government has to have a defined policy. We are calling upon the Ministry of Culture and Social Services and the Government to formulate a gender policy which will guide all Government departments and will set the pace in this country for women's empowerment and for the implementation of the Beijing Platform for Action.

Mr. Temporary Deputy Speaker, Sir, we in the Opposition, both women and men, I believe from the contributions of the Motion, are ready to work hand-in-hand with the Government to formulate a gender policy. And I would request the Minister to involve all women Parliamentarians and all women representatives from

NGOs. This is a task the Government cannot accomplish alone. It is something that transcends party barriers and religious barriers. We should all work together as a society to formulate a gender policy.

Mr. Temporary Deputy Speaker, Sir, looking at our neighbours, that is Uganda and also South Africa, you will find that these are countries that have made tremendous progress in women's empowerment and participation in political affairs. They have only been able to do this because their Governments have formulated a clear gender policy on their progress. In Uganda, for instance, there are seats reserved for women in each district to enable them to participate in decision making. I am saying that Kenya can borrow a leaf from Uganda and also formulate a policy and laws that will reserve seats for women to bring in women into decision making. We also want to see a clear policy which says that in Government employment and in parastatals, wherever it is possible, we shall have an equal number of women occupying top posts. Maybe, the area in Kenya where we have made greater progress is in the Judiciary where we have several women judges. This is not enough. We want to see more women heading parastatals and we want this to be a clear policy and not haphazard appointments when there is need to show that the Government is taking some action on women issues. We do not want token appointments. We want a clear policy that makes it possible for women to compete with men on an equal basis and that does not discriminate against women.

Mr. Temporary Deputy Speaker, Sir, we are calling for the formation of a Ministry of Gender Development. When I say gender development, it does not mean only women's affairs. Gender means both the male and the female gender. We need Ministry that will monitor and initiate action on bringing more than half of the population that is women, at par with men. The contributions of certain Members have left me with a measure of sadness. Although they are supporting the Motion, we should not trivialise women's issues. When we come to talk about dressing, when we are talking about implementation of the Global Platform for Action, we are trivialising the issues. Beijing was not about telling women how to dress or telling them what their preferences in relation to the male gender should be. We leave that to the individual. What was discussed at Beijing is what is of mutual interest to all women across the globe and which transcends party and religious affiliations.

Mr. Temporary Deputy Speaker, Sir, it was suggested that NGOs and elite women in towns are the ones that are bringing or rather putting barriers on the progress of women issues. I do not agree with this. It is the elite women that have brought the women's question in this country to the fore. We would not have been talking of women issues if the elite women had not come together in NGOs and other organisations to press for women issues. We must congratulate the elite women for that but we may ask ourselves whether we are reaching the grassroots. Those NGOs being condemned today are the very institutions that are working very hard to reach the grassroots women to explain to them what the Beijing Platform for Action is all about and in this regard, we will need the assistance of the Government. Could we have assurances that the Government will not interfere with women's meetings? It has been noted in the past that awareness seminars have been disrupted. Let the Government not behave as though they are afraid of informed women in the society and especially at the grassroots.

Mr. Temporary Deputy Speaker, Sir, the law of NGOs has been greatly misunderstood. People think that donors pump money for the use of those working in NGOs. It is not so. Money given to NGOs has specific purposes. It is for ferrying seminar participants to the venues and buying them lunch. It is not free money to use as the NGOs please. And rather than condemn the NGOs, we should join hands and work with them. That is not to say that the NGOs should not be accountable and transparent. And, I believe, most of the women's NGOs are actually accountable and transparent.

Mr. Temporary Deputy Speaker, Sir, I have noted from the contributions of Members, that we as Members of this House also are quite ignorant of what the Beijing Platform for Action is. In this regard, I am happy to note that the International Federation of Women Lawyers has circulated the entire platform for action for the members to acquaint themselves with. If the Members of this House are not aware of such important issues, then we can see even a greater need of letting the entire Kenyan population know what we are talking when we talk about women's empowerment. I am glad to note that the contributions of Members has shown that this House takes seriously the issue of violence against women. In this regard, if the Government issues clear guidelines to the law enforcement agencies, then we shall make some progress. We have had many women being turned away at police stations when they are assaulted by their husbands.

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear the hon. Member call Members of this House ignorant? Could she be asked to withdraw?

The Temporary Deputy Speaker (Mr. Wetangula): Ms. Karua, did you say that?

Ms. Karua: Mr. Temporary Deputy Speaker, Sir, I only gave my opinion that there was a measure of ignorance of the contents of the Beijing Platform for Action. That is very different from calling Members ignorant. Perhaps if my colleague was paying more attention, he would have noted the distinction.

Mr. Temporary Deputy Speaker, Sir, we want to see action taken against perpetrators of violence against women. The Beijing Platform for Action calls for punishment to those who unleash violence against women. We have noted that the Mover of this Motion, an honourable Member of this House, was actually assaulted by a police officer recently. It could be a beginning, for the Government to show what action has been taken. It is not enough to condemn the incident. It is good that the Police Commissioner took some disciplinary measure immediately, but such incidents if left unquestioned, will send the wrong message.

Mr. Temporary Deputy Speaker, Sir, we should work together, irrespective of our party affiliations and religious beliefs to ensure that women's empowerment is achieved.

With those few words, I beg to move.

(Question put and agreed to)

AMENDMENT TO THE CO-OPERATIVE SOCIETIES ACT

Mr. Karengi: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-
THAT, in view of the importance of the co-operative movement in Kenya, and considering the influence the movement gets from the Administration, this House urges the Government to amend the Co-operative Societies Act, Cap 490 of the Laws of Kenya, to give members more say in decision making.

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

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

Mr. Temporary Deputy Speaker, Sir, while moving this Motion, I would like to correct the impression that is created by some Members in the Government side that, the Opposition is opposed to the co-operative movement and that the Opposition is out to destroy the co-operative movement. Speaking as a Member from the Opposition, nothing could be further from the truth. We know the importance of the co-operative movement in Kenya. For instance, last year, 1995, statistics show that the co-operative movement did a very good job in bringing investments to Kenya. The Co-operative movement generated over Kshs1 billion to the Exchequer; in fact, to be precise, Kshs1.28 billion. When we compare this to the total investment that has been done by the co-operative movement, for instance, the buildings, factories and the other infrastructure that has been put in place by the co-operative movement, we can see that it plays a very significant role in building the economy. About Kshs21 billion in terms of investment was contributed by the co-operative movement. Therefore, we cannot say that the co-operative movement has not done what it should have done and nobody, either in the Government or in the Opposition, can under-rate the importance of the co-operative movement. When it comes to employment, the co-operative movement has contributed a lot in terms of employment. For instance, last year, over 53,000 persons were employed; over 53,000 jobs were created by the co-operative movement. So, it plays a very significant role in our economy.

Mr. Temporary Deputy Speaker, Sir, while we recognize the fact that the co-operative movement plays an important role in Kenya, and while we recognize what it should do and how it should go about its business; or rather the motivation of that Co-operative Act, the same Government that enacted this law has been retracting on it and introducing hardships, road blocks and interference in the co-operative movement. First, if you talk about the Administration, people who want to form a co-operative movement go through a lot of bureaucracy. Sometimes people apply, but their applications are sent back with the proviso or the typical phrase that comes from the Societies Act: It has been found that the registration of the particular society will be a security risk to the country. For example, I am the Secretary of COTEPa, an association that we wanted formed with that kind of motivation to try and get Members of Parliament participate effectively - although not necessarily under that Act - in assisting the co-operative movement in Kenya. But the Registrar of Societies told us that this was not provided for within the Laws of Kenya. In other words, it was going to be a security risk. That is just one example.

The other one is that, when it comes to meetings of co-operative societies, the DCs, DOs, chiefs and assistant chiefs, do not give the co-operative movement, the members or the management enough freedom in this era of liberalization to air their views. It is even a big bottleneck to hold meetings. In my constituency for example, Kandara Co-operative Society wanted to hold a meeting and instead of allowing members a free-hand to make

their own decisions - and this is one of the reasons that motivated me to move this Motion - there was a stage-managed interference where the DO who was there at that time, organized with somebody who proposed a motion; then somebody else was asked to second that motion and within two minutes, the resolution was purportedly passed. Despite the protests from the members, that was carried as the resolution of the members of that Society.

Mr. Temporary Deputy Speaker, Sir, there are many occasions where we have averted violence because of interference by the administration. Under normal circumstances, in a democratic co-operative society, what should happen is that, when members are there and a resolution is read, proposed and seconded, it should be put on the vote and the majority should carry the day. They should endorse that resolution with a majority vote. But in many occasions, and I have just cited one example, this is not the case. The administration officers work with the union and they come to the meetings with fixed mind on what should or what should not be passed in the meetings whether the members like it or not. That is not desirable in a society that ought to be free and in a liberal economy. The societies must be seen to be democratic enough. They have to be professional bodies. In other words, we want the members to be given the autonomy that is needed. They should also be given enough control. The committee members should not be seen to be accountable to the DO, chief, DC or anybody within the Provincial Administration. They should be seen to be accountable to the members of that particular society. If we are really serious with liberalising this economy, the Government should, as soon as possible, get off the co-operative societies. It is this interference in my view that has interfered with the co-operative societies, from being self-reliant and even commercially viable. This is because the management themselves are not allowed to make economic decisions freely without any interference from anybody.

On the production and processing, for example, in the coffee societies, the members of those societies, as many hon. Members here would agree, are peasant farmers who try to make a living out of that. The coffee that is taken to the factories is ground into parchment and then taken for marketing. The members expect that they get maximum profit out of that production. Instead of being encouraged, we find that in most of the routes which that parchment follows, there are a lot of bottle necks on the way; for example, when the coffee is taken for marketing by the Coffee Board, but the members at the grassroots level have absolutely no influence. They have no say at all, in what the price should be. It is common knowledge that coffee in Kenya has been entrusted to the so called seven-coffee-barons who meet every Tuesday, when the auction is supposed to be done at Norfolk Hotel, and decide on who will buy what and at what price. So, it is no wonder that the prices of our coffee are normally below what others would get in a London auction or a South African auction and other auctions. Although our coffee is of premium quality, we do not get the premium price that is potentially obtainable from that coffee because of that interference by the administration. When I talk about administration here, this includes the Government.

Although hon. Members from the Government side would like to argue that it should be controlled centrally, I do not agree that, that is the best mode of marketing our coffee in a liberalised economy. That kind of monopoly---

QUORUM

The Assistant Minister for Culture and Social Services (Mr. Kirior): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to interrupt my hon. friend but I am sorry that there is no quorum in the House.

The Temporary Deputy Speaker (Mr. Ndotto): That is true hon. Kirior. I must say we are only about ten in the House. Ring the Division Bell because there is no quorum.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Ndotto): Order! We have a quorum now. Continue, Mr. Karengi.

Mr. Karengi: Mr. Temporary Deputy Speaker, Sir, as I was saying, the central auction system that is applied by the Coffee Board of Kenya (CBK) is not, in my view, appropriate for auctioning Kenya coffee in a liberalised economy. As I was saying, the main buyers of the coffee are really no more than seven. As hon. Members may be aware before the coffee auction takes place at the CBK every Tuesday a rota is printed and distributed to these buyers. They meet before hand and decide who is going to buy what and at what price. Therefore, there is collusion in the auction system and that helps depress the prices of Kenya coffee despite its premium quality.

I would recommend that the millers who have been licensed should also be allowed to auction coffee, so that there is competition within the auctioning system. If a buyer knows that the coffee that is going to be offered in a certain auction is not of the quality that he wants he can go to another auction. In that way there will be competition and thus coffee prices will go up. Another aspect of that auction is that it is known before hand how much is going to be offered for sale. Therefore, if the buyers are guaranteed that irrespective of the prices they will offer they are going to get what they need, then they will have no incentive to hike the prices. That is not good for Kenya, farmers, the economy and the free market that we are talking about.

The co-operatives in the milk sub-sector are, I think, even worse off. I think we are all aware of the sad state that the Kenya Co-operative Creameries (KCC) is in. The co-operatives in the milk industry - we have numerous examples of them - have been run down because their managements have not been allowed to be accountable to their members. They are more accountable to the Administration, the district unions and other people, who are above them. Therefore, they mismanage the funds of the co-operatives without having to worry about what will happen to them. This is because they believe that they are protected by some godfathers somewhere. The bottom line of what I am saying is that the interference that the Government allows in the co-operative movement is not good even for the Government itself. This is because when the co-operatives are not effective, professional and economically viable enough that is not good for the economy, Kenya and even the KANU Government. So, it is in the interest of any person who is in power to make sure that he gives a free hand to co-operatives members to run their societies professionally.

The payment system of the co-operatives system is even worse. There is a lot of interference in it!

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Karengi, your time is up. Who is going to second your Motion?

Mr. Karengi: Hon. Mburu Wanyoike will second the Motion.

The Temporary Deputy Speaker (Mr. Ndotto): Mr. Karengi, you have not moved your Motion.

Mr. Karengi: Mr. Temporary Deputy Speaker, Sir, with those words, I beg to move.

Mr. P.N. Ndwiiga: On a point of order, Mr. Temporary Deputy Speaker, Sir. I rise on a point of order to seek your guidance. We are discussing a Motion which falls under the Ministry of Co-operative Development, but you have noticed that the Ministry is not represented in the House. Could we ask the KANU Whip to go and bring the man from his bed room? He should be told that there is business in the House!

The Temporary Deputy Speaker: Order, hon. Ndwiiga, there is what we call collective responsibility in the Government. There are Ministers in this House, and I am sure that they are listening on behalf of the Government. Yes, Mr. Wanyoike.

Dr. Kituyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. While I appreciate the clarity of the ruling from the Chair the entire deliberations this morning have displayed this Government's inability to have any collective responsibility. Nobody has been willing to promise anything on behalf of the Government! Is this collective responsibility going to emerge now when it has failed to be shown the whole morning?

The Temporary Deputy Speaker (Mr. Ndotto): Order, Dr. Kituyi! That is a far-fetched point of order. Yes, Mr. Wanyoike.

Mr. Wanyoike: Mr. Temporary Deputy Speaker, Sir, in seconding this Motion I wish to support the sentiments expressed by the hon. Mover. I wish to say that I am a member of three co-operative societies. I know that the Co-operative Societies Act was enacted by the colonial government. Since Africans were trying to come into the cash crop economy this Act was meant to suppress them. This was done about 40 years ago. Since then, as the Mover has stated, the co-operative movement has grown in leaps and bounds. We have huge farmers co-operative societies.

Mr. Kariuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. I hate to interrupt the hon. Member who is making a contribution, but looking at this Motion I find it quite ambiguous. It is calling for the amendment of an Act to give more say to co-operatives members. The Act has wide-ranging provisions. I ask the hon. Seconder to explain the kind of administration he is speaking about. Is it the Provincial Administration or the Commissioner for Co-operatives who is interfering with the societies? I am seeking your guidance as to whether we should not ask the hon. Member to explain the meaning of this Motion.

An Hon. Member: Is that a point order or a point of information?

Mr. Wanyoike: Mr. Temporary Deputy Speaker, Sir, I think the hon. Member is trying to guide my contribution, which I think is very unfair. He is not entitled to tell me what I should say.

I was saying that the co-operative movement has grown in leaps and bounds. We have huge savings and credit societies like Afya and Harambee Sacco Societies and others. I do support the hon. Mover's statement that these are huge commercial organisations.

As to the point raised by hon. Kariuki, if you look at the Co-operative Societies Act, you will see that it has some funny features. For instance Section 68(1) of the Co-operative Societies Act provides:- The Section of the Companies Act which is specified in the said Schedule of this Act modified with part two of the said schedule, shall apply *Mutatis mutandis* in relation to the winding up of a registered society as they apply to that of a company registered under that Act. In other words, the Co-operative Societies Act is an amaphrodite. It is applying Sections of the Companies Act. If you remember, in the past few weeks, we have had a lot of debate regarding the Kenya Co-operative Creameries (KCC). The KCC is registered both under the Companies Act and as well as the Co-operative Societies Act. Here, we have the Co-operative Department itself, operating under the two Acts as par this Section. This proves that this Act is inadequate. In other words, it needs to be amended to cater for the Co-operative movement instead of borrowing this Section from the Co-operative Act, in as much as the KCC has borrowed that Section. The sins committed by KCC have also been committed by the Ministry of Co-operative Development, and for that reason, the entire Government. In fact, this proves that the Government has been bashing KCC for no reasons at all. That is my first point.

My other point is that this entire Act is so undemocratic and, looking at it, one would possibly conclude that it is entirely against the Kenyan Constitution. Most of the Sections of the Act, state that: The Commissioner of Co-operatives will do this or that. The Commissioner has got powers to appoint auditors as well as approve accounts of the Co-operative Societies. In normal organisations, the only control that the Members have is on the appointment of an auditor. The appointment of auditors and the approval of the accounts and balance sheet are the prerogative of the Members. But in the case of the Co-operative Societies Act, the powers to appoint those two key people are entirely in the hands of the Commissioner for Co-operatives. One would wonder whether the Commissioner for Co-operatives comes from Heaven. In any case, if you look at the Commissioner, with his Minister, they have all the powers to run the entire co-operative movement. If you consider that they are not elected by anybody in Kenya, then it becomes very questionable. Neither the Minister nor the Commissioner is an elected member by anybody and yet, they have the powers to interfere with the running of the co-operatives. In fact, that is why you find there is a lot of hue and cry within the co-operative movement. If you look at the auditing of the books of the societies, there is a very big backlog of audits, going back to three to five years. This is the cause of the corruption, chaos and confusion in the co-operative movement.

Mr. Temporary Deputy Speaker, Sir, I am supporting the move that, instead of amending the Act, we should overhaul the complete Act and let the co-operative movement have a similar Act like the Companies Act. In other words, you have a Registrar of Co-operative Societies in as much as you have a Registrar of Companies. Then you empower the co-operators to run their societies in as much as shareholders are running their companies in this country. I am a member of several companies and I know the companies are running very well under the Companies Act. Therefore, I do not see why co-operators of this country should continue to be spoon-fed by our Government like they were spoon-fed by the colonialists. This Act should be completely amended. I have knowledge of what is going on in the country. In countries like Finland, Denmark, Norway and Sweden, where the co-operative movement is very strong, there are co-operative societies running major industrial and commercial enterprises. They are called co-operatives, but they are registered under the Companies Act. They do not have any co-operative society, but the members themselves, because of the co-operative spirit, get together, through their own initiative and run these things as co-operatives. Therefore, I would advise the Minister for Co-operative Development to go and study the co-operative movement in the Scandinavian countries.

Mr. Temporary Deputy Speaker, my final word is that the Minister and his Commissioner have taken away freedom of choice from the societies. For instance, civil servants, teachers, councillors and hon. Members of Parliament are not allowed to be elected as committee members.

(Mr. Moiben stood in his place)

The Temporary Deputy Speaker (Mr. Ndotto): What is the problem, Mr. Moiben?

Mr. Moiben: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for us to be debating a Motion on the Ministry of Co-operative Development when the Minister and his Assistant Ministers are not here?

The Temporary Deputy Speaker (Mr. Ndotto): Order, Mr. Moiben. I have already ruled on that matter, but unfortunately, you were not here. Continue, Mr. Wanyoike.

Mr. Wanyoike: Mr. Temporary Deputy Speaker, Sir, possibly, somebody will send him a copy of the HANSARD. I was saying that I do not know where the Minister and the Commissioner got the powers to say that civil servants, teachers, councillors and hon. Members of this House cannot be elected as Committee Members.

Despite the fact they are members of several co-operatives, they cannot be elected as committee members. That is against the Kenya Constitution. In fact, that is why most of these co-operative societies, are very weak. In the rural areas they do not have this cream of leaders.

With those few words, I beg to second.

(Question proposed)

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, it has been said that this Motion is ambiguous, and indeed, it is. But away from that ambiguity, the spirit of the Motion is the amendment of the co-operative laws in order to create more room for members to have a say. That is not an objectionable principle and it is for that reason that I wish to urge the hon. Members to support this Motion.

The Government does recognise the importance of the co-operative movement. There are nearly 7,000 co-operative societies that have been registered by the Government up to date. That encompasses a number of 2.5 million members, in 7,000 co-operative societies, all running a budget of up to Kshs21 billion. This in fact depicts the importance of co-operative movement in our country.

Mr. Temporary Deputy Speaker, Sir, I want to agree with the hon. Members that there is need to change some of the laws that are in the Co-operative Societies Act. The Government is, in fact, in the process of doing so. The Government is in the process of ensuring that certain laws are amended in the Co-operative Act. I want to correct one impression. If the Government eventually brings an amendment to this House, it will be an amendment just in the terms that the hon. Member is saying; to change certain regulations. It will not be an amendment to rule out the involvement of Government totally from the co-operative societies operations.

The impression that is being created that the co-operative societies have not been able to function properly because of interference of Government is not correct. There are two basic problems that I can associate with the malfunctioning of co-operative societies. First of all, the mismanagement by those officials who run co-operative societies. More often than not, the Government has been called upon to take care of the interest of the members because it has been jeopardized by managers of the co-operative society. That was the reason why the Government at one time had to intervene in the affairs of Harambee Savings and Ngariambi in Kirinyaga. The managers were not doing their job correctly.

The amended Co-operative Societies Act, will not rule out the Government intervention in situations like these because then the members will not have anywhere else to go. Therefore, it is important to know that although we go along and say that certain parts of the Co-operative Societies Act are in need of change, in fact, there is still need to reaffirm the Government's position that it will continue to play its interventional role of ensuring that people do not mismanage their societies.

Another problem that has caused the downfall of many co-operative societies is misuse of position by those who are running co-operative societies in order to enrich themselves. Government will still have a role to play in this particular regard to ensure that persons who are charged with the responsibility of looking after co-operative societies do not act ultravires the law. They do not act in their own self interest instead of in the interest of those they are supposed to act for. In this era of liberalization, it is pertinent that certain regulations in our Co-operative Societies Act are changed in order to accommodate this great movement towards liberalization. We do admit that that is important. I want to state here that the whole idea of the co-operative society is economic and not political. I do not see any reason why there should be something like KOTEPA which is a political movement interfering in economic matters. If the Government is being requested to keep off the Co-operative Societies it is only reasonable to ask our colleagues from Central Province or from the Opposition to stop creating political organizations to look after economic matters. It is an anomaly that should not be created to replace another anomaly.

Mr. P.N. Ndwiga: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Assistant Minister has just said that KOTEPA is a political body which interferes with the running of co-operative societies. Is he in order to mislead this House while we know that, if it were not for KOTEPA today, farmers would have been impoverished? We have seen a lot of improvements in the earnings of farmers today and in the running of these societies solely because of KOTEPA.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, were hon. Ndwiga not my personal friend, I would have told him to stop interfering with my own affairs. The truth is that he has not raised any point of order.

Let us keep off these economic matters. Let us run the co-operative societies like economic bodies. While on that point, I want to urge the co-operative societies to realise that originally the Government was playing

a role of training the members of the co-operative societies. The Government has done this in the past, but the co-operative societies must realise that first and foremost, they are economic organizations that are intended to be self-reliant and they must learn to operate along commercial lines because if they do not operate in such a way so as to make proceeds, the role of the Government in future is going to be less and less. It is important that co-operative societies do become self-reliant.

The hon. Members will realise that the Government has taken tangible steps on this question of making bodies to be autonomous. Already the Bill has been passed in this House to make the Co-operative College autonomous. That college will start running independently as soon as the date of commencement has been announced.

At this juncture, I wish to say that one of the best run organizations currently is the Co-operative Bank of Kenya. I want to praise the Managing Director and the Chairman, Mr. Hosea Kiplagat, for having ensured that the Co-operative Bank of Kenya is running very well. Today, that is one of the things that this country is proud of. Without good managers and efficient services of its chairman, the Co-operative Bank would not have run in that manner.

I, therefore, beg to support.

QUORUM

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

Mr. Temporary Deputy Speaker (Mr. Ndotto): We do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Ndotto): Order! We have a quorum now. You may proceed, Prof. Anyang'-Nyong'o.

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Speaker, Sir, I want to begin by welcoming the Minister for Co-operative Development, hon. Munyi, for waking up to his responsibilities and coming to the House. Further, I would like to express my concern at hon. Sunkuli's statement that political organisations should not look after economic matters. This is very surprising for an Assistant Minister to say, because the Government is a political organisation. We do believe that the Government looks after the economic matters of this nation. If that is the philosophy of this Government, then indeed, that is why the economy is in chaos. This is because they have an idea that since they are a political organisation, they should not look after the economic matters of this nation. I do believe that Coffee and Tea Parliamentary Association (COTEPA) was founded for a purpose; to ensure that tea and coffee economy in this country runs well. I would be surprised that we come to this House as politicians and we are not concerned with the economic matters. I think that COTEPA is doing a good job and it should be encouraged, and the Government should see COTEPA as a partner in the running of this economy. I would hope that, that is the kind of saying that should be banished from the minds of Ministers and Assistant Ministers.

Having said that, I want to say that the Co-operative Movement is a very important movement in this country. It is important because many Kenyans have been able to buy homes through the Co-operative Movement. Had it not been for the Co-operative Movement, many people in this country would not have been able to buy homes. A house or a shelter is a basic need. We know that this Government has only two organisations that helps Kenyans to buy homes. These are the Housing Finance Company of Kenya (HFCK) and the National Housing Corporation (NHC). The NHC, as you know, has been run to the ground through corruption. It used to run a programme called Rural Housing Programme, which was the most egalitarian programme it ran. That programme has been halted and it cannot be financed and the NHC itself is shamelessly in debt.

In that regard, it is important that the Co-operative Movement should be strengthened and it should be given new energy. The Co-operative Act, Cap. 490, does not help. I find the Act cumbersome, repetitive and quite a lot that goes into certain sections are damn right irrelevant, given the stage of development that we are in. The Act, having been written at a time when the state controlled a lot of things needs to be revamped in order to be in line with the current period. Presently, although we believe that the public sector should form a strong backdrop, giving energy to individual entrepreneurship, it should not, none-the-less, act to stifle individual entrepreneurship. The Act is written in such a way that the Commissioner of Co-operatives becomes a tsar

controlling co-operatives, rather than guiding and giving them room to develop.

For example, Section 18 of the Act, which refers to restriction of membership, is one of those sections which are redundant and irrelevant at this point in time. It says, and I quote:

"No person shall be a member of more than one registered society with unlimited liability and, save with the consent of the Commissioner, no person shall be a member of more than one registered society, having the same or similar objects. Provided that a person who is a member of a registered society, and secondly, carries business on land or at premises outside the area of operation of that registered society, may be a member of a registered society in whose area of operation that land or those premises are situate, notwithstanding that, its objects are the same, as, or similar, to those of the first mentioned society".

This is equivalent to double dutch. This Section says nothing. It only says that if you want to be a member of more than one society, you should seek the permission of the Commissioner of Co-operatives. Why you should seek the permission from the Commissioner of Co-operatives to be a member of more than one co-operative society is not understood to me. These are some of the irrelevancies in this Act, that should be completely weeded out. They are irrelevant, redundant and they do not help.

When you come to Section 23 which talks of accounts and audit, it basically gives the Commissioner of Co-operatives the power to appoint auditors for the purposes of accounting in the co-operatives. What happens is that so much power is centred in the Commissioner, that when things go wrong in the co-operatives, it takes too long for the co-operative societies to seek the intervention of the [Prof. Anyang'-Nyong'o] Commissioner. So, I think the idea of centralising things in the Commissioner's hands has really led to the same corruption and mismanagement that hon. Sunkuli was talking about. A section like Section 23 should be revamped.

Again, Section 28 of the Act speaks of societies to be bodies corporate. To me, this is the most important section of the Act. This section simply says that co-operatives should be run like private companies. That is what it says. Forget about the legal jargon. But the essence of that section is to tell us that co-operatives should be run like private companies. This is the gist of the matter. If co-operatives are going to perform well, they must be run like private enterprises. The members of those co-operatives must be viewed as shareholders in the co-operatives, with the same powers and privileges, and no single member should have less power than the other one. What the Government needs to do is to ensure that co-operatives are run like private companies, where those with investments in them have powers and equal say, and ensure that their co-operatives are properly run. Unless members have effective say in the way in which co-operatives are run, these co-operatives are not going to perform as well as they should.

So, I think hon. Karege's point, is that Section 28 should be taken very seriously, and this whole paraphernalia that we find in the Act, speaking of a lot of things, should really be relegated to the background. I think this is the Section that the Minister should pay attention to, and ensure that co-operatives are run efficiently and effectively like private companies. In that regard, there is a responsibility for the Government, which is to ensure that there is proper human resources development for running co-operative societies. By human resources development I mean, that the Government should provide training facilities for training managers and auditors in co-operatives. These are the two important components of human resources in running co-operatives. Those who manage them and those who keep the accounts of the co-operatives. Accountants, auditors and managers are the centres of the Co-operative Movement.

Unless the Government can run proper training programmes in the Co-operative College and ensure that anybody being employed in a co-operative society has gone through this proper training and is properly equipped with a co-operative mind and proper skills of management, we are not going to save our co-operatives from the present state where they are poorly managed and they cannot man the financial affairs for their members effectively.

Mr. Temporary Deputy Speaker, Sir, the over-centralisation of administration in the Commissioners's office will not help. Further, the restriction under co-operatives as to where they should put their money should be removed. Section 43 of this Act is totally out of date and I will refer to it:-

"A registered society may invest, or deposit its funds only (a) in the Post Office Savings Bank".

This is nonsense because the process of savings banks was wound up a long time ago. So this Act is already out of date. Two--

The Temporary Deputy Speaker (Mr. Ndotto): Did I hear you rightly say that the Post Office Savings Bank was wound up some times ago, Prof. Anyang'-Nyong'o?

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Speaker, Sir, I no longer hear of it. Is it still there? I know there is something called Post Bank, but I have not heard of the Post Office Savings Bank. So, I know there

is Post Bank, but whether there is Post Office Savings Bank, I do not know. I maybe ignorant, I plea to be educated. If I am wrong, yes, I can accept I am wrong. But if you read that whole section, it lays restrictions on where the co-operative movements should put their monies and I think those restrictions should be removed. If the co-operative society are going to be run like private companies, then they should be free to put their money where it is safe. But only what the Government should do is, if at any time managers of co-operative societies mismanage their funds, is to follow the law as it does with any other person. But I think once you put restrictions, this is where then you get bureaucracy beginning to play what we call "rent seeking". They become influenced when they want to put their money somewhere else, somebody bribes the Commissioner of Co-operatives to ensure that that money goes to a particular place. I would plead with the Government to ensure that this particular Act is repealed so that such restrictions are removed.

With those few remarks, I beg to support.

Dr. Toweett: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me just a few minutes to say something about the co-operative movement.

There is profound ignorance in the world today, and especially in Africa in as far as the philosophy of the co-operative movement is concerned. The co-operative movement is meant to be a body organised by private persons for their benefit only, not for the Government's benefit, but for those people who have mean resources put up together and then try to make money for their living purposes, not for entrepreneurship, or commerce---

Mr. P.N. Ndwiga: On a point of order, Mr. Temporary Deputy Speaker, Sir. The current speaker is making very, very important points, but unfortunately we cannot get what he saying. Could you, perhaps, ask him to come forward and use that microphone so that we can hear him clearly?

Dr. Toweett: Mr. Temporary Deputy Speaker, Sir, I was saying that the philosophy of the co-operative movement was started by people who had little means, and who were supposed to be poorer than the others. They put up their money together for the benefit of making a bit of business for their living purposes, not for commercial purposes. That was the original purpose of the people who are in the poor surroundings, poor incomes, to put up their money together in order to develop and improve their living standards.

Mr. Temporary Deputy Speaker, Sir, we, in Africa, have inherited so many evils of misunderstanding. The Europeans came to this country and the co-operative movements were started in Europe by those people with poor means and they developed them without the Government interference. Then the colonial powers tried in Africa, to teach the poorer lot of Africans to put their money together and improve their living standards. That was the purpose. The Government came in and tried to persuade the Africans to learn how to make. not businesses, but to make their lives better. The original intention by the Wazungus was to improve the Africans lot so that they could compete with the Asian businessmen. They were draining a lot of money against the African poor man. So, the Government came and tried to improve, or taught the Africans to improve their living standards. That is how the Government came in.

Mr. Temporary Deputy Speaker, Sir, today in Africa you will find a capitalist, a man with a lot of money is also a member of a co-operative movement. It is so bad and inconceivable because the two philosophies do not go together.

(Applause)

How can you as a capitalist having buses operating from Mombasa to Bungoma, and at the same time you are a member of a small co-operative society? It is inconceivable. That is why I said that we are inheriting things that are not philosophically correct and short of reasoning. I had the fortune, or misfortune of encouraging the development of co-operative movement in this country in 1964 onwards and I was at one stage the National Chairman, or President of the Federation of co-operative movement which I founded in Kenya. The idea was that the co-operative movement at that time was a small department. It used to be with marketing and nobody understood it, and nobody knew what it was. Up to this day, we, Africans including the Government officers do not understand the philosophy of the co-operative movement. They do not. You do not just bring a man who has done economics excluding economics of co-operatives, to be a co-operative inspector, or a co-operative officer in a district, because he knows nothing about the co-operative movement.

Mr. Temporary Deputy Speaker, Sir, what I am trying to say is: Let us understand the real philosophy of the co-operative movement. The Ministry has minimal purposes for work in the co-operative movement, leave it to the people who are shareholders and co-operators themselves to run their own affairs.

If you make my friend, hon. Kamwithi Munyi, the Minister for Co-operative Development, I really do not see what work is there for him to do. The Act there should have been made there with only two sentences to say that in case of problems---

Mr. Mwaure: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to interrupt my good friend, but he seems to have a point which I would like him to clarify to me. He says that the Africans do not understand what the co-operative movement means. Can he tell us why they do not understand the meaning of co-operative movement?

The Temporary Deputy Speaker (Mr. Ndotto): Dr. Toweett, that is not a point of order, proceed on with your contribution.

Dr. Toweett: Mr. Temporary Deputy Speaker, Sir, if the hon. Member wants a lecture on this one, I can invite him to come and I will lecture him. That is what I meant. My argument was that let us separate commercial companies from private ones, because the management of a co-operative movement, as my friend said, should be left like that of a private company. Leave the people who put up their money there to run their own affairs. Why interfere with them? Liberalisation should not in any way in the whole world affect the co-operative movement. It is a body of businessmen who are trying to improve their living standards, but not to make money, or to become capitalists. Even this idea of making capitalism out of co-operative banks is not what the co-operative movement is about. It is just things going astray.

Let us run the co-operative movements separate from our own enterprises. Why do you want to be millionaires? In the co-operative movements, individuals are not there to make money, but they should improve the lives of the individual members. Leave it to them to run their co-operatives alone without interference. This is my submission. We must understand what we are talking about. Do not interfere in any way with my business and my friend's business. We agreed to have a joint business; do business together, and if we quarrel, we go to a court of law and sort out our affairs there.

I am appealing to the present and the future Governments to have, as little interference as possible to co-operative movements. There is no need for a co-operative office in a district. What will he be doing in the co-operative office? What is he doing there, apart from interfering with the work of the private individuals? We have to fight hard and let co-operators not be affected by the liberalisation.

(Applause)

The mistake we made was that the colonial Government registered KCC both as a company and as a co-operative movement. That shows that they did not know what they were doing KFA was registered under two Acts, Co-operative Act and a Company Act. Which way were they following? It was a misunderstanding, absolute darkness. Let us now be analytical and do the work that we see is right and leave the co-operators to do their own affairs and make their own rules instead of following rules made by any Central Government or even Local Government present or the future.

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

(Applause)

Mr. Mwiraria: Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion and I am glad that I am speaking after very good statements made by hon. Dr. Taaita arap Toweett, the former Minister for Co-operative Development.

Let me first of all, start off by agreeing with hon. Sunkuli in his statement that the basic problem with co-operative movements in Kenya today is mismanagement. But let me add also that this mismanagement has been made worse or heightened by interference from the administration by the Government officials in the Ministry of Co-operative Development led by the Commissioner of Co-operatives and his co-operative officers in the districts.

The Act itself in some sections is fairly straightforward, but its application has not been legally correct and has not even uniformly applied throughout the country.

I will be speaking for obvious reasons on the coffee, milk, cotton or on the agricultural co-operatives which exemplify the kind of co-operation the hon. Toweett was referring, to where poor people get together to pull their resources and manage their affairs so that they can earn a little bit of livelihood.

Mr. Temporary Deputy Speaker, Sir, we have in Meru what used to be very strong co-operative movement which is now on blink of collapse. There are several reasons why co-operative movement is about to collapse. The first one is that the Commissioner of Co-operatives and the Ministry of Co-operative Development have allowed the use of delegates instead of having annual general meetings. When you appoint few delegates, and you have a corrupt manager, it is very easy for him to pay a little sum to each of the ten or twelve men and then he gets his way. This is what is happening to the Meru Central Farmers' Union (MCFU). And the MCFU

has got into a mess because of these delegates system. But what is even surprising is the fact that even election of representatives of societies at grassroots level have also been interfered with. We have a case in Meru where the elections are held in small sales shop for milk. You go to a location, instead of having all the delegates come together and elect, their representative you pick a little village and each village appoints a representative and then these representatives are the ones who appoint representatives of the village. When the Minister comes to reply, I hope he will tell this House under what Section of the Act, these elections are carried out. We had one in Nyaki location recently for the milk co-operative in Meru where this system was used and quite honestly it was done so that certain individuals whose names I would not mention here could be returned. I am citing these examples to show what I am calling interference from the office of the Commissioner of Co-operatives.

To add on to this list, we have had cases in Meru where the farmers have elected their own representatives. If these representatives do not agree with the manager or the chairman, the latter goes to the Commissioner of Co-operatives and the Commissioner dissolves the Committee and to make matters worse rules that the people that he does not like should not be elected for the next three years. Mr. Minister, you know I have been to your office to talk about this matter. Under what powers does the Commissioner of Co-operative have the ability to tell people, "as regards the people you have elected, I do not like them and they are not going to stand for election for the next three years?" The tea farmers have had to go to the court to stop this interference. Even today we have three cases outstanding which have not been ruled upon by the court. But even, if the cases are ruled upon, Mr. Minister, do not forget that the little money being spent on conducting those cases come from poor families and we do not want to waste their money. This is the kind of interference which must cease as soon as possible.

Mr. Temporary Deputy Speaker, Sir, having made those points, let me really plead with the Minister to abolish the delegate system. When I came from Meru yesterday, I learned that the Commissioner of Co-operatives had abolished the delegate system. I hope that is true because it is this system which is really encouraging the rigging of elections because this makes it very possible for me, if I have a lot of money, to buy 12 friends to vote for me. This system should really be abolished immediately.

Mr. Temporary Deputy Speaker, Sir, let me mention one other point which is on the liberalisation of operations in some of these societies. We are trying to liberalise the operations within the coffee industry and, as part of that liberalisation, we are definitely killing the co-operative movement by allowing individuals who have factories to go and buy coffee cherries from the farmers. We are encouraging farmers to depart from the coffee societies. All this is happening because the coffee societies have stopped giving the services for which they were initially established for.

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

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

Mr. Temporary Deputy Speaker, Sir, when I was in school, my school fees came from coffee earnings and because we did not have such coffee earnings all the time, there used to be a system where farmers could go and get advances against the expected crop and, they would pay school fees for their children. Today school fees have escalated to very high levels and the coffee societies can no longer give loans or even advances to the farmers to pay school fees for their children. Farmers are even desperate in trying to do anything that would give them cash to pay school fees for their children. As a result they pick their coffee cherries and sell them to people who would pay cash, even though they are getting only 50 per cent of what the actual value for coffee is.

My plea through the Minister is that, every effort should be made to put back the co-operative movement on the track so that it does its work properly and satisfies the wishes of the farmers so that even after liberalisation, the co-operative movement would still have a value or would still be beneficial to the co-operators. Today, after a lot of interference and squandering of money by the management, the movement is almost falling into pieces and, for this reason, the co-operators are beginning to move away and sell their coffee directly to other people, and this is likely to kill the golden goose which once used to lay the golden eggs because it is no longer laying that golden egg today.

Finally, let me say that in reviewing the Co-operative Act, the powers of the Commissioner of Co-operatives must be reviewed. They need, first and foremost, to be reviewed because he has got many powers which he has been abusing and that has made it impossible for the Act to work properly.

With those few remarks, I beg to support.

Mr. Kariuki: Mr. Temporary Deputy Speaker, Sir, thank you for giving me this chance to say a few words on this Motion. First of all, I would like to thank the hon. Member who brought it forward because the sentiments in the Motion are understood although the Motion was a little bit ambiguous in the drafting form.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Kariuki, you have five minutes and you must summarise your points.

Mr. Kariuki: Mr. Temporary Deputy Speaker, Sir, sorry, I thought I had more time. First of all, we need to acknowledge the activity of the Government within the co-operative movement because although the philosophy of the original idea was for the poor people to form their own organisation in the name of co-operative so that they can summing doing their own little businesses, that was not possible at that time without interference from the Government in supervising elections and various other things which were supposed to be done at that time.

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

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

Mr. Temporary Deputy Speaker, Sir, the co-operative movement is very important. As we all know, without co-operative movements most people in this country would not have owned quite a number of properties. Especially the land buying co-operative societies have helped this country so much that most people have now been settled. In fact, more people have been settled through co-operative movements. That one is very important because it is making us to thank those people who formed the co-operative movement.

Without interference from the Government during the initial stages at that time, the movement it would not have achieved whatever had been achieved now because in those co-operative societies there were some individuals more powerful than others. Indeed, they started stealing money from those co-operatives societies until the Government moved in. There was no way that the co-operative movement would have been the way it is. Now that the movement is known clearly by all of us and the people know why the co-operative movements are formed and since they have benefited from it. The time has come when the Ministry and the Government withdrew totally from managing or advising the co-operative because members themselves now are capable of advising themselves. They form co-operative movements knowing their targets or where they are going. That is why we feel very strongly that, time of liberalisation has come and the co-operative movements should be left free to organise themselves in the best way possible.

Mr. Temporary Deputy Speaker, Sir, it is important remember that even if we leave the co-operators to run the co-operative movement the way they want, the issue of the Government maintaining law and order, especially during the time of elections would still be required in this movement. We have also to recognise the Government support in this movement because of the newly created university college of co-operative Movement where the accountants, auditors and the managers would be trained. We feel very strongly that people should be left to manage those co-operative movements. The co-operators themselves should appoint their officers and should send them for training and take care of their movement under proper terms. Where one becomes a problem, one is sacked accordingly with any reference to the Commissioner of Co-operatives. I think the office of the Commissioner of Co-operatives, unless, you leave it for a regulatory purpose, it is not going to serve any useful purpose and I think the entire department needs to be changed to a different thing. Maybe we allow these officers to become useful in other different areas of the Government.

With these few remarks, I beg to support.

Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to comment on this very important Motion which has been moved by the Member for Kandara---

Mr. P.N. Ndwigwa: On a point of order, Mr. Temporary Deputy Speaker, Sir, this is despicable. Half the morning we have been in this House without this fellow. He then comes here and proceeds without apologising for not having been here. Is he in order?

The Temporary Deputy Speaker (Mr. Ndotto): Order! Order! He is not a "fellow". This is an honourable Member and a Minister. You must withdraw and apologise and then you can proceed.

Mr. P.N. Ndwigwa: Mr. Temporary Deputy Speaker, Sir, it is really despicable that the hon. Minister sleeps up to 11 o'clock. He has not heard what half the Members have had to say about his Ministry and then when he comes here, he does not have the courtesy to apologise to the House. Is he in order?

(Hon. Mathenge stood up in his place)

The Temporary Deputy Speaker (Mr. Ndotto): Order hon. Mathenge. Hon. Munyi, will you proceed.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir hon. G.G. Kariuki was taking notes for me and I was within.

Mr. Mathenge: Mr. Temporary Deputy Speaker, Sir, we are going to witness a repeat of Kamwithi Munyi by P.N.Ndwiga. I think hon. Ndwiga is perfectly right in telling the man he defeated that he ought to be punctual.

The Temporary Deputy Speaker (Mr. Ndotto): Order! Order! If any Member wants me to allow him to raise a point of order, then it must be a relevant and serious point of order.

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

The Temporary Deputy Speaker (Mr. Ndotto): Is it a serious point of order?

Mr. Kariuki: Yes it is very relevant and very serious. Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Mathenge to stand up in his place when the hon. Ndwiga is raising a point of order as if he is in a market somewhere in Nyeri?

(Mr. Mathenge stood up in his place)

The Temporary Deputy Speaker (Mr. Ndotto): Order! Hon. Mathenge, you do not have to stand and start speaking before you are allowed by the Speaker. Hon. Kamwithi Munyi proceed now. There are no more points of order.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, I do not want to pursue all that has been said because I was within and I was taking notes. Now, what I want to say is that this is a very important Motion and I do not want something which is baseless. This is a very important Motion and I want to tell the Member that the Government, from the very beginning, has been encouraging the co-operative movement to go on with their activities without any interference. Even the interference from the Members is not allowed. All that is required is to try and help our people. I want to say that in areas where there has been mismanagement of the co-operative movement, we attribute this to people from outside who want to interfere with the running of the societies. And this is what we should not allow.

Mrs. Asiyu: On a point of order Mr. Temporary Deputy Speaker, Sir. We are being disturbed by the noise the Minister is making. Could you ask the Minister to tone himself down since he is making a lot of noise in the House?

The Minister for Co-operative Development (Mr. Munyi): What I was saying is that there has not been any interference as far as the Government is concerned. I am the one who has been following all the matters connected with the good running and management of the co-operative movement everywhere. And I want to tell the Members that when the Bill was brought in this House, all the views which were expressed by the members throughout the country were taken care of. We took note of what has been happening throughout the country. Therefore, what the Members have just said is exactly what the Government has been wanting you to do. We do not want any interference from individuals and Members of Parliament. Leave the co-operative movement alone. Even the hon. Member of Kandara should not interfere with the running of co-operative societies in Kandara. Let them continue with their won activities and operations in their own way. That is what I am saying and even the Member is aware that he should not interfere. Let the ordinary wananchi deal with the co-operative societies in their own areas without any interference. That is what we want.

Mr. Temporary Deputy Speaker, Sir, recently when I attended an international conference which took place in Mauritius, one of the resolutions which was passed was to allow the youth greater participation in the co-operative movement. Youth constitute more than 60 per cent of the entire population of Kenya. We should give them opportunities. You should not forbid the youth from joining the co-operative movement because they will be the future leaders. There has been a tendency of not allowing youth and women to participate in the co-operative movement. They are Kenyans and they should be allowed to participate. Therefore, the National Youth Development Programme is in line with the Government policy of dealing with the youth.

Dr. Lwali-Oyondi: The Minister has just stated here that there has been a tendency of refusing the women to take part in the co-operative movement. Could he substantiate that?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, that is his personal opinion. But, the Member is aware that in Nakuru he has been against women and youth participating

in the co-operative movement. He is aware of that fact. We should allow Kenyan youth who constitute more than 60 per cent of the entire population of Kenya to participate. Therefore, I want to say that the National Youth Development Programme which was started by the Government is a very important Programme and I want even the Opposition Members to support that. When they support that idea, then they have supported the co-operative movement. Therefore, I am appealing to them to support the National Youth Development Programme because it was discussed in this House and money was voted for it. Then why do you not come forward and support the National Youth Development Programme? This is because we want the youth to also join the co-operative movement.

Mr. Mathenge: On a point of order Mr. Temporary Deputy Speaker, Sir. Could the Minister tell us whether the proposed National Youth Development Programme is a co-operative movement?

The Minister for Co-operative Development (Mr. Munyi): It will help the youth in Nyeri, Western Province, Coast Province, Rift Valley Province and in Central Province. That is why I am challenging the Member to allow the Nyeri youth to participate in the programme so that they are helped through the District Development Committee. The DDC is a very good machinery of development and the hon. Member who has been a Provincial Commissioner for a long time is aware of the importance of the DDC. The National Youth Development Programme will be approved and it has been given responsibility by the DDCs in Kisumu, Kwale and so on.

Mr. Temporary Deputy Speaker, Sir, I am appealing to hon. Mathenge to be attending all the DDC meetings.

Mr. Mutahi: On a point of order, Mr. Temporary Deputy Speaker, Sir. In our Standing Orders, we are clearly told what is relevant and irrelevant. We are talking about the co-operative movement and now the Minister is deviating from the Motion, to the National Youth Development Programme and DDC. Is the Minister in order to deviate from the Motion we are debating?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, my intention is to urge them to form co-operative movements. We want the youth to form their own co-operative movements through the DDC and other channels of development. I would like to inform the hon. Member, that, today, Sweden is a very advanced country and co-operative movements have played an important role towards that country's development; they have been doing a lot. Although there is capitalism, liberalization and the rest in Sweden, the co-operative movement is very strong. The same applies to Denmark and Italy. I have been in all these countries and I am sure of what I am saying. If co-operative movements can succeed elsewhere, why can they not succeed in Kenya? I would like to tell the hon. Member, that, there was a time I attended a conference in a certain country and I found that the co-operative bank in that country had already collapsed, but in Kenya, the Co-operative Bank of Kenya has done a lot. To date, it has billions of shillings and the backbone of its success is the co-operative movement. Therefore, if the Co-operative Bank of Kenya has succeeded more than any other co-operative bank in Africa, why do we not serve as an example to others? Why do we not come forward and ask our youth to join the co-operative movement? I know there are people who will not allow them to join the co-operative movement, but I insist that we should allow them to be members of the co-operative movement because the youth, like us, are Kenyans and future leaders. If they are not allowed, they will not know what goes on in these co-operative movements. After finishing their education, they should be allowed to take charge of whatever goes on in their own country.

Mr. Temporary Deputy Speaker, Sir, I would also like to appeal to Members of Parliament to tell their constituents that they should demonstrate honesty in running co-operative movements. At the moment, there is no honesty. Some people take away money belonging to the co-operative movements and later on, come to appeal to the Government for assistance. A few people should not be encouraged to mismanage money belonging to co-operative movements or societies. Members should be given freedom to pass resolutions for their own good and the good management of their societies' finances. It is the Members of Parliament who did pass the Co-operative College of Kenya Bill, so that the Kenya Co-operative College becomes an independent co-operative college, and now it is going on very well. I would like to appeal to all co-operative societies to sponsor their staff to the College for training. There are very good teachers, tutors and lecturers in this College. I would like to appeal to all co-operative societies in the country including: Tea Sacco, Coffee Sacco and Cotton Sacco, to sponsor their staff to the Co-operative College, so that they can be fully trained in matters such as, auditing and management of their societies. I hope the message will be communicated to all in Kenya. All that we want is to work for the good of our own country.

I would like to tell Members not to imitate other people blindly. If something has worked successfully in a foreign country, we should not ape it blindly because we have our own problems which can only be solved by ourselves.

Mr. Temporary Deputy Speaker, Sir, I remember one time, some Members of Parliament from the

Opposition went to Rwanda and Burundi to learn about chaos, yet, that is what the Government has been trying to stop. I wonder what they went to do in Rwanda and Burundi. Do they want us to have chaos like in those countries? We do not want this. We should take care of our own country. Our Government has done a lot and, therefore, they should thank it for doing very well. If there are some shortcomings, we should pinpoint them out, but to assume that one time when they become leaders of this country, money will fall like rain from heaven, they are misled. They should accept defeat like the Opposition in Britain and America, where if today they are defeated, they accept defeat and wait till the next elections to say what they have done. But the Opposition in Kenya have done nothing besides fighting among themselves. They want to bring chaos in our country. We should continue to support our Government and the President for what he has done for people like hon. Mutahi; he has done a lot in Nyeri.

Mr. Mutahi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I stood about five minutes ago to request for some guidance. The Minister is now talking about Rwanda and Zaire leadership and what the President has done for my constituency. Is he really relevant to the Motion? Can you save us?

The Minister for Co-operative Development (Mr. Munyi): Very relevant!

Mr. Temporary Deputy Speaker, Sir, because we want peace, we would like him to go and preach peace for the good of our country, Kenya, because we should not expect things to come unexpectedly. It is because of the peace in our country that hon. Mutahi is in this House; without peace, he would not be in this House.

With those few remarks, I would like to support the Motion and add that, the Co-operative Bill will be brought to this House and be supported. Thank you.

Mr. Karenge: Mr. Temporary Deputy, Speaker, Sir, I wish to thank the hon. Minister for supporting this Motion and accepting it after getting up late this morning.

I beg to disagree with him in some aspects. For example, when he says the Opposition Members of Parliament are interfering with the running of co-operatives. I take great exception to the sentiments that I interfere with co-operative societies in my constituency. Those sentiments are outrageous because, it is a well known fact that as we stand here today, the Minister, through his officers and members of the Provincial Administration, is interfering with co-operatives in my constituency. I have one example. When members elected their committee members in one of the co-operative societies there, the Minister, through his officers and the Provincial Administration, persisted that those who were elected were sympathizers of the Opposition and therefore, he interfered with them and they were not left to do their job. I hope he is aware that he sent his officers there and the DC to conduct a clandestine election to replace what he perceived to be supporters of the Opposition. So, I take great exception to the fact that I am interfering with co-operative societies in my constituency, while he knows that he is actually the one doing that!

Be that as it may, I want to thank all the hon. Members who have contributed to this Motion, because it is a very important Motion. We have all agreed that this is a very important Motion and that the Co-operative Movement in Kenya is very important, and we want members to get their due. We are not amused when we hear that the Coffee Board of Kenya is earning 3 per cent as marketing fee and thus eating what should have gone to the members; that is not in conformity with what the Minister would like us to believe.

The Minister talked very much about the security of co-operators. I would like to agree with him on one respect. We should not let the members to be worried about security. We have examples, like it was reported in the *Daily Nation* of last Monday that on Sunday, KENOL Petrol Station was broken into in my constituency. I went there, and what I experienced from the members of one of the co-operative societies was really very scaring. It was reported that the *vigilante* who have been employed by the community there, to take care of security, were rounded up by policemen who had come in three Land-Rovers from Kabati Police Station at around 7.00 p.m. and carried them away. Three hours later, at about 1.00 a.m., some youth off-loaded from a lorry and within a few hours, the whole of that shopping centre was terrorised. Some shops were broken into and one person was killed.

It left no doubt in our minds that this is nothing short of Government terrorism. How can this happen in Murang'a, Kiambu, Nyeri, Meru, Thika and other Opposition strong holds? Why are these clashes not occurring somewhere in Rift Valley and Eastern Provinces and in other areas? It would look as if the Government is deliberately creating an insecurity situation in Kenya in readiness for the next general election. Those of us who were there during the Mau Mau War would remember that---

Dr. Lwali-Oyondi: On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to inform the hon. Member that, that is exactly what used to happen in the Rift Valley. They used to collect all the pangas, jembes and everything else. Then the terrorists, or the so-called morans, would come and invade the areas, even though the Government had promised to protect the people.

Mr. Karenge: Mr. Temporary Deputy Speaker, Sir, I was trying to say that those of us who were there

during the colonial days will remember that the then governor, Sir Evelyn Barring, tried to create that kind of insecurity. He created burglaries and you would hear that terrorists were going to break in everywhere. That was used as an excuse to declare a state of emergency. It looks as if this Government is using the same tactic so that before the next general election we have this kind of insecurity. This is not good for the members of the co-operative movement. Those who are being killed are members of the co-operative societies, particularly those in the rural areas.

We should not look at Cap 490 in isolation: We should look at it in the wider context of the Constitution of the Kenya. The inspiration of that Act comes from the Constitution. Those of us who believe in God, strongly believe that the voice of the people is voice of God. Sixty-five per cent of Kenyans, who are represented by the Opposition, have said that there has to be a constitutional change. The Catholic Church has said that there will be changes. The churches represented by the National Council of the Churches of Kenya (NCCCK) have said that there will be change. Muslims have agreed that there should be a change of the constitution.

Dr. Toweett: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is saying that 65 per cent of Kenyans have said that there will be a constitutional change. Can we have these statistics be put on the Table?

The Temporary Deputy Speaker (Mr. Ndotto): Order! We are moving away from this very important Motion and beginning to talk about constitutional reform. Hon. Karengi, I wonder whether you are relevant! You have very little time left and yet you have a very important Motion to respond to. Can you stick to your Motion?

Mr. Karengi: Mr. Temporary Deputy Speaker, Sir, you are saying that I am irrelevant and yet the Minister talked about Rwanda and everywhere else and still he was relevant. What I am saying is very relevant. We are talking about the law that affects the co-operative movement in Kenya. We are talking about an Act that has drawn its relevance from the---

Mr. Busolo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am seeking guidance in terms of your ruling. When the hon. Minister was responding to the Motion he dwelt on a lot of irrelevancies but you did not rule him out of order, in spite of points of order being raised from this side. Now when hon. Karengi is making a very relevant contribution you are ruling that he is irrelevant. Which is which?

The Temporary Deputy Speaker (Mr. Ndotto): Are you trying to challenge the ruling of the Chair?

Mr. Busolo: No, Sir. I am seeking guidance!

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Busolo! That is tantamount to challenging the ruling of the Chair. Therefore, you are out of order.

Mr. Karengi: Mr. Temporary Deputy Speaker, Sir, I am saying that the Constitution of Kenya is very relevant to the co-operators in this country. To answer hon. Toweett, anybody who cares to look at statistics should know that in the last general election 65 per cent of Kenyans voted for the Opposition. They voted against the Government. That population of 65 per cent is represented by the Opposition.

I am saying that it is the will of God that the Constitution should be changed. Any mortal who was created from dust like me cannot say that there will be no constitutional reform. It has to be there because it is good for this country, the co-operators of this country, the farmers and eventually it is good for the Government. Nobody should say that these reforms should not come.

As we wind up debate on this Motion we hope that the Government will implement it. It has become a practice that we come to this House, debate Motions and pass them. Sometimes the Government rejects the Motions, but even when it accepts a Motion, as it has done today, it goes and sits on it. In the last four years, this has been the practice. Maybe at a later stage we should move a Motion to create a Committee for making sure that the Government implements what it has agreed upon.

With those words I beg to move.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Members, it is now time for interruption of business, and the House is now adjourned until this afternoon at 2.30 pm.

The House rose at 12.30 pm.