

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 29th October, 1996

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 168

ASSISTANCE TO FORMER FREEDOM FIGHTERS

Mr. R.K. Mungai asked the Minister of State, Office of the President:-

(a) what the Government policy is on the programme to honour former freedom fighters by assisting their children as announced by the late President Mzee Jomo Kenyatta on 20th October, 1970; and,

(b) whether he could give a list of those freedom fighters and/or their families, so far, assisted and indicate the type, field or aspect of the assistance given and the amount involved in each case.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I beg to request that this Question be called for the second time. My colleague, hon. Manga, is briefed to answer this Question.

Mr. Speaker: Very well. We shall leave it until the end. Next Question!

Question No. 351

DISMISSAL OF MR. CHARLES SIKOLIA

Mr. Shikuku asked the Minister of State, Office of the President why Mr. Charles Sikolia, Police Constable No. 53439 was dismissed from the Police Force.

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

Ex-Police Constable, Mr. Charles Sikolia, was dismissed from the Police Force with effect from the 31st of December, 1993, after he was charged under Orderly Room proceedings and found guilty of gross indiscipline.

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply, and having been co-operative with his colleague hon. Awori to provide him with the details of Mr. Sikolia, he knows that this gentleman was an employee of this Government. Is the Assistant Minister in possession of a letter by Mr. Sikolia dated 12th January 1994, where he explained the circumstances? I am of the opinion that this particular individual had a case. Further more, is he aware that the Minister for Health wrote, and I did concur with the views. Mr. Sikolia had a case and it should be reviewed. Has he got these documents?

Mr. Sunkuli: Mr. Speaker, Sir, I have the documents.

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply, is he not convinced that this gentleman had no case to answer at all? This is because he was not mentioned anywhere among those who were supposed to have robbed anybody. An ex-hon. Member of this House never mentioned his name as one of those who were responsible for robbing those citizens.

Mr. Sunkuli: Mr. Speaker, Sir, I have studied this case in detail. I sympathise with the sentiments of hon. Shikuku, but I just want to correct the impression that Mr. Sikolia was not mentioned by anybody. That is not true. Mr. Sikolia, along with other policemen, went into the house of a lady called Mrs. Rukia at night. The evidence of Mrs. Rukia indicates clearly that Mr. Sikolia was the one who was holding the pistol against her and in fact, he was the one who took the US\$250 from her. This is because the rest of the money was recovered in the hands of the other policemen. The other policemen, who have since been dismissed and Mr. Sikolia were

positively identified by Mrs. Rukia, and it is upon the evidence of Mrs. Rukia that the policemen were dismissed.

He was lucky that the his fellow policemen exercised the option of Orderly Room proceedings rather than taking him to court.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, first of all, that is robbery with violence, which is a capital offense. Why is it that the Assistant Minister chose not to take this man to court, and at the same time dismiss him? This is because it is only the court which can prove whether he is guilty or not.

Mr. Sunkuli: Mr. Speaker, Sir, when a policeman is found guilty of gross indiscipline, there are two options. He is either dealt with in the Orderly Room proceedings, or he is taken to court. We chose one of the options.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. Does it mean that if you commit two offenses, you can only be charged for one?

Mr. Sunkuli: Mr. Speaker, Sir, I did not say that when you are charged with two offenses, you can only be convicted of one. What I said is that, if you commit an offence as a police officer, there are two ways of dealing with you, and you can choose one.

Question No. 205

BAN ON SUGAR IMPORTATION

Dr. Kituyi asked the Minister for Agriculture, Livestock Development and Marketing:-

- (a) why he imposed a ban on sugar importation in February, 1996; and,
- (b) why the ban was lifted two days later.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Speaker, Sir, I beg to reply.

(a) I did not impose a ban on sugar importation in February, 1996. What was imposed was a temporary suspension. This was necessary to protect our local sugar industry from unfair competition from cheap sugar imported into the country, following the liberalisation of the sugar industry.

(b) Following consultations with other Government departments, it was agreed that the suspension should be lifted and instead, certain interventions to protect our local industry be instituted. These interventions included: Raising of import duties on white or refined sugar, including industrial sugar to Kshs9.265 per kilogramme, or 25 per cent of the CIF. Previously, these types of sugar were either imported free, or under variable duty rates.

The other intervention put in place was to institute stringent measures---

Mr. Speaker: Order! Hon. Members, I suppose it is basic to answer questions precisely so that we can save time. Could you please try to be precise?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Speaker, Sir, in fact, I was finishing!

Mr. Speaker: Very well, I did not know!

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Speaker, Sir, the other intervention put in place was to institute stringent measures to ensure that importers pay the necessary duties and taxes.

Dr. Kituyi: Mr. Speaker, Sir, I have the disadvantage that I have not looked at the written version of this verbose absurdity that is purported to be answer to this Question.

The sugar industry does not need any further emphasis here as it is a critical agro-based industry in this country where attraction of foreign and domestic investment needs clear and consistent public policy. If a Minister of Government can read to this House a reply that Government suspended importation of sugar and, after two days, the same Government had seen that this was not working and it cancelled that announcement, it is absurd, because it is showing confusion. Be that as it may, can this Assistant Minister tell this House why the status quo as from the announcement from State House cancelling the banning order of the Minister for Agriculture, Livestock Development and Marketing, were similar to the position taken in the financial statement of October, 1995? If the measures from October 1995 had failed to work until February 1996, what made it necessary that after the Minister for Agriculture, Livestock Development and Marketing had announced the suspension of importation, two days later, State House was announcing the lifting of that suspension?

Dr. Misoi: Mr. Speaker, Sir, I have said after consultation better alternative measures were substituted and put in place to ensure that any sugar imported from outside attracted duty imposed.

Mr. Arte: Mr. Speaker, Sir, while I agree with the Assistant Minister that we must protect the producers of sugar, we should also equally protect the consumers of sugar because they are also Kenyans and they are the majority in this country. By putting very rigid conditions for importation of sugar, is it not in order to say that the Assistant Minister is discouraging the liberalisation of sugar? Is it also in order to say that the Assistant Minister is not concerned with the prices of sugar?

Dr. Misoi: Mr. Speaker, Sir, we are not discouraging or inhibiting the process of liberalisation of our economy. What we are trying to do is to ensure that the interest of the producers; farmers and sugar industrialists and consumers are taken into account in a balanced manner.

Mr. Anyona: Mr. Speaker, Sir, we did not expect this Assistant Minister to admit that what happened in this particular case is either the left-hand did not know what the right-hand was doing or the left and right hands were in conflict. Since that time the sugar industry has been thrown up into chaos. Can the Assistant Minister now tell us what they are going to do to harmonise this confusion between the left-hand and the right-hand and get the sugar industry going on again?

Dr. Misoi: Mr. Speaker, Sir, the relevant authorities responsible for charging taxes at the port of entry for all the commodities coming into this country are doing their best to ensure that these commodities attract the necessary taxes imposed by this House.

Dr. Kituyi: Mr. Speaker, Sir, it is very unfortunate and painful that this matter is not being given the attention it deserves. There is no such a thing like "Government imposing duty on sugar after lifting the ban imposed by hon. Nyachae". Before the ban there was duty surchargeable on sugar imported into Kenya. After the Government seeing that it saw that it could not control smuggling on of sugar, it imposed the ban, but two days later, they re-lifted it.

What mechanisms were now in place after two days to make sure that now duty would be paid and there would be no smuggling of sugar as it had been happening and has been happening since then? Could the Assistant Minister confirm or deny that the State-House-based announcement cancelling Nyachae's ban was basically meant to reward the politically-well-connected-sugar importers?

Dr. Misoi: Mr. Speaker, Sir, I am not aware of "politically-correct importers." We know clearly what the law states in terms of importation. The issue here is to implement the law to the letter by the relevant responsible Ministries.

Question No.960

OPENING OF PRIMARY SCHOOL

Mr. ole Tuya asked the Minister for Education:-

(a) if he is aware that there is a primary boarding school started in 1990 at Siana Location of Narok South;

(b) if the answer to "a" above is in the affirmative, what has delayed the opening of this school to date; and,

(c) what arrangements he is making to open the school.

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

(a) Yes, I am aware that there is a boarding primary school which has been under construction since 1990 at Siana Location of Narok South.

(b) It has not been possible to open this school to date because its construction is only 90 per cent complete and it has not been handed over to the Ministry.

(c) My Ministry will open up the school as soon as its construction is completed.

Mr. ole Tuya: Mr. Speaker, Sir, I asked this Question last week and the Minister said that he was not ready to reply, but I have the same answer as at last week. I do not know why the Minister was trying to dodge. He is giving the same reply that he would have given last week. Could he tell the House what he has been doing since last week?

Mr. Komora: Mr. Speaker, Sir, I do not understand what I am expected to answer because I got the approval of the House to answer the Question today.

Mr. ole Tuya: Mr. Speaker, Sir, this school was started six years ago. There was Kshs14 million for completion of the school, but if this money was not enough to complete the school, what would the Ministry do to complete this school or should the school wait for European Economic Community (EEC) for another ten years to complete the school?

Mr. Komora: Mr. Speaker, Sir, this school is being constructed by EEC through the KWS. We are in touch with KWS to make sure that it is completed.

Mr. Nthenge: Mr. Speaker, Sir, since education is very important in every corner of this Republic, what is the Ministry itself doing to make sure that whatever is lacking now in the school is there, to be able to provide education for those children who have equal rights on education like any other children of this country?

Mr. Komora: Mr. Speaker, Sir, I am sure that the hon. Member knows that whoever is constructing the school is responsible for completing it and we will liaise with him to complete it.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to say when somebody is trying to help the Government. The Government should go there to make it easier for the donor or person involved to complete the school?

Mr. Komora: Mr. Speaker, Sir, I do not think the hon. Member understood what I said. I have said exactly that.

Mr. ole Tuya: Mr. Speaker, Sir, I would like to ask the Assistant Minister whether any officer from his Ministry ever visited that school for the last six years and witnessed what is going on there?

Mr. Speaker: But strictly speaking, that is a supplementary question.

Mr. Komora: Mr. Speaker, Sir, I do not know the history of the school for the last six years, but I have given the reply today as of the latest position.

Mr. Speaker: Next Question, Mr. Ojode. Order! Order, hon. Members! We can hardly follow the proceedings.

Question No 309

OPENING OF NDHIWA MARKET

Mr. Ojode asked the Minister for Local Government, what urgent measures he is taking to open up Ndhiwa Market for use by the public.

The Assistant Minister for Local Government (Dr. Wameyo): Mr. Speaker, Sir, I beg to reply. This market, Mr. Speaker, Sir, was opened up on 20th February, 1996, and it is, therefore, open to the public.

Mr. Ojode: Thank you, Mr. Speaker, Sir. This market was closed last year and I did put this Question in early December, 1995, and ---

Mr. Speaker: Order! Order, Mr. Ojode! I think in a situation like this, if the Question is overtaken by events and what the hon. Member had wanted to happen has happened; I think the most honourable thing to do is for the hon. Member to withdraw the Question or let it go.

Next Question.

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

Mr. Speaker: Order! Next Question.

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

Mr. Speaker: Order! Order, Mr. Ojode! We do not have time to deliberate on the history of what would happen, wanted to happen on would have happened.

Next Question.

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

Mr. Speaker: Order! Order, Mr. Ojode!

Mr. Ojode: On a point of order, Mr. Speaker, Sir. This is my Question, and you have not heard the other side of the story.

Mr. Speaker: Order! Order, Mr. Ojode! I will not have that! Will you understand that you cannot force the Chair to do as you please?

Next Question, Mr. Muite

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

Mr. Speaker: Order! It is overruled!

Mr. Ojode: On a point of order, Mr. Speaker, Sir. This is my Question, and you have not heard from me.

Mr. Speaker: Order! Order! You have confirmed that to this House, that, indeed, you did put the Question in December, 1995, and in February, 1996, the market was opened. It is really pointless now to spend this House's time on it.

Next Question, Mr. Paul Muite.

Mr. Ojode: On a point of order, Mr. Speaker, Sir. I want to know from the Assistant Minister why this market was closed, and why the size of the market has been reduced from its original size to such a tinny thing? Why do you have to do that?

Mr. Speaker: Order! Order, Mr. Ojode!

(Laughter)

An hon. Member: *Feelanga fine!*

Dr. Wameyo: Mr. Speaker, Sir, that is a different question from the one I was asked.

Hon. Members: No!

Mr. Speaker: Why was it closed? Order! Order!

Dr. Wameyo: Mr. Speaker, Sir, I was not aware that it was closed.

Mr. Wamalwa: Mr. Speaker, Sir, by the Assistant Minister's own admission, this market was re-opened in February, 1996, which presupposes that it had been closed. Is it too much for him to tell us why it was closed before it was re-opened?

An hon. Member: He is always in Mombasa!

Dr. Wameyo: Mr. Speaker, Sir, if the hon. Official Leader of the Opposition had listened to me, I said that Ndhiwa Market was opened on 20th February, 1996. I did not say it was re-opened. I just know that it was opened on 20th February, 1996. The issue of the closure does not arise.

(Applause)

Mr. Ojode: Mr. Speaker, Sir, if you go according to my Question, I asked him: What urgent measures is he taking to open up Ndhiwa Market? That means it had been closed. Let the Assistant Minister be serious on issues like this one, and let him tell us why this market was closed before we go further.

Dr. Wameyo: Mr. Speaker, Sir, I have said that I was not aware that this market was closed. As far as I know, it was open.

Mr. Speaker: Next Question, Mr. Paul Muite. Order! Order!

Question No 953

DEMOLITION OF KIOSKS

Is Mr. Paul Muite not in? The Question is stood over for the time being. We will come back to it. Next Question, Mr. Henry Ruhiu.

Question No 282

UPGRADING OF SLUM AREAS IN THE CITY

Mr. Ruhiu asked the Minister for Local Government what plans the Ministry has to upgrade the following slum areas in the City of Nairobi:- Soweto, Canaan Village, Gitari Marigu, Maili Saba, Kinyago, Mathare and Kibera.

The Assistant Minister for Local Government (Dr. Wameyo): Mr. Speaker, Sir, I plead with the hon. Member to give me time. I will bring an answer to this Question on Tuesday, because the answer I have at the moment, to me, is not satisfactory.

Mr. Speaker: Very well. We will defer it to next Tuesday.

(Question deferred)

Next Question, Mr. George Anyona.

Question No 481

IMPLEMENTATION OF COURT ORDER

Mr. Anyona asked the Minister for Lands and Settlement:-

(a) if he is aware that the Nyamira District Surveyor has not implemented the Order of Kisii High Court dated 14th October, 1991, in respect of Civil Case No 138 of 1986 (Ndege Onkanga versus Evans Obino Nyamosi- Nyamira/East Kitutu/Mwomokaya/59/60; and,

(b) why the District Surveyor failed to implement the said court order and when this will be done, in view of the injustice occasioned by the long delay.

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

(a) I am aware that there was a delay in implementing the Kisii High Court Order for Civil Case No 138 of 1986, due to the unco-operative attitudes by the parties in dispute (Ndege Onkanga versus Evans Obino Nyamosi).

Mr. Anyona: Mr. Speaker, Sir, first of all, the answer, I have here has two parts. He has just read out one part, I do not know why.

Mr. Sumbeiywo: Mr. Speaker, Sir, the second part of that answer which I am sure the hon. Member has in writing is: The District Surveyor and the District Land Registrar had visited the site three times to implement the High Court Order. That was on 20th June, 1993, 20th July, 1993 and 25th May, 1994, but their efforts were frustrated by lack of co-operation from the parties concerned who refused to clear the bush to facilitate the implementation of the court order. The parties concerned eventually agreed to clear the bush following the intervention by the Provincial Administration. The District Surveyor has confirmed that action was taken to implement the court order vide his letter which I am going to table here, dated 7th July, 1996, a copy of which I lay on the Table.

(Mr. Sumbeiywo laid the letter on the Table)

Mr. Anyona: Mr. Speaker, Sir, there is no bush in Kisii District. There is hardly any land so that you can have a bush in Kisii District. So, when he is talking about clearing the bush, I do not know what he is talking about. This matter took 10 years and here was a court order. If you disrespect the court order, you are acting in contempt of court. It is the Provincial Administration that was frustrating the implementation of this court order. If the Assistant Minister does not agree with me, can he explain in what terms the two parties were unco-operative?

Mr. Sumbeiywo: Mr. Speaker, Sir, it is obvious from the visits which were made by the District Land Surveyor and his team, that the two parties involved were not co-operating with him. Otherwise, the officers would not have visited the area four times. Again, this is in Nyamira District, not in Kisii District, and there are some bushes in Nyamira District.

Mr. Anyona: Mr. Speaker, Sir, the point is this: That this matter took 10 years after the court made the order, and the order was not implemented. I have stated and I want the Assistant Minister to confirm or deny that it was the Provincial Administration through the District Officer and the chief, who were bribed by one of the parties to frustrate the implementation of the court order. If he denies that, can he then give us actual reasons in which ways the parties concerned frustrated the court order?

Mr. Sumbeiywo: Mr. Speaker, Sir, I am sure if the Provincial Administration officers were bribed, they would not have implemented the action. I have now confirmed that the action has been taken.

Mr. Speaker: Next Question, Mr. George Nthenge.

Question No. 660

BALANCED COVERAGE OF POLITICAL PARTIES

Mr. Nthenge asked the Minister for Information and Broadcasting if he could ensure that Kenya Broadcasting Corporation's Radio and Television stations give a balanced coverage of activities of all registered political parties in the country.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Mr. Speaker, Sir, I beg to reply.

As the hon. Member is undoubtedly aware, Kenya Broadcasting Corporation (KBC) is bound by Section 8 (1) (a) to provide independent and impartial broadcasting services. I wish to point out that the role of any news room is to gather last minute information or news worth to be given. It follows, therefore, as so long as the registered parties are involved in development activities, I want to assure them that they will receive balanced

coverage by KBC.

Mr. Nthenge: Mr. Speaker, Sir, does the Assistant Minister mean to say that money stolen from the public kit and given at a Harambee meeting contributes to the development of our country? A small fraction is given back in the pretence that it is going to finance development projects after Government funds have been stolen instead of the money going directly to development projects.

Mr. Nassir: Mr. Speaker, Sir, I do not know whether my colleague is saying that I have stolen money or does he mean that I get the money when I pay money for Harambee freely?

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. Can the Assistant Minister answer the question I have asked because he has not answered it at all? He is trying to evade answering it.

Mr. Speaker: Order, Mr. Nthenge. You are totally out of order! You do not just have to stand there and take the Floor without being given permission to do so.

Mr. Ndilinge: Mr. Speaker, Sir, can the Assistant Minister tell this House whether his Ministry has plans to see that the salaries of KBC staff are reviewed because according to my understanding they get very low salaries?

Mr. Speaker: Are you not irrelevant, Mr. Ndilinge?

Mr. Ndilinge: Mr. Speaker, Sir, that---

Mr. Speaker: Order, Mr. Ndilinge! You are totally irrelevant.

Mr. Mak'Onyango: Mr. Speaker, Sir, arising from the Assistant Minister's reply that KBC is committed to providing impartial coverage. Could he agree with me that impartiality and development are two different animals and that one cannot be sacrificed just because the other one is not being applied?

Mr. Nassir: Mr. Speaker, Sir, I am quite sure that hon. Members are human beings just like me and they will always be covered. However, the problem is that maybe we do not understand one another, that we have 202 hon. Members in Kenya who want coverage. Usually, our KANU officials also make the same outcry that they are not being covered. However, we are trying our best to ensure that all hon. Members are covered when they do a good job, not only speaking.

Mr. Munyasia: Mr. Speaker, Sir, the Managing Director of KBC under this Assistant Minister is on record as having said that the leaders of the Opposition parties here are not newsworthy. Can the Minister now promise this House that he is going to inform Eng. Philip Okundi that we are going to be covered from now onwards because I am sure that he is more powerful than this Assistant Minister, but he does know that?

Mr. Nassir: Mr. Speaker, Sir, my colleagues in the Opposition must understand that the role of television and radio is to cover whatever good you do for our country, but not empty talks.

Mr. Farah: Mr. Speaker, Sir, we are talking of impartiality of KBC in the political scene and the civic society. Is the Assistant Minister aware that the religious programmes of KBC are now in excess of 85 per cent to Christianity and about 15 per cent to Islam, if not less? Is he in a position to correct that one too even in the month of Ramadhan when we do not get any coverage?

Mr. Nassir: Mr. Speaker, Sir, myself being a Muslim I want to inform my colleague who pray five times a day that the Christian faith including the Catholic--- Muslims get free coverage. If you really have something to show, please come and see me, if you are a Muslim and see to it that it will be covered.

Question No.937

COMPLETION OF KANGEMA-KIRURI ROAD

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

- (a) when the Kangema-Kanyenyaini-Kiruri tarmac road was completed and handed over to the Ministry by the contractor,
- (b) whether he is aware that about 40 per cent of the road has turned into poor murrum road; and,
- (c) what action he intends to take to ensure that this tarmac road is properly maintained to facilitate better transportation of tea, milk and fruit which are abundant in the area.

The Assistant Minister for Public Works and Housing (Col. Kiluta): Mr. Speaker, Sir, I beg to reply.

(a) The Kangema-Kanyenyaini-Kiruri road was completed and handed over by the contractor to the Ministry on 10th, November, 1993.

(b) I am not aware that about 40 per cent of Kangema-Kanyenyaini-Kiruri road has turned into a poor murrum road, but I am aware of a section of which is approximately 100 metres along the road which has peeled off.

(c) The Ministry will maintain the road in question and repair the peeled off section during this financial year. A sum of Kshs200,000 has been allocated for these works.

Mr. Michuki: Mr. Speaker, Sir, this is one of the atrocious answers I have witnessed in this House because the Assistant Minister does not appear to be well briefed to tell Kenyans and the world the truth. The truth is what I have stated here because I live in that area and I travel on that road. Would the Assistant Minister, therefore, tell us precisely where, in which part of that road is the 100 metres?

Col. Kiluta: Mr. Speaker, Sir, we sent our engineer to inspect that road and he reported back--- Can I finish up? He said that as long as---

Mr. Michuki: On a point of order, Mr. Speaker, Sir. My question is very specific. Which section of that road covers 100 metres? Where has he identified that 100 metres along that road?

Col. Kiluta: Mr. Speaker, Sir, I said that we sent an engineer who reported back that it is 100 metres on that road---

Mr. Mbui: Mr. Speaker, Sir, it has become common for Ministers and Assistant Ministers to mislead this House. Can the Assistant Minister avail himself tomorrow and be accompanied by hon. Michuki to go and inspect that road and confirm whether that section has peeled off or not?

Col. Kiluta: Mr. Speaker, Sir, I am not a road inspector.

Mr. Achola: Mr. Speaker, Sir, could the Minister explain to the House what was the expected life span of this particular road was, when it was constructed? I can see that it was constructed in 1993. How long does he expect it to last before any maintenance could be started on?

Col. Kiluta: Mr. Speaker, Sir, the life span of a road is governed by the number of vehicles that use the road. So, if it is heavily used, it is bound to last for a shorter period. If it is not used regularly, it lasts for a long period.

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

Mr. Speaker: Order, Achola! I will not have any negotiations. Either you are recognised or you are not. In any case, what was burning you?

Mr. Achola: Mr. Speaker, Sir, what was worrying me is that I asked specifically about this road and when the Assistant Minister says that the lifespan depends on the usage, we are particularly referring to this road. So, he should know and, therefore, he should be able to tell us how long the road was going to last before any further maintenance could be carried out on it.

Col. Kiluta: Mr. Speaker, Sir, if he really wants the actual data on that road, which I do not have at the moment, I can bring it here.

Mr. Michuki: Mr. Speaker, sir, the Assistant Minister is definitely not well briefed about this matter. The road started peeling off even before it was two and a half years old. We know that the contractor who built did this road sold all the cement between Murang'a and Kanyenyaini. Now, could the Assistant Minister undertake, as he has been challenged in this House, to accept my invitation to go with him, and he can even stay in my house if he wants, and inspect that road, this week, on Friday?

Col. Kiluta: Mr. Speaker, Sir, I will do that on one condition which is if you tell us the people who bought the stolen cement.

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

Mr. Speaker: I am sorry Mr. Michuki. You can have that private negotiation on Friday. For the second time, Mr. Paul Muite's question.

Question No. 953.

DEMOLITION OF KIOSK.

Mr. Speaker: Mr. Muite still not here? Question dropped.

(Question dropped)

Mr. Speaker: Mr. Robert Mungai's question for the second time.

Question No. 168

ASSISTANCE TO FORMER FREEDOM FIGHTERS

Mr. R. K. Mungai asked the Minister of State, Office of the President:-

- (a) what is the Government policy is on the programme to honour former freedom fighters by assisting their children as announced by the late President Mzee Jomo Kenyatta on 20th October, 1970; and,
 (b) whether he could give a list of those freedom fighters and/or their families, so far, assisted and indicate the type, field or aspect of the assistance given and the amount involved in each case.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Speaker, Sir, I request the Member to allow us more time to prepare a satisfactory answer for next week.

Mr. Speaker: Very well.

Mr. Ndicho: What does he mean?

Mr. Speaker: Order, Mr. Ndicho! Order! We will defer the Question to Tuesday.

(Question deferred)

Mr. R.K Mungai: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. R. K. Mungai! We have already passed that Question. I have deferred it to Tuesday.

QUESTIONS BY PRIVATE NOTICE

DELIVERY OF FAMINE RELIEF FOOD

Mr. Leshore: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

- (a) Is the Minister aware that the famine relief maize, which was promised by the Government during the clashes, was not delivered to the residents of Wamba and Waso divisions?
 (b) How many bags was each location going to get following the pledge to give the ration to the displaced and drought hit areas of Samburu District?
 (c) How much money was set aside to cater for the transportation of the same?

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

(a) I am not aware that famine relief maize was promised by the Government during the clashes affecting the residents of Wamba and Waso divisions. However, between August and October this year, Samburu District received 8,000 bags of maize valued at Kshs12 million. Out of these 8,000 bags, 1,287 bags were allocated to Wamba and Waso divisions in the months of August and September 1996.

(b) The District Social Dimensions of Development Committees of which the hon. Member is a member, is responsible for planning, allocation, distribution and monitoring of the relief maize allocated to the district upto sub-location level. Therefore, the Locational Social Dimensions for Development Committee which is answerable to the District Social Dimensions for Development Committee should know how many bags of maize were allocated to each location of the two divisions.

However, during the months of August and September 1996, the locations of the two divisions received the following quantities of relief maize in bags: Wamba received 170 bags in August and in September it received 80 bags; Longungwa received 576 bags in August and 63 bags in September. Ngilai received 50 bags in August and 70 bags in September; Ngaroni Division received 60 bags in September. West Waso Division received 235 bags in August and 190 bags in September while Waso East received 50 bags in August and 50 bags in September. Cheroripi Division received 50 bags in August and 120 bags in September.

(c) During the same period, Kshs317,500 was issued to the District Commissioner, Samburu District, for the transportation of the same.

Mr. Leshore: Mr. Speaker, Sir, it is a wonder that the Assistant Minister says that the District Social Dimensions Committee sits down, allocates and transports the famine relief to the sub-locational level. First and foremost, the Assistant Minister has refused to give me his written reply. I would like to inform the Assistant Minister that I have already received a letter from those people who are concerned and they have even sent their observations to Mr. Kimalat on the administration of famine relief food commodities in Samburu District.

The Assistant Minister says that he has allocated over Kshs317,000. I would like to request the Assistant Minister to now send a special team to Samburu District to investigate the distribution, transportation and allocation of relief food in Samburu District because there is a lot of corruption in the distribution of famine relief food in that district.

Mr. Speaker, Sir, as I speak here now, Samburu East has received less than 300 bags of maize.

Mr. Speaker: Could you put the question to the Assistant Minister?

Mr. Leshore: Mr. Speaker, Sir, could the Assistant Minister now appoint a special committee to go and investigate the distribution and allocation of famine relief food in Samburu District?

Mr. Manga: Mr. Speaker, Sir, sending a special committee is no problem to me. I will do that but I will want the hon. Member to take part in this exercise because he is a member of all the committees that distribute the maize which are upto the sub-locational level.

Mr. Falana: On a point of order Mr. Speaker, Sir!

Mr. Speaker: Order! Order Mr. Falana. Mr. Falana, the Chair can do without you having to shout. What was it?

Mr. Falana: Thank you Mr. Speaker, Sir. I am not sure the hon. Member experiences anything known as famine relief where he comes from. First of all the Kurias are not given famine relief.

Mr. Speaker, Sir, this hon. Assistant Minister always keeps on saying that "The hon. Members are members of Famine Distribution Committees", when we ask questions about this issue. If we were members of these committees, and if we had any say, we would make our people "swim" in maize and every food that is there.

Mr. Speaker, Sir, we do not want an impression created that we are not talking for our people. Is the Assistant Minister aware that money allocated for transportation is not used for that purpose and we do not even know where it goes to? The same rush --- and this is very important ---

Mr. Speaker: Mr. Falana, are you on a point of order?

Mr. Falana: Yes, I am.

Mr. Speaker: What is your point of order?

Mr. Speaker: Order! Order, Falana! Are you on a point of order?

Mr. Falana: Yes, Mr. Speaker, Sir.

Mr. Speaker: What is it?

Mr. Falana: The notion that we are Members of these Committees who let Kenyans go hungry without food. I will later on ask you for a supplementary question, Mr. Speaker, Sir.

Mr. Manga: Mr. Speaker, Sir, I am not misleading the House. It has all been said and it is in the books that, hon. Members of Parliament are members of these Committees.

Mr. Sankori: Mr. Speaker, Sir, is the Assistant Minister aware that famine relief is supposed to assist those people who are actually hungry while at the same time, the amount of money that they are using to transport that food sometimes is more than the food? Can the Assistant Minister confirm to this House that there is money for transportation of famine relief to the affected areas?

Mr. Manga: Mr. Speaker, Sir, there is money allocated every time to the District for transportation of the maize.

Mr. Farah: Mr. Speaker, Sir, in view of the answer given by the Assistant Minister and fully aware that the Government has decided to give a deaf ear on the plight of the people who are affected by the famine now; and fully aware as an Opposition Member of Parliament, that, I stand to gain everything because they are not going to vote for KANU come the next elections, is the Assistant Minister aware that the little money they give which is only Kshs60 per bag, which means for 100 bags you are talking of about Kshs6,000, is not adequate at all? You need four times that, even if you can avail that, because that is not even availed and I know that.

Mr. Manga: Mr. Speaker, Sir, if it was not enough, the committees that are responsible for distribution would have complained and told us that it is not enough.

Mr. Speaker: Well, I suppose we go to the next Question by Private Notice!

Mr. Falana: On a point of order, Mr. Speaker, Sir. Kuna njaa!

Mr. Speaker: Order! Order! I am indeed aware that there is quite a bit of famine in Northern Kenya, but that does not mean we have to spend the whole day on the same question. I will give the last one to Shidie.

Mr. Shidie: Thank you, Mr. Speaker, Sir. I brought an almost similar question to this House and I said categorically that the people in Northern Kenya are starving. Recently, the Minister told us that he is going to send about 3,000 bags. Today, I cannot go to my home area which is Modogashe. People are suffering and any time I go there, they are asking for food. The food has not arrived because transportation money which is given is Kshs30 per bag which is not enough. Could the Assistant Minister consider increasing this amount of

money, at least to Kshs100 per bag so that this food can reach where it is required?

Mr. Manga: Mr. Speaker, Sir, I would like to advise the hon. Member not to fear but to go there and make sure that the maize reaches the people. We are sending Kshs60 per bag and not Kshs30.

(Several Members stood in their places)

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

Mr. Speaker: Order! Order, Farah! I think there is another question on similar lines coming next week. Next Question!

MISAPPROPRIATION OF EXAMINATIONS FEES

Mr. Ndubai: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice:-

(a) Is he aware that the District Commissioner and the District Education Officer, Nyambene, have misappropriated Kshs7 million meant for the primary schools' Kenya Certificate of Primary Education Mock Examinations in Nyambene District?

(b) Is he further aware that the officer who unearthed this misappropriation has been interdicted?

(c) If the answer to "a" and "b" above are in the affirmative, could he ensure the prosecution of the District Commissioner and the District Education Officer, and that the Education officer who has been interdicted, be reinstated immediately and promoted so as to boost the morale of honest officers in the District?

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

(a) I am not aware.

(b) I am not aware.

(c) In view of my reply in "a" and "b", the issues in part "c" do not arise.

Mr. Ndubai: Mr. Speaker, Sir, I am very surprised at the answer this House is being given. Because, what happened last year 1995 was, the Assistant Primary Schools Inspector (APSI) of Tigania and Muthara zone stole Kshs600,000 and he is already in court. Out of that, the DC for Nyambene decided to centralise the whole exercise. So, the money for the whole of Nyambene District was raised for the purpose of the mock examination. We raised Kshs7 million which the DC---

Mr. Speaker: What is your question?

Mr. Ndubai: Mr. Speaker, Sir, I am building it up. The Kshs7 million was raised, and the DC took that money and gave his brother a contract to print the examinations which he never did up to today. If the Assistant Minister denies this, can he confirm to this House whether Kshs7 million was raised by Nyambene District for the purpose of the Mock Examinations? If it is so, has this mock examination taken place? If it has not taken place why is it so?

Mr. Komora: Mr. Speaker, I am not aware of Kshs7 million raised for Mock examinations in this District. All I am aware of is Kshs1,752,000-19 and that was not misappropriated.

Mr. Maore: Mr. Speaker, Sir, if the Assistant Minister is not aware of what he has talked about, what was the District Education Board for Nyambene doing in a meeting in which I was present on August 10, this year, deliberating from morning to nearly midnight, if you are not aware that there was money misappropriated and there were no mock examinations taken in the entire District?

Mr. Komora: Mr. Speaker, Sir, well, I have not seen the minutes or the agenda for the meeting which took place in August.

Mr. Maore: On a point of order, Mr. Speaker, Sir. I have categorically stated that, what happened is that and there was this Deputy Provincial Education Officer, Mr. Kavuludi who was present. Now if you are answering a question from your Ministry and you are not aware, then what are we wasting time here for? What are you aware of, if you are not aware of that?

Mr. Komora: Mr. Speaker, Sir, I repeat, I am not aware that the District Commissioner, Nyambene and the District Education Officer misappropriated Kshs7 million.

Mr. Ndubai: Mr. Speaker, Sir, I really sympathise with the Government because this is the second time we have raised a question in this House regarding Nyambene District. Last week there was a question asked concerning the loss of our 4,000 animals; this week we now have a question in this House claiming Kshs7 million which all went with the civil servant. I believe the contract between the citizens of this country and the Government is the Constitution.

If the Government cannot fulfil its part which is the prime duty of any government, to protect its people and their property---

Mr. Speaker: Order, Mr. Ndubai! From now henceforth, Members must know when it is question time and when it is debate. It is question time. What is your question precisely?

Mr. Ndubai: Mr. Speaker, Sir, my question is whether the Minister can confirm to this House that Kshs7 million was raised. If it was raised, did the DC take that money? If he took it, did he use it for his own purpose? Because the Mock Examinations never took place in the whole District of Nyambene. Can he confirm what happened to the Kshs7 million for the whole District? We are not going to deal with civil servants behind the Government. We must be able to separate between the Government and civil servants. Even Kalweo is involved!

Mr. Komora: Mr. Speaker, Sir, I have already confirmed that the District raised Kshs1,752,000-19 for the purpose of mock examinations.

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

Mr. Speaker: Order, Mr. Ndicho! We are running out of time, and Prof. Anyang' Nyong'o's Question will be deferred.

Mr. Ndubai: I really---

Mr. Speaker: Order! Order, Ndubai! Prof. Nyong'o's Question will be deferred to tomorrow afternoon. Time is up. Next order!

PRESENCE OF TRAWLERS IN LAKE VICTORIA

(Prof. Anyang-Nyong'o) to ask the Minister for Tourism and Wildlife:-

- (a) Why are trawlers still to be found in the Nyanza Gulf of Lake Victoria?
- (b) Could the Minister explain why the fishermen at Asat and Uhuru Beaches in Kisumu Rural are being deprived of fish by these trawlers, in spite of the ministerial directive that there should be no trawlers on the lake?
- (c) When will the Ministry physically remove these trawlers from the lake?

(Question Deferred)

COMMITTEE OF SUPPLY

*(Order for Committee read being
18th Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 21 - Ministry of Environment and Natural Resources

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Speaker, Sir, I beg to move that Mr. Speaker, do now leave the Chair.

Mr. Speaker, Sir, the Ministry of Environment and Natural Resources is comprised of three departments, namely: Forestry, Mines and Geology and National Environment Secretariat. The Forestry Department is the largest, comprising of about 85 per cent of the Ministry. The other two departments are fairly small. The National Environment Secretariat is fairly young. To service these three departments, the headquarters does planning, co-ordination and policy guidelines for all the three departments. The Ministry is fairly small, with a staff of 12,242. It has reduced in accordance with the retrenchment Government Policy, from 18,000 to 12,000. We have reduced by about 5,000 and we are continuing to reduce.

Mr. Speaker, I am asking this House to approve a sum of K£44,999,977 under the Recurrent Vote and a further K£34,298,580 under the Development Vote in order to carry out the functions of my Ministry. These functions, as I said earlier include, general administration and planning, management and protection of forests plantations, conservation of indigenous forests, Mineral survey and development and the enhancement and protection of the environment. I will comment briefly on the various departments.

The Administration and Planning Department which is situated at the head office is responsible for administrative services, finance, planning, supply, accounts, personnel and the functions of the three departments,

besides processing personal emoluments, pensions, gratuity and so forth. As hon. Members may be aware, the Ministry's headquarters is at KENCOM House, which is a private building; and we are renting that building at the rate of Kshs1 million per month, plus service charges which are due at the end of the year. Sometime back, the Government embarked on building Mazingira House to house the Ministry's headquarters at Karura. Due to the insufficiency of funds, the project is 30 per cent complete. In order to be able to pay the contractors and the consultants who designed and built Mazingira House, we require K£1,102,850. This money is not enough but this is the money which is owing to the contractors currently. In the next Financial Year or the years to come, we will be requesting more money in order to complete the building. To carry out other functions of general administration and planning, I am asking this House to approve K£4,631,629 for the Recurrent Vote, mainly for salaries, telephone services, transport and stationery; and K£1,102,850 for Mazingira House.

The Forestry Department, as I said earlier, is the bulk of the Ministry. It constitutes 85 per cent of the Ministry and I would like to give brief comments on this. Our country has approximately 3.4 million hectares under forest cover, of which 1.7 million hectares is natural forest and 0.5 million hectares is plantation forest and 1.2 million hectares is under Trust Land. But 3.4 million hectares is a small percentage indeed. It is about 3 per cent of the total surface area of our country. Therefore, one can see that our forest area is so tiny compared to other countries in Europe which have up to 40 per cent of forest land. This department deals with the protection of forestry resources against destruction by man, fire and pests. It also deals with the conservation and management of forests, particularly indigenous forests within important catchment areas, natural habitat, wildlife and bio-diversity; development and promotion of farm forestry through sustained public education and extension on the benefits of tree planting in soil and water conservation. Development of Agro-Forestry practices and technologies, especially in ASAL areas. The ever increasing human population in Kenya is placing great pressure on forest areas and it will require the concerted efforts of all relevant organs of the Government to protect and manage by visiting forested areas in order to create public awareness on the benefits of tree planting in general. More specifically, all existing laws, covering the water catchment areas and soil conservation will be even more stringently enforced and amended, if need be, to make them more effective. In this respect, my Ministry has drawn a new Forest Policy Plan and a Sessional Paper which is due to be discussed in this House very soon. These changes have consequently prompted the Ministry to review Forest legislation in order to make it consistent with the policy. To achieve the goals of the Forest Department, we will work very closely with other Government Ministries like the Ministry of Agriculture, Livestock Development and Marketing, Ministry of Energy, Ministry of Land Reclamation, Regional and Water Development and other statutory bodies like the Presidential Commission on Soil Conservation and Afforestation and other NGOs.

Mr. Speaker, Sir, there is need to involve communities to participate in protection of forest reserves and forest areas. As I said earlier, the population increase is exerting great pressure on the forest areas. It is very important to state here that forest land is not available for settlement. We cannot continue alienating forests for human settlement. It is a very tiny portion and so Members of Parliament should educate their constituents to know that forests are there for their own use and that of the future generations of this nation. Therefore, forest areas are not available for human settlement. We have a lot of land, as you know, which is arid and semi-arid. It is about time we created human settlements in these areas. All that we need is water. Other countries have developed irrigational agriculture. I think we should go in this direction in order to relieve the Forest Department of the pressure it is facing currently.

Mr. Speaker, Sir, a national forest master plan, which aims at improving this sub-sector, is being drawn. Arising from this plan are numerous development programmes, requiring substantial funding, from both the Government and donor agencies. My Ministry is aware of our limited resources. Therefore, to carry out the plan we will even need participation from communities, so that the plan can be successful. However, it is important to state that we earn money from the Forest Department by selling forest products to saw millers, the pulp industry and so on. At the moment about K£10 million is earned through the sale of timber. As I said, we would like the 1.7 million hectares of indigenous forest to remain free of any encroachment.

Forest farming can be very beneficial. You can earn money from forest farms. Kenyans should be encouraged - and we in the Ministry are doing this - to plant trees for commercial purposes along the hedges of their boundaries. They can use such trees to earn money and also for fire wood. Therefore, agro-forestry, rural afforestation and local afforestation should be encouraged. In this financial year we are encouraging this programme. This is because we know that forest cover is diminishing, as I said. So, this approach is quite critical.

To this end, a few districts have been identified for forest farming and local afforestation. These districts include Nakuru and Nyandarua. Other afforestation programmes are the Miti Mingi Mashambani, World Food Programme Forestry Programme and Coast Arid and Semi-arid Lands Development Project. My Ministry will

continue to involve in afforestation saw millers, who are among the major consumers of forests. At the moment, we require major users of trees, like the Webuye Pan Paper Factory, to participate in planting trees. I am glad to report that the Webuye factory is co-operating very well. They are helping in the plantation of trees. Their consumption amounts to about 1,000 tonnes of trees per day, or four hectares of forest a day. So, they consume quite a lot of trees. Therefore, the planting programme must keep up with the consumption of trees.

In order to create proper utilisation of forests, the Ministry has set up a training school in Nakuru. This school is called the "Forest Industrial Training Centre". We will continue to train users of trees in this financial year. We also have a forestry college at Londian. It trains forest guards and other Kenyans who are employed in the Forest Department. To manage, protect and develop forests the Forest Department will require K£37,004,745 for the Recurrent Vote and K£27,865,000-89 for Development expenditure during this financial year.

I now turn to the Mines and Geology Department. This Department carries out mineral resources development, geological surveys and research. The Department is entrusted with the administration of legislation related to minerals resources, technical assistance to prospectors and mine operators, supervision of quarry safety and security of commercial explosives. The Department undertakes geological mapping, mineral exploration and publishes information for public use. Its major objective is to enhance economic development through careful exploitation of mineral resources. Activities such as mining, processing and utilisation of minerals contributes to industrial development, generation of employment and foreign exchange earnings through exports as well as substituting imports of mineral-based products. The Department, therefore, promotes mineral resource development through the formulation of mineral laws, control and exploitation of mineral resources as per the Mining Act, control of explosives as per the Explosives Act, rehabilitation of disused mines and quarries and carrying out of mapping and geological survey, as I said earlier. At the moment we are rehabilitating its laboratories at Madini House in Industrial Area.

During this financial year the Department will continue to administer the various Acts under its control. It will also continue to conduct regional and geological mapping countrywide in a bid to provide basic geological information for utilisation and assessment of ground water resources, and search for hydro carbon, that is oil. We will also revise geological maps at various scales in Embu, Meru, Kitui, Western Kenya and Rombo in Taveta area. The Marsabit/Habaswein/Liboi area will be mapped for satellite data. The reports produced under this programme will be published countrywide for use by the relevant people.

Countrywide preliminary assessment of minerals will be done in Western Kenya, Sotik, Belgut, Chepalungu and some parts in Eastern Province. The Department's experts will continue to represent the East African region on the group of Technical Experts on the Law of the Sea, whose responsibility is to examine applications by pioneer investors for exploration of mineral resources on the sea bed, whether in the territorial sea, exclusive economic zone or in the international area. For all the purposes I have just stated, the Department requires a sum of K£903,800 for Development and a sum of K£1,806,333 for Recurrent Expenditure during this financial year.

Mr. Speaker, Sir, I would like to turn to the National Environment Secretariat. This is a young, expanding department and environment is becoming very important. The main functions of this department are:

1. Promotion of the inter-disciplinary integration of environmental policies, plans, programmes and projects.
2. Development of strategies and methodologies for the adjustment and evaluation of accepted environmental policies, goals and objectives.
3. Assessment and evaluation of the impact of development activities and advise on appropriate and timely inter-sessionary measures.
4. Provision of appropriate support on initiatives, resolutions and programmes designed to promote regional and inter-regional co-operation in proper management of the environment.
5. Preparation of follow-up of Kenya's participation in the UNEP Governing Council and other inter-Governmental agencies.
6. Collection, collation and co-ordination of available research findings on environment.
7. Promotion of further research in selected critical areas. I am asking this House to approve a sum of K£1,577,270 for Recurrent Vote under this Department and a Development expenditure amounting to K£4,426,841 during this financial year.

Mr. Speaker, Sir, under the Development Vote, the National Environment Department is currently co-ordinating the functions of four major projects, namely; the Lake Victoria Environment Management Programme, the National Environment Action Plan, the Institutional Strengthening Project for the Phase out of ozone depleting substances, follow-up and co-ordination of convention on environment. The Lake Victoria Project, which may be of interest to hon. Members, is a five-year programme and comprises all the three East

African countries of Kenya, Uganda and Tanzania. The main objectives of this programme are:

- a) To maximise the sustainable benefits within the Lake Basin with a view to generating food, employment, income and save water.
- b) To conserve bio-diversity and genetic resources for the benefit of the global environment.
- c) To harmonise the national management programme in the area towards reversal of environmental degradation.
- d) The enhancement of fisheries and management.
- e) Control of Lake water pollution.
- f) Monitoring and control of the water hyacinth and other invasive weeds.
- g) Management of wetlands and institutional support.

On the whole, I am asking this honourable House to approve a total Development Expenditure of K£4,426,841 and K£1,557,270 under Recurrent Vote for the National Environment Protection.

Mr. Speaker, Sir, in summary, the Ministry of Environment and Natural Resources is charged with the responsibilities of developing, managing and exploiting of our country's natural resources for the benefit of our people, while taking care of their environment. To carry out these responsibilities, as I said, a total sum of K£44,999,977 under Recurrent Vote and a sum of K£34,298,850 under the Development Vote is required.

With those few remarks, I beg to move.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, in seconding this Motion, I wish to say that the importance of the environment, both here in this country and nationally, and its preservation, cannot be under-estimated. The international practice has now laid two things on top of its agenda. First, is the protection of the environment and the second one is on planning. Today we are discussing the environment and I must say that we are discussing the environment at a very crucial time when, in fact, the environment does need to be preserved.

Mr. Speaker, Sir, in our country today, there are forests which are gazetted as Government forests, but many districts do not have forests which are gazetted as Government forests. It is crucial that each district should have some natural places that are preserved as such because a lot depends on that kind of thing. Where a community does not have a government forest, it is important that, that community does designate some area to be a forest area. I say this because unless this happens, those areas in Kenya, which are currently undergoing adjudication will deplete their resources. I know that, for instance, in Maasailand, if the group ranches that are being sub-divided now do not take into account the preservation of the environment, many districts are going to cut down their trees and the water is going to dry up in many districts. Where there is a group ranch that has continued to exist, it is important that, that group ranch does have a forest, so that, that forest can act as a water catchment area. There are some communities which, throughout the ages, have preserved their forests. These people should be allowed to own those forests so that they can protect them without interference from anybody else. It is crucial that, if a community has preserved its forests for a long time, it is congratulated and requested to continue preserving forests.

Mr. Speaker, Sir, where there is a dispute on who owns a forest, it is important that a certain modality be established to cater for that dispute so that the end result of the dispute does not become the cutting down of forests. It is important that a Memorandum of Understanding or something of the sort is entered into by the disputing parties so that forests are not cut down. The Mara River is very important for those of us who come from that region, but if you went to Mara River today, you would discover that the water level has gone down and that eventually has something to say about Lake Victoria. The main reason why the water level in Mara River is going down and getting dirty everyday is because some people might be interfering with the trees at the Mau Forest. It is important that the Mau Forest is protected in all its forms so that the Mara River does not dry up. The Lake Victoria depends on many rivers from the Rift Valley and if the forests in the Rift Valley are destroyed, this is going to be very detrimental to the existence of Lake Victoria. It is more dangerous than the hyacinth that is already eating up the water at Lake Victoria. Many other tributaries of the Mara like the Mogor or the Amalu Rivers are being affected at source and this is going to be detrimental to the existence of Lake Victoria. Lake Victoria is important not just for my colleagues from Nyanza, but for all of us who fall under the Lake Basin because the entire Nyanza Province, Kericho, Trans Mara and Kuria Districts receive convectional rainfall and that is as a result of the existence of Lake Victoria. It is incumbent upon all of us who rely upon Lake Victoria to ensure that Lake Victoria, rivers and forests are preserved.

The other area that is covered by the Ministry of Environment and Natural Resources is the area of geology and mines. I come from a district; Trans Mara, where there is a lot of gold. There is a lot of gold in the areas of Lolgorian and Masurura. Most of this gold is alluvial and the other one must be fetched from deep down the ground. Nobody has explained to the people how we can get this gold and as a result, there are people who are

exploiting this gold at the expense of Maasai people. It is important that my colleague, the hon. Minister for Environment and Natural Resources, does take this into account so that gold is mined from Lolgorian in a proper manner. My colleagues from Nyanza will know that the large population of Luo people who are present in Trans Mara are engaged in the process of extracting gold from the ground and it is good if they are given proper technology to do this so that they can do it in a safer manner because when the mines sink, they do so with the lives of people. It is important that all of us who know the value of these mines advise the Ministry to put in place the machinery to extract this gold. The NGOs which are involved in alleviation of poverty should go there and find out what role they could play. The experts in geology and mining should take an active role in the mining of gold from Lolgorian and the areas of Trans Mara.

When you speak of environment, you must also speak about cleanliness which is not just a responsibility of the Ministry of Environment and Natural Resource, but also a responsibility of the local councils. Those of us who visit Western capitals see a distinction between the mentality of our Kenyan people with respect to cleanliness and that of the Western people. I have visited the state of California and I know that for improper disposal of litter, you are charged US\$1,000 which is equivalent to Kshs50,000. In the streets of Los Angeles, London and countries in South America, places for depositing litter are provided. It is important that we inculcate upon our people the importance of depositing rubbish properly.

I notice that there are so many dairies that are coming up along the Nairobi-Nakuru Road and they are selling packed milk.

Mr. Nyagah: On a point of information, Mr. Speaker, Sir.

The Assistant Minister, Office of the President (Mr. Sunkuli): Thank you but I do not need it. It comes at the wrong time. I am properly informed on this matter.

Mr. Speaker, Sir, the milk that is sold by the Delamere Dairies and other dairies is drunk by motorists along the road and the paper in which the milk is contained is actually dropped on the road. After a short time, if the Delamere Dairies continue to sell milk to more people, it means that very soon there will be a lot of rubbish lying along the Nakuru-Nairobi Road. It is important that something be done in order to stop this extensive littering of our country.

We can talk about collection of rubbish by the City Council - I am glad that the City Council is being run by colleagues from the Opposition and they are doing it badly. That just shows you how the main Government would be if it was run by the Opposition--

Mr. Nyagah: On a point of order, Mr. Speaker, Sir. Is the hon. Assistant Minister in order to insinuate that the reasons why the City Council is inefficient is because it is being run by councillors from the Opposition whereas the truth is that the chief officers who are employed by the KANU Government are the ones who are chief decision makers?

Mr. Speaker: Order! That was his view and that is your view. Continue.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I maintain that my views are correct because the main reason why FORD(A) councillors are running the show there is because they say that things will be better. Now, they are worse there. They should be told that if they cannot manage a little institution, they cannot manage this much.

The environment is the responsibility of everybody to maintain properly and we must pay a lot of attention to the question of littering our country because if we do not do so, we are not getting anywhere.

With those few remarks, I beg to second.

(Question proposed)

Mr. Mak'Onyango: Thank you, Mr. Speaker, Sir. Let me take this opportunity to respond to this Motion on behalf of the official Opposition.

As has already been observed by the Minister and the seconder, environment is an important aspect of life. Indeed, it is life because when we are talking about environment, we are talking of the air we breath, the water we drink and the food we consume. That in itself shows very clearly that environment is, indeed, life. That being the case, I really would advocate that we need to give a great deal more than what the Minister is asking for here. The Minister has asked for some K£44.9 million for the Recurrent Expenditure and K£32.7 for the Development Expenditure.

I want to go straight to the question of afforestation or the role of the Forest Department in this country. I am taken aback by the Minister's disclosure that as little as only one-third of Kenya is under what we call official forests in the country. This shows that we have not done enough when it comes to afforestation. The worst part of it is that whereas we only have 3 per cent of Kenyan land under forest, instead of the Government doing enough to

increase acreage under forest, what is being done, and amounts to undermining the little that is already under forest, is that forests are being excised. Not long ago, this House had the privilege of discussing a Motion on the excision of forests in this country. In that discussion, we did observe that as much as 290,000 hectares of land had been excised within a period of five years.

That shows that we are preaching water and drinking wine. The time has come for the new energetic Minister who has been appointed to this Ministry, to apply those energies towards doing something in reversing, what to me amounts to a negative attitude or approach towards so crucial a matter. So, we want to see more land brought under afforestation and not the current situation in which more and more land is being given away to the politically-correct people or individuals. Much of the land that has been affected has to do with water catchment areas.

The Assistant Minister, Office of the President, Mr. Sunkuli, has observed that one of the rivers flowing into Lake Victoria is deteriorating in terms of quality. This is because of mismanagement upstream. That is absolutely true. We would like to see a situation in which something is done to help the situation, especially in water catchment areas. These areas should be preserved for future posterity and for the good health of this nation.

I want also, to take this opportunity to address, what to me amounts to a very serious situation in this country today. That is the state of Lake Victoria. The problem of water hyacinth in Lake Victoria, for which the Minister has said that he is allocating a certain amount of money, is a serious matter. I would like to take this opportunity to appeal to the Government to come up with a special programme on the eradication of water hyacinth in the Lake.

Water hyacinth in Lake Victoria is a serious health hazard. It is a major economic and social disaster for this country. There are 19 million people who live around Lake Victoria, out of which five million or thereabout, are in Kenya. The lives of these people are endangered because of water hyacinth. I would like to see this Government treat the question of water hyacinth as an emergency problem.

Some special funds should be set out for the eradication of water hyacinth. The call by the provincial administration that the district commissioners mobilise local people to physically remove water hyacinth is an insult and a joke to me. That does not address the problem at all. The question of water hyacinth should be treated as an emergency.

If this country can afford to spend Kshs3 billion to buy a Presidential jet, surely, this country can be able to spend Kshs3 billion or thereabout to at least, protect the lives of five million people. So, I would like this House to take serious note of this particular problem. It is not a problem that should be left to helpless people to use their hands. We do need a proper national approach. Uganda has already come up with an arrangement which Kenya could copy. I have in mind the use of something like an international harvester, that would be able to harvest the water hyacinth, put it into some kind of container and move it to a place where it is burnt or destroyed in whatever way. So, this calls for a major operation that cannot be done by use of empty hands.

I would also like to take this opportunity to appeal for a special legislation that would ensure that major users of trees in this country are made to contribute, maybe, three or four times, the amount of their usage. The Minister has observed that Webuye Paper Mills uses about four hectares of land a day. In order for that company to justify the amount of trees they use, they should be made to plant, maybe, four or five times the amount of trees they use. That will address the situation.

Not only that, but there are other users of trees like the Kenya Power and Lighting Company and the Kenya Posts and Telecommunications. These should also be made to plant trees on a regular basis so that, as they use trees, they put in two or three times as much as they use. Besides, I would like to see a situation where some kind of legislation is put in place, that would require every Kenyan who has land alongside the roads to plant some trees on a given portion of that land, so that every Kenyan citizen is made to contribute towards the country's afforestation. In this way, we are likely to address the question of afforestation in a more meaningful manner, than has been done up to now.

I would also, in the same vein, like to request that when it comes to things like allocation of land in water catchment areas, any river will normally traverse across a number of communities. So, I would like to see in place, an arrangement whereby all the communities that are likely to be affected by an activity of any group upstream, are consulted. I have in mind a situation where, for example, when you want to cut trees up in the highlands, those of us who live down the stream should be consulted because the cutting of trees affects us. In the same way, we should be able to consult Sudan and Egypt who also benefit from the water that originates from our highlands. In this way, we will manage our environment more meaningfully.

With those few remarks, I beg to support.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Spika, mimi nafurahi sana, ijapokuwa kwetu hakuna misitu. Lakini ningekuwa na furaha zaidi ikiwa tungeweza kuipa Wizara hii pesa

zaidi. Ninavyojua na nitakavyokueleza, Wizara hii ingeweza kuwaajiri watu karibu milioni moja wasiokuwa na kazi katika Kenya.

Ikiwa Wizara hii itapewa pesa na kazi ya kufanya ili iwasaidie wananchi, ingeweza kuwapa kazi watu karibu milioni moja.

Ikiwa viongozi wa Kenya hawatawazuia wageni kuleta pesa hapa, na ikiwa hakutakuwa na lugha ya siasa, ambayo ni ya matusi, fujo na vitisho tunapokaribia mwaka wa kura, 1997, basi kutakuwa na ustawi.

Bw. Spika, nchi yetu ya Kenya ina madini ya thamani ambayo tunaweza kuuza katika ulimwengu mzima. Matajiri wengi wanafanya kazi ya kuuza madini haya. Lakini kwa sababu wale wanaopewa leseni ya kuchimba madini haya ni watu masikini sana na hawapewi mashini za kuchimba mawe hayo kwa utaratibu, wao hutumia nyundo tu kupiga na kuangusha kidogo. Ikiwa Wizara hii inaweza kuchimba mawe au madini haya yenyewe, basi inaweza kuajiri watu wengi kazi. Kuna madini ya thamani kule Taveta na Voi.

Bw. Spika, tuna madini ya aina ya iron ore kule Kwale ambayo yanatumika kutengezea saruji. Imejaa tele lakini kwa sababu Wizara haijachukua jukumu la kusimamia iron ore hii inawapa watu leseni za kwenda kuchimba tu. Hawa watu wanachimba kwa uchache sana. Lakini kama Wizara inaweza kushughulikia uchimbaji na biashara hii basi Wakenya wengi wanaweza kupata kazi.

Tuna pia limestone ambayo yatoka upande wa Machakos na inatumiwa kutengezea saruji. Kama inachimba sawasawa na Serikali au kwa kushirikiana na mashirika fulani, basi tungeajiri watu wengi na mitambo ya kutengeneza saruji ingeongezeka.

Tunasikia kila siku ya kwamba kuna dhahabu pande za Baringo. Lakini watu huchimba dhahabu kiasi kidogo kama kilo moja au nusu kilo. Lakini Serikali nyingine ulimwenguni huchimba madini yenyewe au Wizara ya Mazingira na Mali ya Asili huchimba madini wao bila kuwapa watu leseni za kuchimba madini. Hata ile ardhi ambayo kuna madini huchukuliwa na Serikali yenyewe haiwi tena ardhi ya kibinafsi. Na Serikali huweza kuwasaidia watu kwa kutia hii dhahabu katika mtambo au mashini fulani ili kupata dhahabu nyingi na watu kupata kazi na nchi kupata sarafu za kigeni.

Bw. Spika, kuna tamaa ya kupata petroli. Tamaa hii ilianza punde tu baada ya nchi yetu kupata Uhuru, lakini Serikali na Wizara haijatia mkazo wazo hili na kuchunguza kama kweli na kuna petroli au la. Huko Abadan kuna petroli! Ingawa ni chache lakini nyingi pia inaweza kupatikana. Ni jukumu la Wizara kuchunguza kama kuna mafuta na yakipatikana mafuta haya mambo ya Harambee yatakwisha nchini kwa sababu tutakuwa na pesa za kutosha.

Kuna madini mengine mengi katika nchi hii yetu, tuna lead na silver ambayo inapatikana sehemu ya uwakilishi Bungeni ya Kwale au sehemu inayowakilishwa na Waziri wa Kawi. Ilichimbwa kidogo lakini kwa sababu Wizara haijishughulishi nayo imewachiwa watu kuchimba kidogo na kwenda zao. Ni bora Wizara itilie nguvu si kwa sababu yoyote bali kwa sababu ya kuwapa watu wetu nafasi za kazi.

Tuna mtambo wa saruji. Lakini kuna nafasi katika Kenya ya kuwa na mitambo mingi ya kutengeneza saruji. Malighafi yote ya kutengeneza saruji yanatoka hapa Kenya. Ni wajibu wetu kuanzisha mitambo mingi ili tuweze kuwa na nafasi nyingi za kazi katika nchi hii.

Mwezangu Mbunge amezungumza juu ya upasuaji wa mbao. Kuna nchi ambazo zinategemea mbao kama pato la uchumi wao. Na sisi zaidi ya theluthi mbili ya nchi yetu tumetegemea wanyama kwa sababu ya utalii. Tunaishi katika theluthi moja ya nchi yetu. Ukitoka hapa hadi Mombasa utaona ni vichaka tu na wanyama wengi. Ikiwa tunaweza kupanda miti huko basi watoto wetu wangepata nafasi za kazi na tunganze mitambo ya kupasua mbao. Tungeza kuuza mbao nje ya nchi hii na hatungekuwa na taabu ya aina fulani. Kazi ya Wizara si kutoa leseni tu. Wizara ya Kilimo, Usitawi wa , Mifugo Uuzaji, na Wizara kama hii ni lazima iwe na faida kwa wananchi wote. Si lazima iwe inatoa leseni peke yake na maagizo mengi yanayohusiana na misitu.

Uvuaji wa samaki ijapokuwa si Wizara hii inayohusika, katika Mkoa wa Pwani na kule pande za Lake Victoria hazijavulia sawa sawa. Watu wengi hawana kazi na kama tungekuwa na mashua na nyafu watu wangeweza kuvua samaki na kupata kazi.

Mambo mengi katika Kenya yawategemea viongozi. Lazima ndimi za viongozi hata kama tunakaribia kupiga kura tusiharibu nchi kwa kutukana watu wengine. Ziwe ni ndimi za kutengeneza. Mgeni akija aone hii ni nchi ya amani ili aweze kuleta pesa ili watoto wetu wapate kazi. Ikiwa ninataka kuwa mbunge tena lakini ninaharibu nafasi ya kazi kwa watu wetu kwa matamshi mabaya basi maisha ya watu wengi hataharibika basi itakuwa mimi si kiongozi mzuri.

Ikiwa matamshi yetu yanalenga kuinua hali ya maisha ya wananchi wetu, basi tungekuwa na faidi kubwa sana katika Kenya. Mungu ametubariki kwa kila njia lakini sisi viongozi tusiwe kushindana juu ya mambo ya vita, mambo ya kutisha kwamba tutafanya maandamano na kadhalika ili watu wengine waogope kuleta pesa zao na kufanya biashara. Mungu ametubariki na hii baraka ni lazima tuifadhi sisi viongozi.

Ikiwa kiongozi ana mashamba makubwa, mahoteli na kadhalika amwonyeshe mwenziwe alivyofanya

mpaka akawa na maduka, mahoteli mashamba na kadhalika. Lakini si kumtia katika siasa wakati wowote. Unapata pesa katika mahoteli yako, mashamba na kadhalika na huko unamtumia mwenzako na unamvalisha suti ili azungumze siasa tu na wewe huko unaenda kuuliza benki pesa zimeingia ngapi. Kenya inataka amani si tu kwa sababu ya viongozi, lakini kwa ajili ya wale watu waliotupigia kura. Tuwe na amani ili tuweze kufaulu. Hii Wizara na Wizara zingine zitafute njia ya kufanya sio kufuata maoni ya mkoloni ya kwamba huko ni Forest Department, Mines Department na kadhalika. Na msimamo huu hatuwezi kuugeza ukawa na faida kwa mwananchi wa Kenya.

Lazima Wizara hii ipewe pesa zaidi. Kama ni mambo ya dhahabu ikachunguze zaidi, ikiwa ni mambo ya madini au mawe ya thamani wachimbe zaidi ili waweze kuuza katika nchi za ulaya kama vile Ujerumani, Marekani, London na kadhalika, ili watu wengine wapate kazi. Kuna iron ore si kwamba inatajikana Kenya tu bali tuweza kuiuza kule Afrika Kusini na kwingineko.

Kwa hayo machache ninawaomba mnapozumgumza tumieni lugha nzuri ya kuwapatia kazi wananchi wetu ambao hawana kazi.

Kwa hayo machache, ninaunga mkono.

Mr. Ndubai: Mr. Speaker, Sir, the Ministry of Environment and Natural Resources in this country is equivalent to the Ministry of Energy in the Middle East. This Ministry needs a lot of thinking, arrangements and a very sober mind to think seriously about the Ministry.

The purpose of this House when we discuss about this Ministry is not really to talk about the garbage which is not collected in the City centre, it is not to talk about the Government policy, it is not for this Ministry to talk about the peace in this country, it is more than that.

Mr. Speaker, Sir, this Ministry would be contributing 50 per cent to the budget of this country if it is properly managed. But simply because it has been run like any other Ministry, there is nobody who has taken it very seriously.

Last month, the Economic World Review picked Kenya as one of the poorest countries in the world simply because of wrong management of every Ministry, and also because the people who are employed in every Ministry are just hand-picked from anywhere. For instance, we pick a lecturer from the University of Nairobi, lecturing history and put him in charge of the Ministry of Environment and Natural Resources. We also pick a farmer from Kericho who is plucking tea and put him in charge of the Ministry of Environment and Natural Resources. We pick a saw-miller and make him the Minister for Environment and Natural Resources. What we are talking in this House, and which I would like the Government to consider seriously is to come with a policy paper in this House, so that we can reactivate the Ministry of Environment and Natural Resources.

Mr. Speaker, Sir, I am saying this because I believe the world statistics. Kenya contains 18 per cent of the minerals, and 18 per cent of the minerals in the world is a lot of resources in this country. But since colonial times, the gold mining which was left in Kakamega, it is the same gold we are talking about after 33 years of Independence. The Government which took over, the KANU Government and the Government of the day, whether KANU or whatever it is, has the responsibility to protect its natural resources and to exploit it. We should not be talking of the gold of Kakamega which was left over by the Colonial Government, but this Government must come up with very many new mines and policies to explore the minerals which have never been exploited. I say thanks to God because the Colonial Government did not tamper with any mineral in this country. They messed up with the other resources like tourism, forests and so on, but they left the minerals untouched. So, it is the duty of this Government of the day to explore the minerals which are in this country. We have a lot of iron ore, diamond, green gannets and so on.

Mr. Speaker, Sir, the Government formed the Kerio Valley Development Authority (KVDA), which extends up to Lodwar. It takes most of the Rift Valley region, and I believe 70 per cent of this region is covered with minerals. But instead of the Government directing this Authority to venture deeply into mining, the Government has come up many times asking for funds to run that Authority from this House. What I am requesting this House is that the Government should come up with a policy, like the KVDA, to be directed to venture into mining so that it becomes an economical organ instead of being used as a political organ. It should be an economical organ for the purpose of the survival of this country.

When we talk of the natural resources, Mr. Speaker, Sir, we have in mind the tourism industry. Tourism to this country is nothing and has been taken by colonial agents. This country, as a matter of fact makes nothing out of tourism. If you put up a hotel in Mombasa today, the hotel is every day rented by Italians at US\$200. But in other countries abroad, the hotels would charge the tourists US\$400 for a single bed in Germany, Frankfurt, Belgium and New York, and what will come into this country would be only US\$150. The remaining US\$250 is left in hotels abroad, like Frankfurt, New York and South Africa, and we keep on talking about tourism in this country. So, what we should actually do is to go to mining which the citizens of this country can do directly

without involving the colonial cowboys, who took over the Ministry of Tourism and Wildlife's tourism and hotel industry.

Mr. Speaker, Sir, as I said before, the primary duty of any Government of the day, and the contract between the Government and the citizens is the Constitution. The Constitution requires that we take the two parties, the citizens and the Government together. But it is the responsibility of that Government to give the security and freedom to every individual. The freedom this time in the Ministry of Environment and Natural Resources is to allow the local people to venture into mining without a lot of restrictions. If today you want to mine diamond in this country, it is good that the Minister is here, you would be asked to get a licence worth Kshs100,000. Whose citizens can afford Kshs100,000 for the simple mining of diamond? They have put these restrictions to prevent the local citizens from venturing into mining. So, the mining has been left to foreigners.

If you go to Voi, where we have a lot of deposits of rubbies, green gannets and any other mineral in terms of gemstone, it is all mined in a very domestic manner. The Government has failed to support its citizens so that they could do the mining in commercial levels. I would like to request the Minister to support the local people so that they can do the mining in Voi in a commercial scale.

Mr. Speaker, Sir, I would also like to ask the Government to take immediate action to liberalise the Kerio Valley Development Authority to any citizens of this country so that they can move there freely to mine the minerals there. If the mines fall under somebody's land, it should be leased to a citizen who is able to do the mining rather than be controlled by a few individuals under the disguise that the KVDA is an authority. Those authorities are there and they were formed by Acts of Parliament for purposes of helping the economy of this country.

Mr. Speaker, Sir, before I finish, I would like to request the Minister for Environment and Natural Resources to protect our forests because as we stand today, two-thirds of our forests had been sold by the previous Minister. I have the documents to prove that. For instance, Karura Forest and Ngong' Forest are now lying in the hands of individuals. There is no country in the world that can survive if it does not protect its natural resources. It is the prime duty of every Government to protect its natural resources and I would ask the Minister to put the interest of this nation and its citizens before the foreigners. If you see all the forests today, you would hear, for instance, that 100 acres of Karura Forest has been sold to Mr. Patel or Mr. Shah. If you go to the East African Portland Cement, and that is one of the biggest industries we have here, where the Government had committed Kshs4 billion last year to improve it, the people who are supplying ordinary stones to crush for the cement are all Indians. I feel sorry for our Vice-President, because the mining of those stones is done next to his door, but no single Maasai who is supplying the East African Portland Cement at Athi River with those stones. We have that kind of natural resource which is being exploited by Shah and Athi River Minerals. The Indian community must be told that time has come when they should leave some resources to the local people.

If you follow the Nairobi-Mombasa Road up to Namanga, you would meet Maasais with mikuki almost naked, but the minerals lie next to their doors. They have been exploited to the maximum because there is no protection from the Government of the day. I am asking the Minister to protect those people and advise them to form small groupings and go to mining because you can mine these minerals without using sophisticated machines.

I say this because I pity the Vice-President of this country when I see what is happening to his constituency. The amount of stones being removed next to his door today are being sold at Kshs2,800 per tonne; they are sold by nobody, but only Asians. The Maasais who are there are used to remove the stones and load them to the lorries.

With those few remarks, I support this Motion and I believe that in the next budget, they would bring here more money to approve for them. Thank you, Mr. Speaker, Sir.

Mr. Speaker: I am sorry, Mr. Ndubai, your time is up.

The Assistant Minister, Office of the President (Mr. Awori): Thank you, Mr. Speaker, Sir. A traveller who stops at a homestead is a visitor and such a visitor does not plunder nor ruin the home where he has stopped. We are all travellers and visitors to this world. This world does not belong to me; it does not belong to you, it belongs to mankind and as such, we are trustees for the present generation and the generations to come. That being the case, we have a great responsibility to preserve the environment. It is incumbent upon us not to destroy it. We have to preserve the natural resources in this world as being part of the environment. We do need everything within it. We are not here to destroy it, nor are we here to plunder it. From generations before, mankind has utilised this world for his own selfish ends.

We know of miners who do remove coal from this world. There have been coal mining ventures which has left a lot of gullies all over the world. The same thing goes for those who do mine gold and diamond. All they are interested in is to collect what they have for their own greed; it does not occur to them that they should leave something behind for mankind. In exploiting God given natural resources, we have come to the brink of destroying the world. We know that the ecosystem has changed so much. How many times had farmers to say

that the rains are not what they used to be. How many times have we had people say that now the weather has changed. The time when it is supposed to be cool, it is dry, hot and dusty. Rains are coming up at the wrong times; we have floods that ruin crops; we know of typhoons that have killed people. All these things are as a result of the fact that we have utilised the environment very selfishly and wrongly. As a result the world or a great part of it suffers from famine. We know that there are plants and other living things that are becoming extinct because we have ignored the laws of nature, that is to preserve our environment and look after the natural resources which we found here.

[Mr. Speaker left the Chair]

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

It is not only the plants that are affected because we have animals that are slowly disappearing. We know, for instance, in Lake Nakuru, what has happened or what continues to happen with our flamingoes. Flamingoes have been a great resource of this country that many times we find that they are not there. We are failing in our trusteeship of this world for the future generations. All of us particularly the leaders, have a duty to improve our country and leave the environment in a better situation than we found it. That should be the standard by which we should live.

Many developed countries have woken up and realised the importance of our environment and, therefore, they have put the environment as one of the major project in which they are investing in. In Kenya, let us play our part. If we look at the countryside, I come from Busia in a little place called Samia surrounded by hills. Because we have not paid much attention, all the hills are bare and because of that, the ecosystem has changed. It is necessary to take a leaf from other countries. A little country like Swaziland has got a range of hills where they have done afforestation, which is beautiful to look at. It is helping the ecosystem and the weather is good. I would like us to do the same. These hills cannot be used for agriculture because you cannot take a plough up there. Why do we not then use these assets? We would like to plant all the trees on these hills because once we do that, then we will be investing. The trees that we are planting on the hills will help us in producing timber for furniture, building, saw dust for paper and this will be a big investment.

A part from the fact that it will attract rain, it is necessary that we as the Government should ban the burning of charcoal on the hill sides. We must take a big decision so that we have something left for the generations to come. It is necessary that we increase the efforts to plant trees, if necessary let us use legislation. In this august House there have been Members who have derided the powers given to chiefs. Why should we not use the Chief's Act to do good things? For instance, we should ensure that the people in the rural areas do plant trees on the hills. It should be necessary to plant trees in schools, hospitals and market places. We have to preserve our forests.

It is almost criminal to degazette even one inch of the forests that we have. We cannot satisfy the need of mwananchi to have farms. This is a realisation that must be born with us and we should try not to settle people on land that has been gazetted as a forest. It is not only a fallacy, but criminal.

Let us protect our environment to the extent that what is happening on Lake Victoria should not happen. Why do we not ask ourselves; where has this hyacinth weed come from? Why is it that a lake that was there for hundreds of years all of sudden develops this terrible weed that is choking it and killing all the living things in it, making it difficult for the people who have lived on fishing, having no livelihood. We must ask ourselves this. It is because we have been careless with our environment. Why do we have to licence chemical factories that are only interested in profits, but not in the environment. The effluence that continues to flow into our rivers is really not only ruining the living things there, but it is making it impossible for the little things to live.

In case of our townships, how beautiful was Nairobi? The environment in Nairobi used to have a greenbelt running from Kabete right through Ainsworth Bridge into what is now Uhuru Park and continuing up to Nairobi West.

Why do we have to encroach on what was green and beautiful? It is necessary that we should have a parks department in all our townships as we used to do. Let us see the Jacaranda, the bougainvillea, the Nandi flame as they used to beautify all these towns. And, it is necessary that we must have discipline among our people. It is a terrible thing to see a matatu driver climbing over what was once a lovely bed of roses. There are countries or towns in the world today where people are proud of the beauty of their towns. There are competitions of growing flowers within the city in order to attract people. Nairobi was once a very beautiful town and let us make it so.

Mr. Temporary Deputy Speaker, Sir, I support the request for the money amounting to nearly K£90

million.

Mr. Nthenge: Mr. Temporary Deputy Speaker, Sir, I strongly support the Ministry of Environment and Natural Resources. God is great and he is the one who has given us all these things free of charge. But, we as human beings, instead of appreciating that and preserving it, instead we are destroying the environment. I request this Ministry to try and be humane in the sense that we try and preserve natural resources which are God-given for Kenya and the rest of the world. Just to echo what my hon. friend and age-mate hon. Awori said, Nairobi used to be a wonderful place during the colonial days. We had a place called City Park where any visitor to this country upon his arrival back to his native country would advertise Nairobi as a wonderful place in the world with rare and unique scenery that is not found elsewhere except probably in California.

Mr. Temporary Deputy Speaker, Sir, things have gone wrong and we have grabbing, inadequate planning and poor advice from our planners. Nairobi is now very ordinary. Why? It is because the natural resources are not being preserved and improved upon. We in this House will support the Minister if he brings any proposal to this House to improve the City because the City is in a very natural and wonderful position where it is not too hot or too cold. It is wonderful. It is the centre of East Africa and also one of the great towns and cities of Africa.

Mr. Temporary Deputy Speaker, Sir, I call upon the Minister, on behalf of all Kenyans, to preserve these natural resources of Nairobi and the rest of Kenya. The British Government insisted on afforestation and I am sorry to say that since that time, forests are not increasing. What are forests for? For heaven's sake forests are for everybody. First of all, they preserve water. Secondly, they provide wonderful oxygen which everybody requires. They are wonderful for producing energy. They are wonderful for making people busy by planting woods, cutting woods and making furniture and the rest. Now, you do not expect Kenya's population to double thirty times and yet the forests are those of 1920 before George Nthenge was born. It is wrong. Development must be uniform. You must develop this, that and the other. Natural resources are there. The facilities are there but who cares about them? We are simply careless. I do not know whether it is we the politicians who do not accept the advices from the technologists; those people who have studied forestry and the rest. Or is it them who are also becoming careless and very busy with grabbing and individualism to the extent that our nation is almost getting forgotten?

Mr. Temporary Deputy Speaker, Sir, let us combine the two; the politicians and the technologists so that we advise each other on various issues. There are very many bare pieces of land which can become wonderful forests and we have a lot of them.

Mr. Kamuyu: On a point of order Mr. Speaker, Sir. Is it in order for the hon. Member of Parliament, Mr. Moiben to take off his smelly shoes in the Chambers? He should apologise to this House.

An hon. Member: He is a Sebei!

Mr. Moiben: On a point of order Mr. Temporary Deputy Speaker, Sir. They are not smelling!

The Temporary Deputy Speaker (Mr. Ndotto): Order! Hon. Moiben, what is your point of order?

Mr. Moiben: Mr. Temporary Deputy Speaker, Sir, is it in order for an hon. Member like Mr. Kamuyu to tell a lie in this House? I am well dressed; I am wearing shoes. Mr. Kamuyu, *chunga sana!* Huna adabu wewe! Mtu wa Kawangare!

The Temporary Deputy Speaker (Mr. Ndotto): Order, Moiben! The word "lie" is not allowed and you should withdraw.

Mr. Moiben: Mr. Temporary deputy Speaker, Sir. I did not mean to say that he told a lie. He misled the House --- It was not true that I did not have shoes.

An hon. Member: Withdraw!

Mr. Moiben: Mr. Temporary Deputy Speaker, Sir. I withdraw and I say that he should not be talking untruths in the House.

The Temporary Deputy Speaker (Mr. Ndotto): Proceed, hon. Nthenge.

Mr. Nthenge: They have taken about three minutes of my time. However, what I am getting at is that we have a lot of things that have been given to us by God but our management of these resources is deteriorating. We have very many learned people and all the intelligent leaders but the management seems to be somehow awkward. This is because we have many human beings who can plant trees. We have many human beings who can advise them on how to do it. We have water and land. But what prevents us from increasing our forests to match our ever-increasing population? When I was a little boy, one million Kenyans was a very big figure. Now, we are over twenty million. And why are the forests not increasing? In fact some of them are being destroyed. One forest at Machakos was destroyed only for somebody to build a very beautiful house on that land. It is near the golf course where I play my golf every weekend. I am so disappointed that trees which were planted by colonialists are being felled for somebody to build on that empty patch and yet there are so many empty areas. Why go where the forest is? The Ministry of Environment and Natural Resources does not seem to take anybody to court. That man should

be told: "Alright, you preserve that house there but you are going to be punished by planting ten times or twenty times the acreage you destroyed".

Mr. Temporary Deputy Speaker, Sir, let us be serious. This country is not for Nthenge who is about seventy years old. This is a country for everybody including my great grand child who is not yet born. So, we must think of our great grand children who are not yet born. We should leave a wonderful Kenya for them. All sorts of things are happening. We also have petrol in this country. It is an open secret but because some people want to make money, they do not want this oil to be exploited. You will find that many of our Kenyans are unemployed and yet that is a natural resource which, if exploited, almost everybody will be employed and happy because oil exploitation brings about employment even for the robbers. This will lead to construction of jails and askaris will be there and the criminals will get food and the farmers will have a market.

Mr. Temporary Deputy Speaker, Sir, I do not have to talk about economics, because, I can do it till tomorrow. But the thing is, why does the Minister for Environment and Natural Resources not employ this House to get things done? Petroleum which we know exists, should be exploited.

As concerns geology, the hon. Member has just explained about the rubies, the gold and the rest. We have so many minerals which are not being exploited, and I do not know the reason for this. But, I think it is for example, because someone thinks George Nthenge is going to gain, and thus, he is individualistic; so he does not want it exploited. Or, for example, Dr. Kituyi or the hon. Kosgey are going to benefit, therefore, I should put a stop to that development. This selfishness should die and we should change our policy. The nation should come first and then, the person later. We should always think of what we can do for our nation before we think of what the nation can do for us. At the moment, we have a culture of respecting everybody with money, whether he has stolen it or notwithstanding how he got it. Our values should be based on what a particular person has done for this country. The learned people are ashamed of going to harambees with, for example Kshs30,000, when, thieves and failures who have exploited others come and contribute more. So, they tend to be more respected because they can drive better cars than for example, hon. Ndotto. Therefore he appears a more important person, yet he is only a thief. Let us change our values and go back to the correct values. The Minister for Environment and Natural Resources has a lot of geological material underneath, therefore, people should be encouraged to mine. That way, you will create employment for the young people who are having nothing. God has created Kenya and has given it almost everything. We have water which is a natural resource, wonderful land, minerals, petroleum and all the rest.

Mr. Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Nthenge!

Mr. Nthenge: Mr. Temporary Deputy Speaker, Sir, are you going to compensate for my three minutes which were taken?

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Nthenge! You know that is not allowed.

The Minister for Labour and Manpower Development (Mr. Masinde): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion.

The hon. Minister very ably outlined why he wants money for his Ministry. It is important that the House approves that money. I am delighted to note that the hon. Minister is here with his staff. The way he explained to the House, what he wants to do with this money was very forth-right and for us who do not belong to the Ministry, we could fully understand. I only hope that when this money is given, the officers sitting here and those who are not here, will be able to put that money into the use as outlined by the Minister.

Mr. Temporary Deputy Speaker, Sir, last week we discussed the budget for the Ministry of Local Government. Many Members discussed about the filth that is covering our towns, markets and the City of Nairobi. The Ministry of Environment and Natural Resources should be fully involved to assist this Local Government in cleaning up the City because the towns and the City are occupied by majority of the people who actually need some clean habitat. The way the situation is now, it is very pathetic.

Mr. Temporary Deputy Speaker, Sir, pollution is aggravated especially during rainy seasons. Filth is collected by erosion which should also be controlled. They should help the Ministry of Agriculture, Livestock Development and Marketing to control the soil erosion because that is defacing the earth of all the natural environment which mwananchi should be proud of. This erosion carries all the dirt and it spoils the environment by having to carry the undesirable elements into the rivers and the rivers into the few lakes that we have around here.

Mr. Temporary Deputy Speaker, Sir, with regard to Lake Victoria, the Minister talked of the water hyacinth. Lake Victoria is indeed becoming a disaster area and I would request the Minister to take a very drastic action. Lake Victoria has been providing a lot of employment for wananchi. The way the situation is at the moment with this weed on the Lake, wananchi will soon lose self employment. I think the Minister should have specifically informed this House or requested for money to enable him to fly around and see what is happening on

Lake Victoria and on the forests that we see only on the edges and not inside. I think the Minister seems to be very determined. We hope he is not going to wait until His Excellency the President flies across to see the forests which have been disturbed in the middle and then he begins panicking around to take the necessary action. He should be vigilant all the time. For this reason, I hope the House will not complain when the Minister flies around periodically to check on what is going on, on the ground, from the air and he should start off with Lake Victoria. Some of us who occasionally fly from Kisumu to Nairobi find a very sorry sight when we are flying over the part of the Lake. This should be looked into very, very urgently.

Mr. Temporary Deputy Speaker, Sir, a number of my hon. friends have talked about afforestation. We used to have days, so-called "tree planting days" during the Colonial days. I do not know whether those "days" are still around at all. If they are, people plant a lot of trees and they do not take care of the trees that have been planted. So, every year, hundreds or thousands of seedlings are being planted and nobody takes care of them. The Minister should tell his officers that part of their job is to make sure that trees which have been planted are maintained until they come to maturity and those that are mature should be at least replaced, after being cut down.

Mr. Temporary Deputy Speaker, Sir, the Minister also mentioned about trees or forests as useful for water catchment. I sometimes wonder why many streams which were covered by forests alongside the streams have been made bare. All the trees are being cleared and therefore the streams are drying up, yet we have the Ministry of Agriculture, Livestock Development and Marketing and the Ministry of Environment and Natural Resources watching the situation. This happens in every district and most districts have got these officers. What are these officers doing in those offices, yet the Minister is coming to ask for money here to pay them? Should they be paid for sitting in the offices to read newspapers day-in-day-out, doing nothing? Many of these people used to ride long distances on bicycles; the agricultural officers and the foresters. Why do they have to talk in terms of lack of transport because they are waiting for their own Land Rovers when new districts have been created and distances have become shorter. They should even walk on foot if they are really interested in the heritage of this country. I think, the Minister should get an opportunity to visit one of our neighbouring countries, for instance Malawi and see what Malawians in their small country have done as far afforestation is concerned. When you are flying over Malawi, you will see nothing but green areas or maize fields. Why do we have to continue seeing deserts in Kenya expanding, when we have the means of attracting more rain by preserving the forests, planting more trees and maintaining them?

The Minister also mentioned the maintenance of training schools. I do not know what he does with the trainees that come out of Londiani and other schools in the nation. These people are not found anywhere in this country. In my constituency, the youths have decided to run tree nurseries. I have been touring them and hardly any of these groups has been assisted by an officer from the Ministry or the Forestry Office in the district. They are very enthusiastic in growing these trees but nobody is advising them on how to grow them. They grow up to 100 seedlings and they expect that somebody will come and buy the 100 seedlings. They should be advised to grow those seedlings economically and on commercial basis. If I want to buy 1,000 seedlings, I will not go to those who grow only 100 seedlings. They wait until that 100 has been sold, then they begin to grow more. I think with a bit of advise, these youths should be able to maintain themselves and be able to make enough money and at the same time, grow trees to be planted to make sure that our country is afforested and therefore, clean up the air and also bring rain as a result of having forests.

Many hon. Members who have spoken before me have commented on the minerals. Occasionally, we are told that there are minerals but mining them is not economical. Surely, the Ministry should make up its mind and find out ways and means of encouraging small groups to mine in a small way. They do not have to go deep in order to excavate some of these minerals. They are available. They should be taught and trained on how to handle that situation.

With those few remarks, I support the Motion.

Prof. Anyang'-Nyong'o: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute on this Motion.

I would like to remind hon. Masinde who was calling upon the Minister for Environment and Natural Resources to fly around and see what is happening to the environment. The Minister does not really need to fly around. He should have the records in his office from those who have been flying before him to take action immediately. When it comes to Lake Victoria, the disaster is there and it does not need anybody to fly around to know what is happening.

I have been looking at the Development Expenditure of this Ministry, Head 702, Items 100-295 - National Environment Secretariat Headquarters. It is very sad that what is voted here is purely for administration. I have looked through all the expenditure and I see very little devoted to capital development for the National Environment Secretariat. If anything, the only thing which I see repeated over again and again, is Fungicide and

Insecticide. We must stop thinking about environmental maintenance in terms of killing insects. The environment is much more than pests. The environment is to deal with land and its resources. So, I would have expected this Ministry to have a substantial fund for real environmental management and not just for killing insects! This is why we have Ministries by names in this country. The names sound good but the content is purely administration. Indeed, the substantial sum of money that is voted in the development expenditure, about 90 per cent of it goes to overheads - pure administration; and yet this Government is saying that they are cutting down the Civil Service to size. Cutting down the Civil Service to size does not just mean that you take off people from the Civil Service on the Golden Handshake! But you should redistribute the budget in such a way that more and more money should go to capital development in every Ministry.

As we speak now, I am glad that hon. Masinde and hon. Awori who spoke before him, have noted the extent to which the environment is deteriorating in Kenya in terms of our urban centres, roads and water ways. There is environmental degradation and yet, this Ministry, even in this Budget has not devoted a single cent to environmental inspection and the penalties that go to those who violate the environment. If I asked hon. Kosgey, what action the Ministry takes against anybody who destroys the environment, the answer will be - I do not know or I am not aware. Upto when are we going to run the Government on the basis of I do not know and I am not aware?

This Government should have a Fund which is called the National Disaster Fund. They should have a way by which they can declare an area a disaster area, deserving funds from the National Disaster Fund. To that extent, Lake Victoria by now should have been declared a disaster area a long time ago and there should have been a Fund to manage that disaster. We do not have to wait for the World Bank to come and manage our own national disasters. It is not just the hyacinth weed that is destroying Lake Victoria. It has been destroyed by environmental degradation for a long time. Webuye Paper Mills has been emptying dangerous chemicals into the Nzoia River which travels down to Lake Victoria, killing along its way, the areas where fish breed. There are certain species of fish which have to travel upstream in a river to go and breed and then, the young fish will go down to the lake to live. Because of the chemicals released from Webuye Paper Mills, Lake Victoria has been dying ever since Webuye Paper Mills came into being; and yet, we have the Ministry of Environment and Natural Resources which has no notion whatsoever, on what to do with this kind of environmental degradation. Lake Victoria has also been dying from the match box factory right next to the Molasses Plant near Otonglo. It has been emptying dangerous chemicals into the lake, thereby killing the lake. A research done on Lake Victoria shows that the lake is dying from its bend upwards and that is one of the reasons why we are getting less and less of certain species of fish in the lake. To add insult to injury, comes in the hyacinth weed. I am not quite satisfied that this Ministry has made any proper budgetary allocations for dealing with the hyacinth weed in Lake Victoria. This weed cannot be left to the whims of an outside bank called the World Bank. The World Bank should only come as a helping hand and not the main organ to deal with that weed in Lake Victoria. I would have wanted to see in this budget, not only provisions of dealing with the hyacinth weed in Lake Victoria, but also a provision for dealing with the national disaster in this country. Today, it is Lake Victoria, tomorrow it could be Lake Magadi, Lake Baringo and others. Last year, we had a problem in Lake Nakuru and Lake Naivasha. The same Ministry waited until birds took their own initiative on what to do! We cannot leave the planning to birds. The Government must plan for birds. If we are going to sit on and wait for birds to take initiative to find where they are going to be safe and say we have a Ministry of Environment and Natural Resources, what kind of Ministry is that?

Another area which I would like to bring to the attention of the Minister is the Mining Act, Cap. 306. This is a very old Act in the Republic of Kenya. When that Act was first written into law, environment was not an issue. Indeed, the people who were interested in exploiting minerals in this country never had the interests of the environment in this country.

Mr. Temporary Deputy Speaker, Sir, I have the Korwenje Gold Mines in my constituency. It was mined a long time ago by some white men. They left gaping canyons and valleys - they never covered them. Recently, St Martin, which operates in Rarieda Constituency, has discovered that there is more gold in Korwenje and have come there with huge equipment to mine this gold. Yet they do not bother to build a proper road to lead to the mines. They need a kind of a road that will take the heavy vehicles that travel to those mines. Those vehicles are already causing environmental disaster because the rural access roads which have been there were never meant to take the kind of vehicles that are going to the mines. These are some of the environmental questions that this Ministry should be asking itself.

When there is mining anywhere in this Republic, under what laws of the Republic of Kenya is the environment protected? I would like to submit to the Minister that Cap 306 of the laws of Kenya, the Mining Act, does not give protection to the citizens of this country against miners in terms of environmental degradation. It

should, therefore, be for the Minister, hon. Kosgey, to take as one of his first responsibilities in this Ministry, a review of the Mining Act. We need an amendment Bill in this House, to review the Mining Act thoroughly, so that environmental questions can be written into it, so as to protect the citizens of this Republic against environmental degradation by miners.

Mr. Temporary Deputy Speaker, Sir, another point that I would like to mention is that there should also be a law governing emergency aid to national disaster areas. People in Nyanza, around the gulf, are at a loss. This is because every day somebody is coming up with a proposal on how to deal with the hyacinth weed. Every day somebody has a measure on how to deal with the hyacinth weed that should be taken. There should be a law in our statute books governing emergency aid to national disaster. We cannot leave such things to chance. Such a law would work hand in hand with a National Disaster Fund, which should be established by the Government, so that things are done in an orderly way. I believe that Government is about laws and laws are about order. If you do not have a law regulating something the consequence is that you are going to act in a disorderly fashion. People may be well intentioned in what they are doing about what we are seeing in Lake Victoria today. Nonetheless, there is no established framework in the Republic of Kenya of dealing with such an issue. I am, therefore, pleading with the Minister to take this as an urgent matter.

One last thing has something to do with our rivers. Our rivers are one of our most important natural resources. Rivers are not just used for irrigation as people think. They are also used for generating electricity and power. What happened when the Turkwell Gorge Dam was built did not take into full consideration the environmental problems that would follow. I would like the Minister, along with the other proposals that I have made, to take into account how the Ministry will deal with rivers and water ways, especially when it comes to how they can be harnessed for development, and the consequence of that to environment.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Falana: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate on this Vote. Firstly, the Ministry of Environment and Natural Resources, as its name indicates, is in charge of things that were given to us by God. Natural resources represent the blessings we have received from the Almighty God. I think this is one thing that we should really protect and uphold.

We have both hidden and visible natural resources like forests. Of late, there has been a rush for plots. Since plots elsewhere are finished, or are very few, there is now a rush for forest land. This is not a secret in this country. A few natural forests - not the artificial ones, but the natural ones that we acquired from God - are being destroyed just in order for some individuals to put up a structure or two. I think if we cannot add on to the good things that we have, we have a duty to, at least, protect the ones we have. It is time the Ministry took proper care of our few natural forests. Thank God that Marsabit District is a unique place, where we have a big natural forest. Not an inch of this forest has been taken so far. I do not know whether there are people eyeing it now. It appears as if wherever there are natural forests there is a big rush for them. I pray that this never happens in that place. Dry, as Northern Kenya is, Marsabit Forest is an oasis in a desert. This is one place where the Forest Department should add more forests to the existing one.

Of late, there is something which has become killer number one. It might come as a surprise to the Minister and this House, but the white and black plastic bags, which are very common in every trading centre, have become killer number one of our livestock. These polythene bags attract goats, sheep and cattle. Since these bags are carelessly dropped everywhere these animals easily go for them. I think this material is very tasty, but unfortunately, it is not digestible. When this material goes into the intestines of the animals it blocks them. If an animal makes a mistake of swallowing a polythene bag, no matter how healthy it is, it will die. This is a countrywide problem. In a place like Northern Kenya, which is now drought stricken, there is no grass or anything else for the animals to feed on. So, when they see these polythene bags flying all over they go for them, not knowing that they are deadly. They swallow them and then die. It will be very difficult to control the dropping everywhere of these bags. So, my appeal is that whichever company is producing these polythene bags, which are causing death of our animals, should be asked to stop their production. Let this factory use other things like cardboard for packaging because we cannot control its littering. The Minister should take special interest, and perhaps investigate and carry out research on it. All the same, he should ask the industry that produces these deadly packs to stop it. I do not think it is doing us much good because we can use other paper bags and packages which do not affect our animals. But as it is now, in addition to the usual animal diseases we experience and the drought, the polythene bag has become killer number one.

Mr. Temporary Deputy Speaker, Sir, my other point is on the exploring of the natural resources. Let me come back to what I said when I started my contribution. God made no mistake when he created this world. He created some areas with water, some with highlands and forests and others with deserts and stones. All these visible and invisible assets have their value. A good portion of this country has a great potentiality for the natural

resources and under-ground resources like precious stones. In the Northern zone, there are precious stones like ruby, green garnet, red garnet, lodestones and a few others which are easily trodden on by the innocent people who live there. Unfortunately, there are people who know the value of these stones and these few happen to have, perhaps, accidentally or purposely been driven into those zones. No doubt the Minister will agree with me, how expensive these stones are. I wonder why the Ministry does not ask for more money to explore the wealth of this country. Our country has a lot of natural wealth and yet we cry saying we are poor, we cannot feed ourselves, we cannot educate ourselves, we cannot carry out any development. We raise up our two hands and go round asking for alms, while we tread on our own treasury here. We very innocently go to ask for foreign funds and loans. I think it is time the Ministry carried out serious exploration, particularly in the northern zone; that is what we refer to as the hardship areas of this country. There is no hardship. It is just that no proper exploration of the hidden facilities we have hidden under-ground has been done. It is just like striking some oil-well in the Arab world. When does the Ministry think of doing that? In which generation, which century and which age? If need be, the Minister should ask for a special vote for exploring because in the long run, I am sure it will pay off.

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

Dr. Lwali-Oyondi: Ahsante sana, Bw. Naibu Spika wa Muda kwa kunipatia nafasi hii, ili niseme machache kuhusu Wizara hii. Hii Wizara ni muhimu sana kwa sababu inahusiana na mazingara yetu. Kama mnavyojua, mazingira yetu yameharibika na kuzoroteka kabisa. Ukienda Nairobi, Nakuru na Mombasa, ni kama mahali pale wanafugia ngurue kwa sababu kuna uchafu kila mahali na maji yameharibika. Siku hizi ukinywa maji bila kuchemsha, utapata ule ugonjwa unaojulikana kama homa ya matumbo. Watu wengine, siku hizi wananunua maji ya madini ya kunywa. Wananchi wengi hawawezi kununua hayo maji. Hii inatokea kwa sababu mazingara yetu hayashughulikiwi inavyotakikana.

Bw. Naibu Spika wa Muda, Mto Nairobi ni mchafu sana. Wizara hii inatakiwa itafute njia ya kufanya mto huo uwe safi ili wananchi waweze kupata maji safi. Huko Ulaya, wale wametembelea mji wa London, ule mto mkubwa unaoitwa Thames, ulikuwa mchafu sana. Lakini siku hizi, ingawa London ina watu wengi, huo mto umehifadhiwa vizuri sana, na hata samaki wameanza kuishi huko ndani. Pia Mto Rhine, huko Ujerumani, ambapo kuna viwanda vikubwa, samaki wameanza kuishi ndani sasa. Kama hawa wamefanya hivi na wako na viwanda vikubwa kuliko sisi, inatubidi sisi pia tufanye hivyo.

Nitachukua nafasi hii kuishukuru Serikali ya Japan, ikishiriana na Serikali yetu, kwa kuleta ule utaratibu wa mifereji ya maji machafu huko Nakuru ambayo imegarimu karibiu Kshs1.6 billioni. Kwa wakati huu, maji machafu ya vyoo vya Nakuru, yakishapita kwa hiyo mifereji mipya, hata wanyama wanaweza kunywa hayo maji bila taabu. Hii ni kusema kwamba sasa Ziwa la Nakuru halitathitwa tena na uchafu kama vile lilivyotishwa hapo mbeleni. Pia heroe, ambao wanavutia watalii wengi na ambao walikufa kwa wingi, sasa wameanza kurudi. Lakini taabu ni hii: Hilo Ziwa la Nakuru pia huenda likakauka, kwa sababu Milima ya Mau imenyakuliwa na wanasiasa. Wameigawanya na watu wamepewa ekari tano ili wapigiwe kura na hawa watu. Wanafanya "transplant" ya watu kutoka eneo fulani na kuwaleta huko. Eneo hili ni water catchment area. Hawa watu wameanza kufyeka misitu yote katika sehemu kama Sururu na Likia mpaka Molo. Hii ndiyo siasa mbaya ambayo inaleta maisha mbaya. Kila siku Mzee anasema "Siasa mbaya, maisha mbaya".

An hon. Member: Mzee gani huyo?

Dr. Lwali-Oyondi: Bw. Naibu Spika wa Muda, Waziri katika hii Serikali ndiye anafanya hii "transportation" ya watu ambao wanafyeka misitu. Mt. Kenya Forest---

Mr. Busolo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for my hon. colleague to use the President as an authority in his position as a back bencher?

Dr. Lwali-Oyondi: Bw. Naibu Spika wa Muda, mimi hata sikumtaja President. Waziri alitaja mambo kuhusu Webuye Paper Mills. Ni kweli kwamba Webuye Paper Mills inatumia miti kutoka kwa misitu. Karibu na Turbo, wamefyeka miti na badala ya kupanda ingine, wanasiasa wanagawanyia wafuasi wao eneo hilo. Sasa miti itatoka wapi kutengeneza makaratasi tena? Hiyo ndiyo siasa mbaya, maisha mbaya.

Bw. Naibu Spika wa Muda, sasa ningependa kusema machache juu ya polythene bags. Ni kweli vile Mbuge moja alivyosema hapo mbeleni, kwamba inauwa ng'ombe. Hii ni kwa sababu ya uchafu na ukosefu wa utaratibu katika Wizara ya Serikali za Wilaya. Ni lazima wale Madiwani ambao wamechaguliwa wapewe uwezo wa kusimamia Mabaraza yao. Leo hii, Mbuge moja alisema kwama FORD(A) haifanyi kazi nzuri katika mji huu wa Nairobi. Hiyo ndiyo inaitwa "cheap politics", kwa sababu wanafanya maisha ya Madiwani kuwa magumu. Wamempatia Town Clerk uwezo mkubwa, na yeye ndiye anawafanyia kila kitu, kwa mfano, kuwanyakulia ploti. Hawa makarani wananyakua pesa kutoka kwa mabaraza na meya hawezi kusema jambo lolote. Waziri alisema kwamba meya ni ceremonial head. Yaani mfano wa mtu tu. Ni mtu ambaye yuko hapo kama maridadi. Yeye ni kama vipuli vinavyovalia kwa masikio na wanawake. Haana maana yoyote. Waziri mwenyewe akisema kwamba meya ni mtu kama huyu halafu anakuja hapa kukashifu meya na kusema kwamba Ford(A) haifanyi kazi,

anataraji tufanye nini? Hiyo ni siasa mbaya ambayo ina mwelekeo wa maisha mabaya. Hilo ndilo jambo ambalo linaleta taabu hapa. Hakuna haja ya kuwakashifu wafanyakazi wa Serikali kwa sababu wao wanapatiwa amri na wanaitekeleza. Wanambiwa wapatie watu fulani nyumba ama wafanye gazettelement ya misitu ili watu wapatiwe ili wapigie Serikali kura, na wao wanafanya hivyo. Wafanyakazi wa Serikali hawako mamlakani bali ni Serikali yenyewe na kitu chochote kikiharibika Serikali ndio inafaa kulaumiwa. Wafanyakazi wa Serikali mara nyingi wanatumiwa kama kisingizio cha kutenda maovu. Makosa yote yanayofanyika hapa yanatokana na Serikali yetu. Sisi watu wakatoka upande wa Upinzani hatuasimamii Serikali. Hauwezi kumlaumu mtu ambaye hasimamii Wizara ama Serikali ya nchi hii. Ninaweza kuwapa mashauri katika jambo hili la makaratasi ya manila. Ukiwa na ng'ombe na umpe madini yote, hutampata akila makaratasi ya manila. Hata sijui kama tunaweza kufanya mambo fulani bila haya marakatasi. Haya makaratasi yangekuwa yananutuliwa na manispa na kupatiwa watu ili watupe uchafu ndani na kisha watu wanaozua takataka, wazitupe.

Bw. Naibu Spika wa Muda, pia ningependa kusema machache juu ya sehemu zenye chemichemi ya maji. Tuliambia hapa na Waziri wa Serikali za Wilaya kwamba katika Enoosupukia watu walifukuzwa kwa sababu ya kuharibu sehemu hizi. Kwa nini hawafukuzi watu wengine ambao wanaingia kwenye misitu? Watu wananutua misitu na kuuzia watu wengine. Hawainunui ili waitumie bali wanaiua. Waziri alisema kwamba kuna uhaba wa ardhi. Hilo si jambo la kweli. Wacha tuseme ukweli. Wale wanaochukua misitu hii ni hawa Mawaziri na wana mamilioni ya ekari za mashamba. Kwa hayo machache, ninaunga mkono.

Mr. Cheserek: Ahsante sana, Bw. Naibu Spika wa Muda kwa kunipa fursa hii ili niweze kusema machache kuhusu Wizara hii ya Mazingira na Mali ya Asili.

Wizara hii ni ya muhimu sana na ningependa sana kumpongeza waziri aliyeteuliwa hivi majuzi katika Wizara hii. Ninajua kwamba atachunga misitu yetu na mali yetu ya asili.

(An hon. Member interjected)

Hiyo ni yako. Ninataka kusema kwamba mali ya asili katika Marakwet---

The Temporary Deputy Speaker (Mr. Ndotto): Mr. Cheserek, you address the Chair. You do not have to listen to what they are saying.

Mr. Cheserek: Ahsante sana, Bw. Naibu Spika wa Muda. Ninataka kusema kwamba, mali ya asili katika sehemu ya Marakwet imechungwa sana. Marakwet wanajulikana kwa kutunza misitu, ufugaji wa nyuki na ufugaji wa wanyama kama vile mbuzi na ng'ombe. Ni jambo la kushangaza sana kuona kwamba wananchi, badala ya kupatiwa ile nafasi ya kwenda kuokota kuni katika misitu, wanatiwa nguvuni na badala ya kushitakiwa, wanaulizwa kutoa kitu kidogo ili waachiliwe. Ningependa kumuuliza Waziri aliangalie jambo hili kwa sababu maofisa wake hawafanyi kazi inavyohitajika.

Hivi majuzi, Wamarakwet waliulizwa kutoka katika misitu na wakatoka. Walipatiwa mahali pa kuishi na hawakuambiwa walime mashamba. Wakati hawa watu, ambao hawana mashamba, waliamua kulima sehemu zilizokuwa karibu, wakapanda mahindi, wakapalilia na kisha mimea kukaribia kuwa tayari, maofisa wetu katika Serikali hii walienda kuvyeka mahindi hayo. Ni jambo la kushangaza sana kuona kwamba vyakula ambavyo vilipandwa na idhini ya Serikali vinakatwa. Ningependa kuomba Waziri alichunguze jambo hili.

Cherangani Hills ambayo ni chanzo cha mito mingi ambayo inamwaga maji yake katika Lake Victoria na Lake Turkana, iko katika sehemu ya Marakwet. Wamarakwet wamejaribu kutunza misitu na mahali hapo na ndio sababu tuna maji ambayo inatiririka kwenda katika Lake Victoria na Lake Turkana. Ni jambo la kushangaza sana kuona kwamba maji ambayo yanatoka Cherangani Hills yanatekwa katika upande wa Eldoret na kuuzwa na hali hayo maji yametunzwa na Wamarakwet. Haya maji yanauzwa na Wamarakwet hawapati pesa hizo.

Mipaka ya misitu ilioko Marakwet, iliwekwa na Wakoloni mwaka wa 1932. Wakati huo idadi ya watu katika sehemu hii ilikuwa chini. Hivi sasa, watu wameongezeka sana lakini nchi haijaongezeka. Ningependa kuomba Wizara hii inayohusika na Misitu ichunguze upya mipaka ya misitu katika Wilaya ya Marakwet.

Pia, ningependa kuwauliza Waziri na Katibu wa Kudumu katika Wizara hiyo, wachunguze maofisa wako. Kuna maofisa ambao wameketi katika pahala pamoja kwa muda mrefu na kuzoeana sana na wenyeji wa sehemu hizo. Hawa watu wanapeana misitu yetu ovyo ovyo. Kwa sasa, ukichunguza sana utapata kwamba wale watu ambao uchumi wao uko juu sana katika Serikali yetu, ni wafanyakazi katika Wizara ya Misitu na Mali ya Asili. Hawa maofisa wametajirika sana hata hawataki tena kufuata amri kutoka kwa wakubwa wao. Ni jambo la kushangaza sana. Hawa watu wamekuwa matajiri sana na hata hawawaheshimu tena Katibu wa Kudumu na Waziri wao. Hata wakiambiwa kwamba watahamishwa kwenda katika Wizara zingine, wanatisha wakubwa wao kwamba wanaweza kwenda State House.

Bw. Naibu Spika wa Muda, ningependa maafisa hao wapelekwe mahali kwingine, na tabia zao zichunguzwe. Pia, kuna maafisa ambao wanashirikiana na watu wanaohusika na madawa ya kulevyo. Ukienda

katikati ya Mlima wa Kenya, kuna viwanja vikubwa vya bangi. Nasema hivi kwa sababu kuna maafisa wengine katika Wizara hii, ingawa sasa wametoka, walikuwa wakipanda na kuuza bangi. Nataka Waziri achunguze jambo hilo.

Vile vile, maafisa hao ndiyo wanaangamiza misitu yetu kabisa, huku wakiuza mbao, hasa za miti ya kiasili. Maafisa wa awali katika Wizara hiyo, na hata wengine ambao bado wako hata sasa, wanakata na kupasua mbao za miti ya kiasili. Kuna wengine ambao walishikwa katika sehemu ya viwandani hapa Nairobi. Nashangaa ni kwa nini Serikali haikuwashtaki maafisa hawa. Mbona, badala ya maafisa hawa kufutwa kazi ama kushtakiwa, wanapelekwa mahali pengine kueneza kisonono chao kutoka kwa misitu hadi Wizara nyingine? Bw. Naibu Spika wa Muda, ni mshangao mkubwa sana.

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Cheserek! What have you said?

Mr. Cheserek: Bw. Naibu Spika wa Muda, nimesema kwamba, kuna maafisa ambao walipatikana na migogo za mbao kutoka miti ya kiasili, lakini badala ya watu hao kushtakiwa,---

The Temporary Deputy Speaker (Mr. Ndotto): I want you to withdraw the word you have used, and then you apologise to the House.

Mr. Cheserek: I withdraw, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Ndotto): You must withdraw and apologise.

Mr. Cheserek: Niondoe neno gani, Bw. Naibu Spika wa Muda? Ningependa kuondoa neno "kisonono"---

The Temporary Deputy Speaker (Mr. Ndotto): Order! You have used a word which is unparliamentary, and I want you to withdraw it. You know it. You should withdraw it and apologise to the House.

Mr. Cheserek: Bw. Naibu Spika wa Muda, nimesema kwamba, wale maafisa ambao walitolewa kutoka Wizara moja hadi nyingine--- Naomba kuondoa matamshi niliozungumza nilipotaja kwamba wanaeneza "kitu fulani". Hii ni kwa sababu, najua miti haina ugonjwa ambao unaambukiza watu. Kwa hivyo, ningependa kusema kwamba, watu wanaotenda mambo haya na kuchafua misitu yetu wasipewe nafasi ya kufanya hivyo.

Bw. Naibu Spika wa Muda, kuna maafisa ambao wanaitwa District Environmental Officers. Mimi sioni umuhimu wa maafisa hawa. Hii ni duplication ambayo haitakiwi kwa Serikali. Ningependa kusema kwamba maafisa wa misitu wanatosha kutunza na kufanya kazi katika misitu yetu.

Bw. Naibu Spika wa Muda, ningependa kuomba Wizara hii kwamba badala ya kukata mahindi au mimea ambayo imepandwa katika misitu, waliofanya hivyo wapewe notisi kama kawaida ili waweze kupanda miti. Miti inavyoendelea kukua, itachukuwa mahali pa mimea hiyo.

Kwa hayo machache, naomba kuunga mkono.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, what I have failed to hear from the Minister is the admission that he is running a "Ministry of Pollution." There is nothing he is doing other than encouraging pollution to continue afflicting rivers of this country.

When we are talking about the Ministry of Environment and Natural Resources, if we cannot be able to create an environment which is conducive for the inhabitants of that environment to exploit the natural resources without catastrophic hazards, then we are doing nothing.

When you look at the rivers in this country starting from Nairobi and its environs, you cannot understand whether there have been civil servants who are qualified, and who have gone to school to learn how to manage the environment of this country.

Look at what is happening in Nairobi dam? That dam used to have some whitemen who were learning floating exercises. You go there with your family, get into dhows and drive around the dam. If you stand on one side of that dam, you will see people across the other side shitting on that dam. I am saying---

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Mulusya to use unparliamentary language? I hear him saying "shitting." Could he be asked to withdraw and apologise?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, you will see people obeying the call of nature in that dam.

The Temporary Deputy Speaker (Mr. Ndotto): I do not want to waste your time, but that is what you should have said. Withdraw the first word and substitute it with that one.

Mr. Mulusya: Mr. Temporary Deputy Speaker, I have already done so. I have withdrawn the word "shitting." I did not say that the hon. Assistant Minister is the one who shits there, but I said people. Anyway, I withdraw!

(Laughter)

Mr. Temporary Deputy Speaker, Sir, when you look at that dam you cannot say that there has been a Ministry which has been in charge. There should be means or provisions for the people who are staying in Kibera slum to have at least some water-closet toilets which are easy to drain. Even mosquitoes cannot survive in that dam because of human faeces and urine! That dam used to have fish. Nowadays, you cannot get fish from that dam, but if you fish one accidentally, there is no Luo who lives in Kibera slums who can eat it because they know that it feeds on human faeces. The water of Nairobi river is so black and it is because this Ministry has allowed the industrialists to offload effluent materials into the Nairobi river.

If you go to Mavoko Municipality, those two rivers, Nairobi and Athi Rivers were very productive initially because of irrigation. Farmers along those rivers were using this water to irrigate land and were exporting their flowers. But today, one Mhindi who was growing flowers for export through irrigation along the Nairobi-Kangundo Road became bankrupt because all the flowers he was exporting were found to be dangerous because of using water from that dirty river. It is happening the same way for people who are using Athi River. Downstream, Athi River has no fish. If you want to get fish from Athi River, you must go to where it joins Tana River. It is because the Ministry has allowed industrialists to off-load very toxic effluent into that river.

Mr. Temporary Deputy Speaker, Sir, when you are crossing the river going to Machakos, you can smell even today from the junction to Athi River Town or Namanga, a very bad stench coming from the river. Why? People---

Mr. Ndicho: Do you want to be informed?

Mr. Mulusya: I do not want information. It took a Minister from here to go and talk to those Wahindis, who were processing hides and skins. The factory belonged to a certain Bawazir. I am telling you, Mr. Temporary Deputy Speaker, Sir, that this is very bad. This Ministry is doing nothing, and it is full of corrupt people who are corrupted by those industrialists, because they are---

Mr. Ndicho: On a point of information, Mr. Temporary Deputy Speaker, Sir. I rise to inform my hon. colleague, who is also my neighbour, and we share Athi River with him, that because of the stench of the river, the tourists are now not going to the 14 Falls. We can see that it is also affecting tourism in this country because of poor environmental considerations.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, that emphasises the fact that this Ministry is doing nothing, and they say that, "a new bloom sweeps better", we would like to see the new Minister for Environment and Natural Resources cleaning these rivers. Even though he did not clean elsewhere, let him clean these rivers.

(Applause)

Even though, Mr. Temporary Deputy Speaker, Sir, there is no record of cleanness with the Minister, let him clean these rivers. If you go to Nzoia River, there is both human faeces and factory effluent from the Pan Africa Papermills. This Ministry has been claiming that Pan African Papermills are treating their effluent before discharging it to the rivers, but they do not. If a river like that one could have fish before the Pan African Papermills came, and there is no fish now, it is very serious. You can only get fish nearer the lake along that river, or near the source before that water gets there. What is the Ministry doing?

There is no reason for the Ministry to exist if it is not doing what it is supposed to do, Mr. Temporary Deputy Speaker, Sir. We are not going to stay here saying that they are doing well. If you go to Voi where there is a lot of mining going on, these people who are mining, some of them being civil servants, have some licences to do so. When they finish extracting the minerals, or when they find that there is nothing to extract, they do not even have the courtesy to return back the soil, and the Ministry is not even enforcing such laws. They should do that and that is their work, because it is environmentally dangerous. If we are to continue in that state, where are we going to? Please, clean it.

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support this Vote.

After the 1943 famine, the colonial Government embarked on a scheme for preserving soil to make sure that the environment was properly preserved. People were told to dig trenches, make terraces and plant trees. As a result, there was a lot of improvement in the control of soil erosion. That initiative disappeared. What do we see today? There is a lot of soil erosion and nobody seems to be doing anything about it. Those in the Government who are supposed to help in that area, do nothing. In fact, they do not even go round to make sure that soil is conserved. If anything, the Government itself is contributing to soil erosion because when roads are constructed, the drainage on those roads leads into people's small farms and that contributes seriously to soil

erosion.

Mr. Temporary Deputy Speaker, Sir, I would like to urge that, perhaps, the answer should be to incorporate the Department of Soil Conservation in the Ministry of Environment and Natural Resources so that, that particular unit which is supposed to help in the conservation of soil is activated and does its work.

Drainage swamps help a lot in the conservation of environment and water, particularly during the dry season and in the breeding of fish. Swamps everywhere are being drained by small farmers because of pressure on the land. They make sure that they drain every available swamp. The bigger ones are being drained by the Government itself as in the case of Yala Swamp. It is time we stopped or we had a policy on drainage of swamps so that their role in the conservation of the environment is fully utilised, to help in increasing rainfall and also in fish breeding, particularly in swamps that are near the lakes.

In this country, people are not supposed to cultivate near rivers. There is a distance that is supposed to be kept so that rivers do not widen up and promote soil erosion. People are not supposed to cut trees along river banks. There is nobody enforcing that one. Environmental officers who are supposed to go round and see to it that this is done are nowhere to be seen. All they do is to collect their salaries and that is all.

Now that we have a new Minister, I think it would be good if he could inject more life into those officers so that they do the work for which they are paid.

Mr. Temporary Deputy speaker, Sir, I would like to turn to pollution particularly pollution of our waterways. Hon. Anyang'-Nyong'o and other Members have talked about pollution caused by Webuye Pan Paper Mills and the match factory. Those hon. Members who have managed to travel to Muhoroni know that the first thing that one does while approaching Muhoroni town is to shut the windows of the car in which one is travelling and make sure that all the ventilation facilities are switched off. This is because the stench from the raw waste which is discharged into that river is unbelievable and yet Kenyans and animals alike drink water from that river. There are environmentalists who are supposed to sue that factory. We have never heard of them being charged in a court of law. The factory is still running. Who will stop that pollution? The Ministry should take positive action. The same could be said of Webuye. I think it was hon. Nyanja who said that there is some kind of falls which tourists do not go to now. We have Webuye Falls but I do not think that, that particular natural resource will ever be used as long as the stench from the Webuye Paper Mills is still there. If the factory can be prevailed upon to curb pollution only then can that resource be exploited.

Mr. Temporary Deputy Speaker, Sir, while still on the pollution of rivers, I would say that pollution of rivers usually starts from elsewhere. If you take towns as an example, all the open air garages and *Jua Kali* people dispose of their oil wastes anyhowly from the vehicles that they service. This waste finds its way ultimately into rivers. I do not know whether there are any hon. Members here from Kisumu but I know that there are rivers elsewhere facing the same problem. In Kisumu, buses and matatus and so on, are washed in the Lake itself. All the dirt is washed down in the Lake. That is in full view of those who are supposed to enforce laws relating to the environment. Now that we have a new Minister, I hope that he will look into that problem.

Mr. Temporary Deputy Speaker, Sir, chemicals that are no longer in use elsewhere are still being used in this country. These are chemicals like DDT and NATA or TCA by another name which are used in this country and when rains come, they wash all those chemicals into our water resources. We are encouraged to continue using pesticides and herbicides. We should intensify our efforts in research so that instead of increasingly relying on pesticides, herbicides and so on, we develop crops that can resist diseases much in the same way as Ruiru 11 whose development has helped to reduce the spraying in the coffee industry against CBD. We have got the potential to do that and we better go ahead and do it.

Mr. Temporary Deputy Speaker, Sir, let us turn to afforestation. Our forests as has been said are being overly exploited. But, while they are being overly exploited, the rate of afforestation does not match the destruction. Those who are supposed to enforce it sometimes could be getting "something small" and instead of doing what they are supposed to do, they look the other way. That is against the national interests. That area should be looked at. When it comes to planting trees, we have a lot of road reserves, why do we not plant some trees along the road reserves?

Finally, Mr. Temporary Deputy Speaker, Sir, poverty and unplanned development are heavily contributing to the degradation of the environment. When large scale farms which were bought by companies are settled by members who end up sub-dividing them into, for example, quarter acres and others buying the so-called points, they end up without any infrastructure to take care of that particular environment. They end up by damaging that particular environment. Because of their presence in those areas, they even steal from large scale farmers who, in turn, get discouraged from growing crops. Poverty spreads, and the environment is damaged.

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

Mr. Mwaura: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this

opportunity to contribute on this very important Vote of the Ministry of Environment and Natural Resources.

I do not want to duplicate or repeat what has already been said by my other colleagues who spoke here earlier on, but it is obvious that this is a very important Ministry because it is the Ministry which is in charge of our natural resources. The issue of pollution has been mentioned by other speakers and I would like to start by asking the Ministry to ensure, in view of what other speakers have said, that a department, if it is not already in existence, should be opened to deal with pollution of our rivers and the country. We know by now that in order to deal with pollution which is detrimental not only to our animals and our people, there is need to engage in tree plantation. I would urge the Ministry to encourage schools to start tree nurseries, so that they can be able to reach a wide range of our people in the rural areas. It should also embark on encouraging women to start tree nurseries in order to start afforestation in the country. This country is a tourist destination. Our tourism does bring money to the country. Fisheries also attract more tourists and we know without proper afforestation, without cleaning our rivers, it is going to be very difficult to have them. We have seen Flamingoes in Lake Nakuru which used to attract tourists being affected because of the pollution of the Lake.

Mr. Temporary Deputy Speaker, Sir, we have a new Minister in the Ministry of Environment and Natural Resources. We want to welcome him here. But when we talk about Constitutional reforms in this country, one of the areas which we would like to see changed is the question of appointment of Ministers.

Mr. Temporary Deputy Speaker, Sir, Parliament should be the final authority to vet those who are appointed as Ministers or Permanent Secretaries to see whether they fit in those respective areas. Hon. Kosgey has been appointed to a very important Ministry and yet, he has been on the focus in this country and we heard what he said. He has tried to exonerate himself that, when he went to Kenya National Assurance, the scandals were there. He should ensure that in this Ministry, which is extremely very important, he should ask his PS to write a paper on the problems which are already in existence in the Ministry. If he does not do this, Kenyans will continue to condemn the Minister. We know that various forests have been given out to individuals and it has been going on for a long time. This is evident in Kiambu. The Minister should highlight areas where the scandals are involved if he really wants to ensure that Kenyans will not turn around and start condemning him for various issues that have affected the Ministry.

The issue of indigenous trees is another area where I feel very strongly, that the Ministry should embark on the planting of indigenous trees. Recently, the President has had to plant indigenous trees to show the way forward. We would like the Ministry to take over from there so that indigenous trees are planted. Before Independence, most of the rivers had a lot of water because the deforestation had not started. Today, we witness wholesale destruction of forests. We would like to see replacement of the cleared forests with indigenous trees, instead of exotic trees that are not resistant.

The other area is about dams. Take the example of Ndakaini Dam in Murang'a District which was constructed using millions of shillings; why has the Ministry not found it necessary to engage itself in the construction of similar dams in other parts of the country? Dams will help to speed up afforestation and also irrigation in the country. When individuals plant trees in some of these areas, like Ukambani, the trees turn out to be extremely useful. Why has the Ministry itself not promoted afforestation in arid and semi-arid areas, so that we can really create water-catchment areas?

Mr. Temporary Deputy Speaker, Sir, let me also say that we want to see the Minister stopping allocation of forest land. In the recent past, grabbing of forest land has been extremely bad. We know the land grabbers, who have taken all the land in urban centres. These people will turn their eyes to forest land. If this happens it will be very detrimental to this country. Countries like South Korea, Japan and the Philippines have promoted afforestation. We would like the Ministry officials to go and find out how these countries have promoted afforestation. Israel, which is a complete desert, has also turned its land area green. During his tenure in this Ministry, let the Minister borrow a leaf from countries like Israel in order to be able to turn most of our semi-arid areas into green areas. This is extremely important. In this way, our people will know that the Government is doing something for them.

With these few remarks, I support the Motion.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ndotto): Hon. Members, we have only two minutes left, and I think it is convenient for us to interrupt the business of the House. The House, therefore, stands adjourned until tomorrow, Wednesday, 30th October, 1996 at 9.00 am.

The House rose at 6.28 pm.