

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 7th April, 2004

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

## PRAYERS

## NOTICES OF MOTIONS

### WITHHOLDING OF CERTIFICATES ON ACCOUNT OF FEES BALANCES

**Mr. Musila:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-  
THAT, noting with concern that students who have sat for the Kenya Certificate of Secondary Education (KCSE) examinations continue to be denied their certificates on account of school fees balances; aware that the bursaries allocated to schools are inadequate to cater for all the needy students; conscious that academic testimonials are statutory requirements for career and job opportunities; appreciating that the schools require adequate funds to meet the cost of their maintenance; this House resolves;

(i) that all certificates held by schools on account of fees balances be released forthwith and that no more certificates shall be withheld by schools on account of fees balance in future; and

(ii) that the Ministry finds ways and means of compensating the affected schools.

Thank you, Mr. Speaker, Sir.

### ESTABLISHMENT OF COMMISSION OF INQUIRY ON PUBLIC DEBTS

**Mr. Omingo:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-  
THAT, considering the serious socio-economic implications of Kenya's heavy public debt burden, which currently stands at Kshs648.3 billion, constituting 65.9 per cent of the country's Gross Domestic Product (GDP); convinced that most of the resources that constitute the country's total debt stock were improperly procured and utilized for purposes that resulted in little value addition to this country and her peoples; acknowledging the urgent need to correct the lapses that led to the mortgaging of the country; taking due cognizance of the continued exclusion of Parliament from the process of incurring and appropriating borrowed resources, this House resolves to establish a Commission of Inquiry on Public Debts to investigate and establish the nature of Kenya's public debts, the exact purposes for which they were incurred and utilized, to examine the existing procedures on public borrowing, both externally and domestically, and advise on their relevance and/or

weakness; to create a forum for the people of Kenya to suggest ways of dealing with this problem and recommend legislative and/or policy interventions that may be necessary to avoid past mistakes and guard against their recurrence; and that the Commission shall table its findings within ten months of its formation. The Commission's membership shall be as follows:-

- (1) Hon. Omingo Magara, MP
- (2) Hon. Joseph K. Lagat, MP
- (3) Hon. Dr. Julia Ojiambo, MP
- (4) Hon. Dr. Kuti, MP
- (5) Hon. Joel Onyancha, MP
- (6) Hon. Mutinda Mutiso, MP
- (7) Hon. Joe Khamisi, MP
- (8) Hon. C. Mbarire, MP
- (9) Hon. P.O. Owidi, MP
- (10) Hon. M. Mukiri, MP
- (11) Hon. Prof. R. Onian'go, MP

**Mr. Khamisi:** Mr. Speaker, Sir, I beg to give notice of the following two Motions:-

DISTRIBUTION OF STATE-OWNED  
LAND TO THE LANDLESS

THAT, in view of the serious problem of landlessness and the growing number of squatters all over the country; considering the Government's commitment to solve land-related problems in line with its promises to the electorate, this House urges the Government to identify, adjudicate and distribute to the landless all State-owned land throughout the country as a matter of urgency.

PROVISION OF DESKS TO PUBLIC SCHOOLS

KWAMBA, kutokana na sera ya Serikali ya kutoa elimu ya bure kwa shule za msingi; na ikifahamika wazi kwamba kutokana na sera hiyo kumezuka mfuriko mkubwa wa wanafunzi katika shule zote nchini uliosababisha uhaba wa nafasi za kukalia wanafunzi, na hivyo basi kulazimisha watoto wengi kukaa sakafuni; Bunge hili linaomba Serikali kuhakikisha kwamba shule zote za msingi zinapewa madawati ya kutosha kwa matumizi ya wanafunzi wote.

*(Applause)*

AMENDMENT OF THE PENAL CODE TO MAKE CATTLE RUSTLING A  
NON-BAILABLE OFFENCE

**Dr. Khalwale:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, considering that cattle rustling is a major cause of insecurity in many parts of the country, resulting in loss of property, and sometimes loss of life; taking into account that culprits, when arrested often walk to freedom as a result of the right to bail and light custodial sentences, this House do grant leave to introduce a Bill for an

Act of Parliament to amend the relevant sections of the Penal Code, Chapter 63 of the Laws of Kenya, in order to provide for cattle rustling as a non-bailable offence punishable by life imprisonment.

Thank you, Mr. Speaker, Sir.

*(Applause)*

*(Loud consultations)*

**Hon. Members:** Mr. Moroto!

*(Laughter)*

**Mr. Speaker:** Order! Order! What is the grumbling all about? It will come to debate at some stage. When it was mandatory to have a minimum seven-year sentence, it also included those who stole chicken, and you know it was not very good at that time. But anyhow, please, wait for the debate to come to the Floor of the House.

Proceed, Dr. Ojiambo!

#### AMENDMENT OF THE COTTON ACT

**Dr. Ojiambo:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-  
THAT, in view of the fact that problems of the cotton sub-sector have continued to increase and that Kenya stands to lose its quota under the African Growth and Opportunity Act (AGOA) if it does not produce enough cotton by September, 2004; concerned that the textile industry which depends on cotton has collapsed and needs to be revived; further concerned that the collapse of the sub-sector has led to loss of livelihood of over eight million Kenyans; aware that the Cotton Act, 1990, Cap.335, has failed to adequately address the problems of the sub-sector; this House do grant leave to introduce an Act of Parliament to amend the Cotton Act in order to comprehensively address all the problems affecting the cotton sub-sector.

*(A mobile phone rang)*

**Mr. Speaker:** Will you put off that mobile phone!

#### INTRODUCTION OF NUTRITIONISTS AND DIETITIANS BILL

**Dr. Ojiambo:** Mr. Speaker, Sir, I also beg to give notice of the following Motion.  
THAT, aware that nutritionists and dietitian professionals have no law to regulate their practice, this House do grant leave to introduce a Bill entitled the Nutritionists and Dietitians Bill to provide for training, registration and licensing of the nutritionists and dietitians and for related purposes.

**Mr. Wamwere:** Bw. Spika, ninaomba kutoa arifa ya Hoja zifuatazo.

#### IMPLEMENTATION OF RURAL ELECTRIFICATION PROGRAMME

KWAMBA, ikifahamika kuwa makundi mengi ya wananchi huko Subukia yaliahidiwa kwamba yangewekewa umeme na Shirika la Kutoa Nguvu za Umeme Nchini (Kenya Power and Lighting Company) iwapo wangelipa asilimia kumi ya gharama; ikijulikana kwamba mengi ya makundi hayo yalikamilisha malipo hayo chini ya mpango wa kusambaza umeme mashambani na kuidhinishwa na Halmashauri ya Maendeleo ya Wilaya (DDC); Bunge hili linahimiza Serikali itekeleze ahadi hiyo haraka iwezekanavyo.

#### REVIEW OF MINIMUM WAGES

KWAMBA, ikieleweka kuwa wafanyakazi wengi katika nchi hii wamesononeka kwa muda mrefu kutokana na malipo duni walipwayo, kufanya kazi kama vibarua vya miaka mingi na kubaguliwa kazini kwa misingi ya kikabila au rangi yao; Bunge hili linahimiza Serikali iongeze kiwango cha chini cha malipo ya wafanyakazi, ili wawewe kuimudu gharama ya maisha, iwape hadhi ya kudumu wafanyikanyi vibarua waliofanya kazi kwa miaka mingi, iwape uhuru wa kujiunga na chama cho chote cha wafanyakazi na ikomeshe kabisa ubaguzi wa rangi au wa kikabila pahali pa kazi.

#### DISTRIBUTION OF IDLE LAND TO THE LANDLESS

KWAMBA, ikieleweka kuwa ardhi ni raslimali iliyokusudiwa kutumiwa na Wakenya wote na wala sio kutajirisha wachache; ikifahamika kuwa ardhi isiyolimwa na kutumiwa imezagaa kote nchini huku kaumu ya Wakenya wakibaki bila kazi au ardhi ya kufanyia kilimo; Bunge hili linahimiza Serikali kupunguza umaskini huu kwa kuchukua hatua kabambe kama vile kuitoza kodi ardhi isiyotumika na kuinunua na kuigawanyia raia ardhi inayolipiwa kodi bila kutumika au iweke kiwango cha ardhi kitakachokuwa halali kumilikiwa na mtu binafsi.

**Mr. Speaker:** Next Order!

#### QUESTION BY PRIVATE NOTICE

##### DEMOLITION OF BUILDINGS ON ROAD RESERVES

**Mr. Angwenyi:** Mr. Speaker, Sir, I beg to ask the Minister for Roads, Public Works and Housing the following Question by Private Notice.

(a) Could the Minister give a list of buildings and other structures on the road reserves which have been identified for demolition, their ownership, and valuation in Nairobi, Mombasa, Kisumu, Nakuru, Kisii and other major towns in the country?

(b) When does the Minister plan to have road construction work commence on these road reserves?

(c) Could the Minister consider diverting these road construction plans to spare these valuable assets on condition that the owners of the illegal structures pay for the diversions?

**The Assistant Minister for Roads, Public Works and Housing** (Eng. Toro): Thank you, Mr. Speaker, Sir. I wish to ask the indulgence of the Chair that this Question be deferred until

tomorrow.

**Mr. Speaker:** Why, Eng. Toro?

**The Assistant Minister for Roads, Public Works and Housing** (Eng. Toro): Mr. Speaker, Sir, I have talked to Mr. Angwenyi and there are some facts that we need to bring to the House, which are not contained in the written answer. Unfortunately, they were not ready by this afternoon, but they will be ready by tomorrow.

**Mr. Speaker:** What is your reaction, Mr. Angwenyi?

**Mr. Angwenyi:** Mr. Speaker, Sir, I agree with the Assistant Minister because the answer they gave was very perfunctory; it does not befit a Ministry which is led by "hon. Agwambo". So, I accept to have the Question answered tomorrow afternoon.

*(Question deferred)*

**Mr. Speaker:** Who is that?

*(Laughter)*

**Mr. Wanjala:** On a point of order, Mr. Speaker, Sir. Hon. Members are not supposed to wear caps in the House except for the Muslims. But I can see Mr. Angwenyi, who is a Christian like me, in a cap.

**Mr. Speaker:** Order! Order, hon. Members! First of all, that matter came up this morning and it was dealt with by the Deputy Speaker. Secondly, I am not sure that Mr. Wanjala is a stranger to what befell his colleague. I think he is being unkind to a colleague who has gone through a misfortune. I think that is wrong.

*(Applause)*

Next Order!

**Mr. M.Y. Haji:** On a point of order, Mr. Speaker, Sir. Wearing a hat does not make one a Muslim. What makes one a Muslim is his faith and heart.

### POINTS OF ORDER

#### PRE-LAUNCH CAMPAIGN OF NATIONAL SOCIAL HEALTH INSURANCE SCHEME

**Dr. G.B. Galgalo:** On a point of order, Mr. Speaker, Sir. I rise on a point of order to seek a Ministerial Statement from the Minister for Health concerning what she called yesterday a pre-launch campaign of the so-called National Social Health Insurance Scheme, which does not exist in our laws. We know that to establish a scheme of that magnitude needs legislation. As the Chairman of the Departmental Committee on Health, Housing, Labour and Social Welfare, we have had several meetings with members of the National Health Insurance Fund with a view to transforming that Fund into a National Health Insurance Scheme.

Mr. Speaker, Sir, in my judgement, the Minister has jumped the queue and has gone ahead to launch a scheme which is not there in law. We would want to know from the Minister how she will collect money from contributors, where that money will go and how it will be managed, because there is no legislation to cover it. It is an illegal entity.

THREAT TO STRIKE KENYA OFF  
THE AGOA INITIATIVE

**Mr. Ndambuki:** On a point of order, Mr. Speaker, Sir. I rise to demand for a Ministerial Statement from the Minister for Trade and Industry on the AGOA initiative. The AGOA initiative has earned this country a lot of foreign exchange. It has also created jobs for Kenyans. Today, we are threatened by the deadline of 31st September, 2004, that if we will not be self-reliant in cotton production, we will be struck from the initiative. Could the Minister tell Kenyans what action he has taken to stop Kenya from being barred from this initiative?

#### NEGOTIATION OF NEW EU PROGRAMME

Mr. Speaker, Sir, I also wish to demand for a Ministerial Statement from the Minister for Trade and Industry on the European Union (EU) Market. The EU Market is our first market on various commodities, especially agricultural produce. The country is in the process of negotiating another new programme which is supposed to take effect from 1st January, 2008.

Mr. Speaker, Sir, I would like the Minister to tell us what exemptions the country will lose and what gains we will have by adopting the new agreement.

Mr. Speaker, Sir, the other one is---

**Mr. Speaker:** Order, Mr. Ndambuki! As I have warned in the past, you must distinguish what must come out of Questions and what must be a Ministerial Statement. You can actually get more by putting up Questions. Mr. Ndambuki, you honestly asked me for one chance and now you are going to the third point of order. You know, there is also something called "being honest with the Speaker".

Anyway, will you finish?

**Mr. Ndambuki:** Mr. Speaker, Sir, I am sorry. However, it was just a continuation of the second question. Kenya is a non Least Developed Country (LDC). It cannot negotiate with the other East African countries because they are LDC countries. Could the Minister tell us what cluster Kenya belongs to when it comes to the new negotiations?

**Mr. Speaker:** Dr. Kituyi, are you ready to answer that question or do you need time?

#### MINISTERIAL STATEMENTS

##### THREAT TO STRIKE KENYA OFF

##### THE AGOA INITIATIVE

**The Minister for Trade and Industry (Dr. Kituyi):** Mr. Speaker, Sir, I will attempt to answer the question. If my answer is insufficient, then I will plead for more time.

**Mr. Speaker:** You must make up your mind right now.

**The Minister for Trade and Industry (Dr. Kituyi):** Mr. Speaker, Sir, I will give the Statement now. On the first question regarding what I am doing, in the light of the fact that the deadline is approaching at the end of September this year. On the African Growth and Opportunity Act (AGOA), my answer is as follows.

Since the beginning of December last year, I, together with other five Ministers, have been involved in spearheading an African-wide canvassing of the American men and women in the Congress for the extension of the deadline, which is coming at the end of September, and which requires that at least 75 per cent of the value of the product exported under AGOA must come from the source country, or from other AGOA compliant countries. Secondly, the lifetime of AGOA should be extended from 2008 to 2016. As part of carrying out these efforts, there were two Draft Bills that were presented before the Senate and the House of representatives. We have been canvassing, together with African ambassadors in Washington, for consensus and integration of these Bills, and with administration for fast-tracking the legislation. First, when we met in

Mombasa with the American Trade Minister, Mr. Bob Zwale, I impressed upon him the urgency with which this matter should be treated. Since then, he has appeared before the Congress and encouraged the Administration to be supportive of fast-tracking the amendment to the AGOA Act in order that at the end of September this year, there will be no disruption of the current arrangement.

I am glad to inform the House that last week, the authors of the two Bills met and agreed on a common Bill. However, more importantly, the day, before yesterday Congressman Bill Thomas, Chairman of the Congressional Committee on Ways and Means, and Charles Rangle, the Democratic Minority Leader in the Committee of Ways and means, agreed on the draft Bill, which is providing for extension of Third World countries sourcing until 2008, and extension of AGOA until 2015. It is my understanding that this legislation is going to be passed before the summer break.

I will use this occasion to mention that the AGOA we are talking about says that in order to increase the benefits that go to the African people, we should encourage them to grow their own cotton, and rehabilitate their own textile mills, so that what they export is not just transshipment from Asia. It is the challenge of all leaders that if we pay a little more attention to the rehabilitation of the cotton industry, we will contribute to utilising this opportunity, instead of always asking that we import semi-finished products, tailor them here, and export them to the USA.

On the matter of the lapsing of the cotton agreement in 2007, the position of the Government is as follows: We have been among the main leaders in negotiating among the African, Caribbean and Pacific countries for the launch of the new phase of economic partnership agreement negotiations. Two months ago, we met in Mauritius and launched the negotiations. I am glad to announce that I will host the first formal negotiating round for senior officers, high-ranking task force, and Ministers of Trade from 18 countries from Eastern and Southern Africa on 19th April in Mombasa.

About Kenya not being an LDC, the economic partnership agreement negotiations are about regions, so long as a country is compliant to ACPEU, regardless of whether it is least or among the more developed. I know we have certain advantages because all the LDCs have everything, except initiative compliance. Kenya, under the provisions of general system of preference to the European Union, has access similar to LDCs in the European market. We, together with the LDC countries, are negotiating for a partnership which protects the current privileged market access, but based on the same or better access as liberalisation erodes the benefits of the preferences.

*(Applause)*

**Mr. Ndambuki:** Mr. Speaker, Sir, I thank the Minister for that answer. There are some eligibility conditions which we have not met under the AGOA Act. We need to look at them and make sure that they are met. Again, no matter how much we negotiate for the extension of time up to 2008 or 2015, there is nothing on the ground that gives an indication that at that time, we will be self-reliant in cotton production.

In the EU market, we are still threatened with the residue requirement, which is still hanging around some of the Kenyans who export flowers and vegetables into the EU market. Could the Minister also tell us if there are any other conditions that may affect us or affect our farmers as we go on?

**Mr. Speaker:** Dr. Kituyi, let me allow two more questions then you can answer all of them at once.

**Prof. Olweny:** Mr. Speaker, Sir, as regards the AGOA arrangements, I wish to know from the Minister if there are any arrangements that the Government is making so as to make this country produce its own cotton to enable us benefit from the AGOA arrangement.

**Mr. Angwenyi:** Mr. Speaker, Sir, could the Minister tell us what amount of money he has set aside to assist farmers to produce cotton in this country?

**Mr. Speaker:** Very well. Dr. Kituyi, once you respond, that will be the end of that Ministerial Statement.

**The Minister for Trade and Industry (Dr.Kituyi):** question of compliance with AGOA, Kenya was one of the first 39 countries that benefit from AGOA to be 100 per cent compliant with all the requirements. There is no provision that we breach. There have been certain attempts by unscrupulous business people to breach this Act. The most glaring was a Chinese company called *Lihua*, which was importing finished jeans labelled "made in Kenya." They would trans-ship them from Kenya and access them to the American market. I closed down their factory and requested the Immigration Department to get all their Chinese employees out of the country.

As far as I know, we are now compliant to all the requirements of AGOA. Not only that; we are among the eight countries which have qualified for the second step of AGOA, which covers folklore products, handicrafts and other products which can be exported to the USA without a limit of quantity or tariff restrictions.

#### NEGOTIATION OF NEW EU PROGRAMME

On the issue of EU, it is true that there are matters of immediate concern to us. First, before the residue question, is the question of the introduction of the new standard, which is supposed to come into force this autumn. It is about the microbes that can be found in some flowers. The problem is that Kenya is suffering for being very successful.

Mr. Speaker, Sir, today, Kenya accounts for 60 per cent of all the roses exported in the world. We are the largest exporter of horticulture and floriculture in the world to Europe.

Mr. Speaker, Sir, during our Mombasa meeting, the European Trade Commissioner, Mr. Pascal O'Neal, was present. I raised with him the matter of the standards. We agreed that if there were new conditions of sanitary and phytosanitary requirements to the EU, as part of the capacity building, Europe should help us domesticate the standards, either at the Kenya Plant Health Inspectorate Service (KEPHIS) or at the Kenya Bureau of Standards (KEBS), so that they save us the burden of exporting a product which may be later banished from the market. Secondly, we are working towards removing some unjustifiable conditions, which can only be seen as non-tariff barriers to greater market access.

Mr. Speaker, Sir, while at that, I would also like to mention the following. While the struggle for human dignity that has gone on in this country is very good, many hon. Members may not know that while there has been a lot of talk about hardship in working conditions in the flower sector; the consequence has been that because the larger companies, which are the main exporters, do not want to lose their segment of the market because of not controlling the working conditions for small-scale producers for whom they have been exporting their products; every time we make those noises, the large exporters abandon selling abroad the produce of the poor peasants. We are leaving it to multinationals because of our own attempts to militate on matters that have no direct relationship to our other interests.

About money for cotton production, I am in the Ministry for market access and value adding, but the Ministry of Agriculture deals with supplies and marketing of cotton.

I will be glad if that question is routed there.

**Mr. Speaker:** Very well. Next Order!

#### MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS



THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday, 30th March, 2004.

*(By the Vice-President and Minister  
for Home Affairs on 31.3.2004)*

*(Resumption of Debate  
interrupted on 7.4.2004)*

**Mr. Speaker:** Was there anybody on the Floor? Mr. Mukiri, you have seven minutes left.

**Mr. Mukiri:** Thank you, Mr. Speaker, Sir. I was saying that the Minister for Education, Science and Technology should do away with this culture of---

**Mr. Speaker:** We cannot get hold of the hon. Members. Could you try to use the microphone?

**Mr. Mukiri:** I am a bit short, but I am trying my best. I was saying that the Ministry of Education, Science and Technology should try and do away with this practice of cooking in our universities. They should also do away with this practice of prostitution. It is very important that poor students from all over Kenya are funded adequately.

I wish to commend the Minister for Transport and Communications for the good work that he did in the transportation sector. However, we need to put in structures to follow up the *matatu* culture. The other day, when I was going to Thika, a *matatu* that was doing over 100 kilometres per hour overtook me. It was heading to Meru. That *matatu* had the yellow line and you would have assumed that it had complied with all the traffic requirements. It is very important that these people are followed up, otherwise all the work that the Minister did will amount to naught.

Mr. Speaker, Sir, it is also very important that we observe certain standards when these safety belts are fitted in the vehicles. We have gone into the rural areas where we come from and have seen some *matatus* that have been fitted with very funny safety belts. We do not know who the suppliers are. There is even a rumour that they are using belts from bags. It is also very important that the public is educated on how to use the safety belts. The other day I saw on TV, a passenger almost being strangled by a safety belt.

I wish to commend the Government on the work that it has done on corruption. However, we can see that the Goldenberg scandal is turning into a circus. The Goldenberg Inquiry is taking too long. There are witnesses called to testify every day and we do not know when the Goldenberg Inquiry will come to an end.

A lot of money is being spent on this Inquiry and I do not know why the Government cannot just decide to take these people to court and charge them. The evidence that is being given at the Goldenberg Inquiry is the same as that which will be given if these people are taken to court. This Government has only five years to prove that it can fight corruption. If right now, one year and about four months have passed since the Inquiry started its work and nobody has been convicted, then I do not know whether the Government will succeed in keeping its main pledge to fight corruption.

There is a lot of relaxation on the part of the Government. Many reports have been written. For instance, the Minister for Energy brought us the Nyanja Report. He promised this House that he would act on this report and that we would see people being charged, but up to today, nothing has been done on the Nyanja Report. We do not know what happened to it. I think the Government needs to decide how it will carry out the war against corruption, because it has completely slowed down.

Mr. Speaker, Sir, we have a problem with land grabbing. We were very happy when the

Government came to power and took over KICC from whoever had taken it from the people of this country. However, those people who grabbed ADC Farms still have them. I am told that some of them are in this House and are known. I do not know why the Government is waiting for commissions to complete their work, when it knows the people who grabbed this land. If we were to wait for commissions to complete their work then the KICC would still be owned by KANU. I am urging the Ministry of Lands and Settlement, the Attorney-General and anybody else in this Government who is charged with fighting land grabbing and corruption, to wake up and follow these people.

I am surprised that, although we talk about pyrethrum all the time, nothing is being done about it by this Government. The Government seems to be addressing the sugar sector problems every day. When we talk about pyrethrum, nothing is done about it. The other day, the President pledged to pay pyrethrum farmers Kshs60 million. This is peanuts. Pyrethrum farmers are owed more than Kshs1.2 billion by this Government. At the moment, they are almost uprooting this important crop.

Since the farmers are producing pyrethrum and delivered stocks are with the Pyrethrum Board of Kenya, the Government should look for money so that it can pay these farmers. This will enable farmers to sustain themselves. At the moment, most of the farmers are unable to take their children to school. They are taking tea without sugar, and yet they are still growing the pyrethrum crop. I would like to say this to the Minister for Agriculture: While he is looking into problems of other subsectors of the agricultural sector, he should give special attention to the pyrethrum farmers because, very soon, they will uproot this crop.

There used to be a cooling plant for potatoes in my constituency. The Minister for Agriculture should look into that factory. We are selling our potatoes at a throwaway price. The quality of seeds that the farmers are planting has become very low because of the closure of this potato plant. I would request the Minister for Agriculture to look for funding and make sure that this important factory is revived.

**Mr. Speaker:** Your time is up.

**Mr. Mukiri:** Mr. Speaker, Sir, I wish to support the Motion.

**Ms. Abdalla:** Thank you Mr. Speaker, Sir, for seeing me. I have been standing up since morning. Thank you, for giving me this opportunity to comment on the Presidential Address. I wish to thank the President for his Address and congratulate the Leader of the Official Opposition for giving a befitting response, and helping the NARC Government appreciate that governance is more than empty promises, and that one has to report back on their promises.

The NARC Government has earned itself a reputation as a Government of empty promises. Despite this, there are some positive aspects of the promises that it made that need to be revisited. The promises that the NARC Government made are enshrined in organisational management principles that I believe the President should not have overlooked when reporting back to this House during his Address. Those promises were smart in that they were specific, measurable, achievable, not realistic, but, at least, time-bound. This means that those promises were supposed to inject effectiveness and efficiency in service delivery. The fact that the President gave a black out on those promises that they have not achieved does not solve the problem. The problem was not with the promises made, but with the fact that the NARC Government did not share with Kenyans the assumptions they made when they made those promises. As they sang: "*Yote yawezekana*", they did not realize that the 500,000 job opportunities they promised Kenyans required the economy to grow at a certain level. This also required a positive environment such as security and a corruption free environment.

The NARC Government went on an overdrive; going on an archaeological expedition of the corruption of the past without looking at current corruption. In the process, new businesses have

encountered the same levels of corruption that were there in the past. So, in the long-run, those jobs could not be created by this economy. It is, therefore, my appeal to the Government, especially to the President, not to overlook those promises because they were smart, but instead to rein in his Ministers and the entire Government; in fact, the entire country, to work on those assumptions, so that we can come back and say that the Ninth Parliament assisted in ensuring that we have a revived economy.

Mr. Speaker, Sir, in addition to the problem of the President having given a blackout to those sectors of the economy, and the promises that the NARC Government made and was not able to achieve, the President's Speech also had one disappointing factor that I must raise. The President reaped where the NARC Government has never sowed. Two aspects are very important in discussing this. The NARC Government seems to make the Arid Lands Resource Management Project (ALRMP) one of their pricey goods. This is fraudulent. We raised this issue during the Budget Speech because this project was conceived, designed and even funded before the NARC Government came into power.

*(Applause)*

We cannot continue to allow this Government to reap where they have not sown. They should be reporting to this House the funding they have secured in order to realize the President's promise to the ASAL areas of this country. We are tired of this Government's empty promises to the ASAL areas.

Whereas I believe the President raised about US\$1 million from the African Development Bank (ADB), I must go back to the ALRMP because with the same amount of money that was planned for the second phase of this programme, more districts have been included, meaning stretching the available resources and ensuring that nothing tangible or achievable can be reached with that programme. What the Minister for Internal Security should have advised the President is what measures they have put in place to ensure that this project does not continue to be the cash-cow for the Minister and the technocrats in the Office of the President. He should not come here and lie to us about unfulfilled promises.

Mr. Speaker, Sir, the second problem to show that the Government had reaped where they had not sowed is in the area of reduction in banditry incidents. Reduction in banditry, at least, in North Eastern Province was achieved way back in 2001 out of the activities of a diligent provincial administrator who understood the root causes of the problem. When the Minister for Internal Security misleads the President to come and talk about reduction in banditry, when we are aware that this situation is getting worse in upper Eastern Province and Turkana District, I beg to ask whether it was proper to sack the Police Commissioner instead of this Minister. Everything that the President has spoken about regarding his Ministry is actually misleading the nation.

Mr. Speaker, Sir, let me talk about the constitutional stalemate. I am happy that the President continues to be committed to the completion of the review process by 30th June, 2004. I must remind my friend Mr. Muite.

*(Applause)*

My experience at the Bomas talks taught me that those persons in Government who were said to be speaking for the Government have a completely totally different meaning for the word "consensus". I hope that the President was not using their interpretation of the word consensus. These individuals interpret the word "consensus" as their ability to influence others to join in their view. That is not necessarily consensus. This group has also been characteristic in having one short-term strategy after another, most of which fall on their faces. Their current fad is the word "referendum". In the past, I was against a referendum, but considering what I am hearing on the ground, I would like to

support it so that they realise that in the long-run, the result of this referendum might not necessarily be a consensus. My only concern is that it would cost the Government of Kenya Kshs2 billion. It is too costly a short-term strategy for me to support.

Mr. Speaker, Sir, finally, I have to talk about the now infamous Women's HIV/AIDS conference that was held recently at Moi International Sports Centre, Kasarani. My colleagues have said a lot about that conference. I will restrict myself to an area that I think was grossly mismanaged. We all know that the HIV/AIDS scourge does not discriminate against race, religion, sex or any other criteria you would like to use. We, as politicians, are allowed to politicize everything. However, a serious issue such as HIV/AIDS scourge should not be politicized

*(Mr. Haji served Ms. Abdalla with  
a glass of water)*

*(Applause)*

Thank you very much, especially considering that this gesture is coming from an elder from my area.

Mr. Speaker, Sir, the HIV/AIDS scourge cannot be politicized. The Women's HIV/AIDS conference was basically a political function where public funds should not have been used to run it. More importantly, I take issue with a statement that was made by the Minister for Health. Without data of any nature, she said that people of Muslim origin who live in upper Eastern Province and Coast Province are not affected by the HIV/AIDS scourge. In an area where the people have not appreciated that the HIV/AIDS scourge truly exists and the Minister has the audacity to say that, what fight is she spearheading if she will tell normal people from our villages that HIV/AIDS scourge has not affected the Muslim community? If this is a way to escape funding to this region, let her be told that she will not succeed because this House will make sure that the HIV/AIDS funding will be given equally to every constituency in this country.

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

**Mr. Shakombo:** Asante sana, Bw. Spika, kwa kunipa fursa hii. Naunga mkono Hotuba ya Rais wa nchi hii. Hotuba hii ilikuwa nzuri kwa sababu ilitaja mambo muhimu ambayo kila mwananchi anatarajia kutoka kwa Serikali hii. Nafikiri litakuwa jambo la muhimu kwa wale ambao wamepewa mamlaka tofauti na Rais kuhakikisha kwamba wameyatimiza mambo haya muhimu.

Hotuba ya Rais imesisitiza juu ya maendeleo na juhudi za kuinua uchumi wa nchi hii. Jambo ambalo linanihuzunisha ni kwamba tulipokuwa tukiomba kura kutoka kwa wananchi, hasa katika eneo la Pwani, wananchi walielezwa kinaganaga kwamba vile viwanda vyao ambavyo vilikuwa "vimekufa" "vitafufuliwa" wakati chama cha NARC kitachukua uongozi wa nchi hii. Viwanda hivyo ni vile vya korosho, maziwa na bixa, pamoja na miradi ya unyunyiziaji maji mashamba katika sehemu ya Magarini na Wilaya ya Tana River. Chama cha NARC kilipounda Serikali, aliyekuwa Makamu wa Rais, marehemu Michael Wamalwa alionyesha mapenzi na nia ya kufufua viwanda hivyo kwa kuvitembelea kila mara. Kufa kwake kumetutia huzuni sana sisi wakazi wa Pwani kwa sababu, inaonekana kwamba hata ile bidii aliyokuwa nayo, pia nayo "imekufa". Kwa hivyo, ninaiomba Serikali itimize ahadi hiyo ili tusije tukazomewa tukienda kuomba kura kwa mara nyingine. Muda uliobaki si mrefu.

Bw. Spika, jambo lingine linalosikitisha sana juu ya juhudi za kufufua uchumi wa nchi hii ni uchimbaji wa madini. Serikali iliyopita ilichukua miaka saba kuzungumzia juu ya swala la uchimbaji wa madini. Serikali ya NARC haijatoa kibali cha kuanzisha shughuli hiyo kwa kampuni inayohusika. Tunajauliza ni kwa nini. Je, fikira ya Serikali ni ile ile ya jadi, kwamba watu wa Pwani kazi yao ni kungoja, na kila wakiambiwa wangoje wao husema: "Hewala, Bwana"? Tunaiomba Serikali ijaribu kugeuza mwendo ili tuendelee na shughuli hiyo. Tunamwomba Waziri

wa Mazingira na Mali Asili aipe kampuni inayohusika kibali cha kuchimba madini hayo. Kwa muda wa miaka minane sasa, wenye ardhi katika sehemu iliyotengewa shughuli hiyo hawajalima mashamba yao. Kila mwaka wao huambiwa shughuli hiyo itanza hivi karibuni. Tumekuwa na umaskini mkubwa katika sehemu ile kushinda wakati ambao madini hayo hayakuwa yamegunduliwa.

Bw. Spika, jambo lingine ambalo ningetaka kusisitiza ni kwamba Hotuba ya Rais imehimiza Bunge hili kubuni mazingira bora kwa wenye raslimali kuweka mali yao hapa. Ikiwa itachukua miaka minane kwa Serikali kutoa kibali cha kuchimba madini kwa kampuni inayohusika, sielewi jinsi hali hii inavyobuni mazingira bora kwa wawekaji raslimali nchini. Hali hii inaturudisha nyuma. Kwa hivyo, ni lazima tufanye bidii.

Jambo jingine ambalo ningependa kuzungumzia ni UKIMWI. Serikali iliyotangulia ilitangaza UKUMWI kuwa janga la kitaifa na kutoa mwito kwa kila Mkenya kuunga mkono juhudi za Serikali za kupambana na janga hilo. Sisi, kama Wabunge, tuliambiwa tuunde kamati za kushughulikia UKIMWI katika sehemu zote za uwakilishi Bungeni (CACCs) na kwamba pesa zingetolewa. Tulifanya bidii na kuunda kamati hizo, lakini Serikali iliyotangulia haikutoa pesa kwa kamati hizo. Sasa, tumeanza mtindo huo. Tumeunda kamati za kushughulikia UKIMWI katika kila sehemu ya uwakilishi Bungeni, lakini tunaambiwa tutumie pesa zetu tukisubiri pesa kutoka Kamati ya Kitaifa ya UKIMWI (NACC). Sijui kama Serikali hii inafuata mwendo wa Serikali iliyotangulia ama mambo yatageuka. Tunaiomba Wizara ya Afya isiige mwendo mbaya wa Serikali ya zamani ya KANU.

Jambo jingine ambalo ningependa kuzungumzia kuhusu UKIMWI ni vituo vya kupima UKIMWI na kutoa mawaidha kwa watu (VCT). Vituo hivyo vinasimamiwa na watu wasio na ujuzi. Mtu hupata mafunzo kwa muda wa miaka mitatu ili aweze kufanya kazi katika taaluma ya maabara. Lakini wale wanaosimamia shughuli za VCT wanapata mafunzo kwa muda wa juma moja tu! Ninawajua watu wawili ambao walitembelea vituo vya VCT, ambako walipimwa na kuambiwa kwamba walikuwa na virusi vya UKIMWI, lakini walipopimwa katika vituo vingine vya afya, kama vile AAR na katika Hospitali kuu ya Kitaifa ya Kenyatta, hawakupatikana na virusi vya UKIMWI.

**Hon. Members:** Aah!

**Mr. Shakombo:** Kwa hivyo, tusiichukulie kazi hii ngumu kuwa rahisi. Kuna vijana wengi waliofuzu katika taaluma ya maabara na ambao hawajaajiriwa. Kwa nini wataalamu hao wasiajiriwe kusimamia vituo vya VCT badala ya kuajiri watu ambao hawajahitimu?

Jambo jingine linalochangia kuenea kwa UKIMWI ni ulevi au matumizi ya madawa ya kulevya. Sheria za nchi, kama zilivyo sasa, zinawapendelea walanguzi wa madawa ya kulevya. Kulingana na sheria zetu, hakuna namna ya kuwahukumu walanguzi wa madawa ya kulevya wanaokamatwa ili kuwa onyo kwa wale ambao hawajashikwa. Walanguzi wa madawa ya kulevya wanahatarisha maisha ya vijana. Mimi, nikiwa mkazi wa Mombasa, ninaelewa athari za madawa ya kulevya. Vijana wengi hawajimudu kwa maisha yao. Unyonge huo miongoni mwa vijana umeletwa na madawa ya kulevya. Lakini mlanguzi akishikwa na hupelekwa kortini, huachiliwa baada ya siku chache. Kwa hivyo, tunamwomba Mkuu wa Sheria alete Miswada katika Bunge na kuziimarisha sheria zinazohusiana na ulanguzi wa madawa ya kulevya. Tukifanya hivyo, watu hao watacoma kuwauzia watoto wetu madawa ya kulevya.

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

Bw. Naibu Spika wa Muda, jambo jingine ambalo ningependa kulizungumzia ni umoja miongoni mwa Mawaziri wa Serikali. Ningependa Mawaziri wawe na msimamo mmoja katika kazi

zao. Ukitembea katika mitaa ya Nairobi, magazeti, ambayo tunayaita "Gutter Press", yanachapisha mambo machafu sana kuhusu watu wanaoheshimika katika nchi hii, miongoni mwao wakiwemo Mawaziri na wafanyibiashara. Wizara ya Habari na Utalii, ambayo inahusika na maswali ya uchapishaji, imenyamaza kimya. Hivi majuzi, nilishangaa kusikia kwamba Wizara hiyo ilibuni kamati ya kuchunguza mambo fulani yaliyozungumzwa katika kipindi kimoja cha stesheni ya radio ya Kiss FM. Je, kama stesheni ya Kiss FM ilimkosea mtu fulani, na aliyekosewa amepeleka swali hilo kortini, si hayo maneno yangekwisha? Ikiwa vyombo vyote vya habari vitafanya makosa, vinatakiwa kupeleka kortini bila kuwa na upendeleo.

Pia, tuangalie kazi nzuri inayofanywa na stesheni ya Kiss FM. Ninakumbuka kwamba wakati hakukuwa na matatu hapa Nairobi, Kiss FM ilipanga kuwasafirisha watoto hadi shuleni. Kwa hivyo, ninamwomba Waziri aangalie pande zote na asilemee upande mmoja. Pia, kamati hiyo iliyoundwa kuchunguza shughuli za Kiss FM, ichunguze vyombo vingine vya habari. Baadhi ya wanachama wa kamati hiyo hawaelewani na Kiss FM. Hiyo ni sawa na kumshtaki fisi aliyekula mbuzi wa mtu kwa fisi mwingine! Je, atamhurumia mwenye mbuzi? Bila shaka, atamwunga mkono fisi mwenzake. Kwa hivyo, ninamwomba Waziri aliangalie jambo hili. Kiss FM si stesheni mbaya. Wakati mwingine mimi pia waliniingilia. Walisema: "Shakombo ameacha kwenda kombo kombo na kuenda straight", na nilichukulia hiyo kuwa utani. Sikuona umuhimu wa kuwashtaki kortini. Nikifanya makosa na niambiwe, ni lazima nivumilie. Kwa hivyo, tuwe na subira, mabibi na mabwana.

Bw. Naibu Spika wa Muda, jambo jingine ambalo ningependa kuzungumzia ni uskwota. Ingawa uskwota ni shida ya Kenya nzima, hali hii imezidi sana katika Mkoa wa Pwani. Kuna ardhi ya kutosha katika eneo hilo, lakini Serikali imeshindwa kuifanyia usorovea na kuigawia maskwota. Serikali imeshindwa kuhakikisha kwamba jambo hili limesuluhishwa. Tuna shida na wale wanaoitwa absentee landlords. Kuna wengine wako pale pale. Nilipokuwa ninafanya kazi kama mkuu wa wilaya, niliona kwamba kuna sehemu zingine ambazo zilikuwa na SFT Fund. Serikali ilikuwa ikiwanunulia watu mashamba.

Kwa hayo machache, ningenpenda kuunga mkono Hoja hii.

**Mr. Salat:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to comment on the Presidential Speech. First and foremost, the Speech given to us by the President seemed to be like a repetition of the first Speech that we got here.

The Speech by His Excellency the President, to me, did not actually dwell on the problems that are bedeviling the Government at the moment. First and foremost, I would like to thank the President for having visited the three districts of the Kipsigis. We are still waiting to see the outcome of all the promises that he made. One is with regard to the title deeds which we are still waiting for. He assured us that these would be issued in three months time.

Mr. Temporary Deputy Speaker, Sir, I am not going to speak much, but first, I am actually going to dwell on what is happening. There are many things happening in this Government that we should be worried about. The internal wrangles that we have witnessed among Ministers are actually what we are concerned about. This Government, and the economy, is being let down because of disunity in the Cabinet. Kenyans expected more from this Government. Kenyans wanted reforms, but they got a disorganised Government. I am standing here to speak for the youth of this country who are, at the moment, very disillusioned. They were promised 500,000 jobs, and up to now there is no single job. We were promised a Constitution in 100 days, but as I speak, we do not have it. As we speak today, the youth who were expecting so much from this Government are disillusioned to the point that they have actually turned to crime. It is not their choice. It is because there are no jobs that they were promised. One year that this Government has lost is one too many for a nation.

Mr. Temporary Deputy Speaker, Sir, what we wish this Government to do is to actually come out and create the jobs that they promised this country. We have too many commissions

which we do not know what they are going to serve at the end of the day. Most of these commissions are only one-sided. They are only out to malign those of us who are in KANU.

Mr. Temporary Deputy Speaker, Sir, with regard to the Constitution, the President asked for consensus, and he did say that there are some contentious issues. It could have been a good opportunity for the President to tell us in this House, which articles or sections of the Draft Constitution were contentious. All we hear is that we need to build consensus. We need consensus on what? What we know is what the Ministers have been telling us. It would have been better for the President to use the opportunity here, to tell us which sections or articles of the Draft Constitution needed consensus.

Mr. Temporary Deputy Speaker, Sir, the Constitution that we were promised within 100 days has not arrived. What we now have are the three levels of Government fighting against each other. The courts are now being used to interfere with what the majority of Kenyans wanted. We have too many injunctions against the Draft Constitution. We know that, that is a reflection of those who do not want a new Constitution for this country. What is happening is that, there is too much politics ruining this Government. The economy as I speak is in shambles. We have been told that very soon the economy is going to improve, but we have not seen any signs towards that end.

The other burning issue is insecurity. This is an area where this Government is bringing solutions to insecurity by applying a top-to-down approach. They are only concerned about changing the personalities and not treating the symptoms. The police force needs a total overhaul so that we can actually have effective security in this country. Investors are losing confidence. Without security, we will not have investors in this country. We are being told that jobs are being created, but all we know is that we are losing too many jobs because of the insecurity in this country.

Mr. Temporary Deputy Speaker, Sir, Kenya continues to be a victim of the leadership of NARC. Kenyans are impatient. Kenyans wanted a Government that is responsive, but the Government we have is not responding to the wishes and needs of this country. When we talk about agriculture, we heard the President saying that his Government was concerned about improving agriculture. I come from an area where, this season, we actually planted seeds without fertilizer. We went ahead to plant in January because we could not wait for this Government to get its act together. In my area, for example, there is a division that is semi-arid. The Government promised to give us relief food, but they gave us relief food on paper. The food came too late when my people had actually given up on the Government. What we expect, and what Kenyans expect, is clear guidance. This Government is not giving us guidance. Kenyans are confused on matters of national importance. The Government should give clear guidance instead of actually seeking to have consensus on everything. This consensus is leading us nowhere. What we expect from this Government is to fulfil all the pledges they made to Kenyans one year down the road, because Kenyans are getting impatient. We actually expect guidance from the top.

Mr. Temporary Deputy Speaker, Sir, even the President addressed the issue of the Draft Constitution too late, after we had passed the Draft. We expect the draft Constitution from Bomas of Kenya to be brought to Parliament and we pass it. That is what Kenyans want. We expect the President to offer guidance and put his house in order. The problem is with the NARC Government and not Kenyans.

I do not want to say much on the Speech because there is not much to say!

With those few remarks---

**Mr. Shitanda:** Thank you, Mr. Temporary Deputy Speaker, Sir. May I join my colleagues in applauding the Speech by His Excellency the President which covered, more or less, all the areas. It exposed the sincerity of the President. It was a Statement to all Kenyans that the President means very well for this country. He wants to work for this country and he is committed to it.

However, while the President has shown willingness to work for this country and have a peaceful country, those of us who were elected with him have let him down. We have let Kenyans

down. I remember the President talking about the need for leaders to come together and work for this country. Working for this country means that we have to work as a team. But some leaders, especially from the FrontBench have been in the forefront in working against the wishes of Kenyans and the President. You will even remember that traditionally, in this Parliament, the FrontBench is reserved for the Cabinet. But on 30th March, 2004, when Parliament was being opened, you could see some Assistant Ministers jostling for the FrontBench, to an extent where even some Ministers were displaced. We must have respect for the rules of this House. We must have respect for the hierarchy in the Government. If Assistant Ministers sit on the FrontBench and Ministers are relegated to the rear benches, what message are we sending across? Is that respect?

Mr. Temporary Deputy Speaker, Sir, it is a well known fact that when your senior comes - Ministers are senior to Assistant Ministers in the Government - they must give them respect. They must leave that FrontBench for Ministers. It is that carelessness that has trickled down to many other areas of the Government. It is that carelessness that is giving the Government a bad name.

Mr. Temporary Deputy Speaker, Sir, you do remember we went to Nanyuki to discuss the future of the ruling party. While in Nanyuki, we decided that because we had divergent views on the form of party we wanted to have, set up a committee to look at the different drafts of the constitution that were presented, and make a report to the co-ordinating committee of the party, before we decide on the next course of action for the ruling coalition. But what happened? Two weeks after the Nanyuki meeting, some Ministers and Assistant Ministers took it upon themselves to ignore all that we had agreed upon in Nanyuki, and set out on a mission to start---

**Mr. Onyancha:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to settle problems in his party in this House, when we are discussing important national issues, especially the Speech by the President?

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, Mr. Onyancha! Mr. Shitanda is not out order. He has a right to express his opinion.

**Mr. Shitanda:** Mr. Temporary Deputy Speaker, Sir, I am giving the genesis of the problems that we have today. With due respect to Mr. Onyancha--- Anyway, let me not say anything about it.

**The Temporary Deputy Speaker** (Mr. Khamasi): That is a gone issue.

**Mr. Shitanda:** Thank you, Mr. Temporary Deputy Speaker, Sir. It is the NARC registration exercise that provided the basis for the problems that we have today. It is the arrogance that was exhibited in that recruitment drive that trickled down to Bomas of Kenya and annoyed the delegates, some Members of Parliament and members of the public. That is why there was a protest vote there.

The President requested us to embark on a consensus building mission to see whether we can salvage the constitutional review process. That is very good. Some party leaders have been meeting the President. To others, consensus building means putting Mr. Raila and Mr. Murungi together; that when they sit together and hug each other, that is consensus.

*(Laughter)*

Mr. Temporary Deputy Speaker, Sir, consensus building is beyond putting Mr. Raila and Mr. Murungi together. Consensus building is about bringing Members of Parliament together to discuss the draft and see whether there can be a way forward. That is because as things stand today, we can pretend about very many things. But the law that is there today does not allow us to engage in what we are trying to do now. The law that is there now says that the Draft Constitution should leave Bomas, go to the Attorney-General's office and then to Parliament to be passed the way it is. We should look for ways and means of trying to address the problem. If it is the law, how do we go about it? That exercise has to be all-inclusive. It is not a question of picking a few Members and



party leaders. Even some party leaders never brief their members about the goings-on in those meetings. There, I must congratulate my Chairman, Mr. Kombo, who has taken every opportunity to brief us on the progress that is being made towards that direction.

There is the problem of HIV/AIDS in this country. In the last Parliament, the Ministry of Health induced us to go and form the so-called Constituency AIDS Control Committees (CACCs). After forming those committees, there was nothing beyond that. All we heard was that some amorphous groups were being funded by the National AIDS Control Council (NACC). We hope that this time round, the committees that we are re-launching will be used in the fight against the HIV/AIDS epidemic. We do not want to see a situation where women are collected from the villages and brought to Kasarani under the guise of fighting HIV/AIDS, only for some to sleep on the roadsides.

Mr. Temporary Deputy Speaker, Sir, there is so much insecurity in this country. Thank God, the Minister in charge of internal security has just walked in. Let the insecurity at the local level be fought by the police, chiefs and assistant chiefs. As of now, chiefs and assistant chiefs have been sidelined in matters of security. The police, chiefs and assistant chiefs in the villages have abandoned all security matters. All they do is to go out and hunt for chang'aa brewers on a daily basis. The Ministry dealing with internal security should facilitate the police. It should re-train the police on security matters. Security is not about hunting for chang'aa drinkers. Let them be given vehicles and enough equipment to fight crime in the villages.

Mr. Temporary Deputy Speaker, Sir, finally, an hon. Member talked about KANU designing all the programmes that we are implementing now. Yes! KANU was very good at designing programmes and putting them on the shelves.

**Capt. Nakitare:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Attorney-General to convene another meeting in a corner when the hon. Member is addressing the House?

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Mr. Wako, what do you want to say?

**The Attorney-General** (Mr. Wako): Mr. Temporary Deputy Speaker, Sir, is it in order for the hon. Member to say I am out of order when---

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Order, Mr. Wako. You cannot raise a point of order against another point of order. I asked you what you had to say. All of you have forgotten about Standing Order No.85. It is very clear. You cannot stand when another Member is on the Floor. So, please revisit your Standing Orders and understand them. If you are standing when another Member is on the Floor, you are out of order.

So, could you proceed and finish your speech, Mr. Shitanda?

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

**The Assistant Minister for Education, Science and Technology** (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the debate on the Presidential Speech which touched on a number of issues of national importance. I will touch on a few of those issues which include corruption, national unity, education and the issue of Arid and Semi-Arid Lands (ASAL).

Mr. Temporary Deputy Speaker, Sir, you recall that we have taken it upon ourselves to have no tolerance for corruption since we took over Government. In fact, the rallying cry has been zero tolerance to corruption. I would like to say that although we have seen some progress in this direction, a lot remains to be done. If you go to Government Ministries, corruption still rears its ugly head.

I think some of the problems have got to do with the fact that, even as a new Government,

we have continued to work with some old guards from the former regime who have not changed their way of doing things. Part of the problem also is that it is very difficult to fire people once they have been employed in Government, but it is important, as we think about this, that we begin to think of ways making the system much more flexible.

The second problem has got to do with the fact that even within departments, we have not seen much by way of what the Anti-Corruption Commission has done. I do not think we have seen enough cases that have been prosecuted and I think, up to this point, it is very difficult to justify the continued existence of this body.

We also continue to see a great deal of inefficiency and wastefulness manifested in the way we are buying vehicles, in the way we are using those vehicles, how stationery is being used in Ministries, how telephones are being abused, in the way officers in Government Ministries make many trips so as to claim *per diem* for which they do not give any reports, and so on.

I think there is also a problem in the Ministry of Foreign Affairs, especially with regard to the embassies, where too many people have been employed. There are too many senior officers in the embassies and we continue opening new embassies when the trend all over the world is to begin to merge embassies and to reduce on the personnel in those embassies. If I may give the example of Singapore, which is a country much richer than Kenya, that country has very few ambassadors all over the world. In fact, they do not have an ambassador in East Africa. What they do is that they employ desk officers within the Ministries who communicate with foreign countries that they have relations with through e-mail and telephone and that saves Singapore a lot of money.

Mr. Temporary Deputy Speaker, Sir, corruption is a problem. I would like to say that we, as Ministers, should lead by example. I think if Ministers or Assistant Ministers are being mentioned in corruption or senior Government officials and Members in the Opposition, we have to lead by example. Action has to be taken.

*(Applause)*

If we stand by our motto of zero tolerance to corruption, it is not good enough to leave those that have been mentioned without conducting thorough investigations on them.

Mr. Temporary Deputy Speaker, Sir, even as we have been talking about the Constitution, sometimes, we have focused so much on the issues of devolution, Prime Minister and tribalism and have forgotten that sometimes, that concentration may make us forget the need to deal with those who are corrupt. This is because, if you are in a battle, you tend to consider everybody as a friend, even those that should not be your friends in the first place.

So, I would like to say that even as we talk about the Constitution, and as we make political alliances, we need to be careful that those alliances are not with the corrupt and that we do not need them in those alliances just because we need numbers.

Mr. Temporary Deputy Speaker, Sir, the other issue is that of national unity. I would like to say that we can talk about national unity at the constitutional level. We also need to consider the way we allocate important positions and Government projects in this country. A lot has been said about the imbalance in appointments, especially to parastatals and other senior Government positions. If you look at some communities like those in North Eastern Province, for example, you may find that there is a concentration of senior Government officials in one area. I think this also applies to other places.

What has been happening is that those who are well-connected; the senior Government officers coming from those areas, have tended to fill most of the senior positions with members of those communities. I would like to say that it goes beyond communities. Sometimes, it goes to districts, locations, sub-locations and even, in certain cases, to families, so that we have some families that are over-represented in Government. I am not saying that one should not be in

Government if he merits it. But I think we should also see issues of employment and relate them to equity and I do not think that has been clear.

This touches on Government projects. One loophole has been the tendency for senior people, who have the opportunity to employ, to go to their friends, respective areas and sometimes even forget some of the people that fought for us during the struggle, especially in the districts, those who are in the NARC constituent parties.

A second loophole is keeping people who are supposed to have retired in employment through contracts. If you look at many Ministries, we have found ways of bringing them back through contracts that are not even advertised.

So, for me, the problem is where we have left the task of employment to a few individuals. In many cases, it is just the Minister and the Permanent Secretary and in certain cases, directors of departments. I would like to say that as long as that is the case, we are going to have problems in terms of equity and the competence we are talking about.

We need to have clear guidelines on employment in this country. Even Ministries should have teams that are representative, who will decide on who will get particular positions. These teams should be guided by very clear criteria.

Mr. Temporary Deputy Speaker, Sir, there is also need to centralise both employment and admission to institutions, like they do in the universities, through the Joint Admissions Board. The point has been made that it is also important for us to centralise admission to tertiary institutions. I would like us to get to a point in this country where a student knows if he has a 'B', he or she would be admitted to some institution. If a student is not admitted to university and has an 'A-', then they should be able to go to Medical Training Colleges, police or the armed forces. Part of the reason there were problems with the police and armed forces recruitment recently is because there was no criteria. The whole process should be fairly open-ended. So, if we have that criteria and we insist that all admissions to institutions and employment is centralised, there is a chance that we could reduce many of the difficulties we are experiencing.

I would also like to say that allocation of resources is not just about employment, but it also includes Government projects. There should be a clear criteria. There is absolutely no need for Members of Parliament to go to Ministers to ask for a specific project, for their respective communities. Through good planning, resources should be distributed in a certain way so that we do not have to be making these kinds of trips to ask for favours. If it is well-planned, then we do not have to worry about it.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, issues have been raised about the free primary education. Members of the Opposition have spoken about how expensive it has become. I would like to point out that we must see many of these initiatives as areas that require our commitment as Kenyans and not just issues that are left to the Government alone. It is going to be very difficult for this Government to provide free primary education to everyone, whether we talk about it as being affordable or not.

Mr. Temporary Deputy Speaker, Sir, we should also realise that this country has other sectors and Ministries. The Ministry of Education, Science and Technology increased salaries of teachers and you know how many they are. This Ministry is spending a lot of money on free primary school education and yet we have to spend on other Ministries that are the basis for creating employment for those that come out of those systems. I think it is very unrealistic to expect that the Government is going to carry this load and to also assume that Kenyans are completely helpless to the point that they cannot contribute even a little bit to the education of their children. Part of the reason we give birth to children is because we have a responsibility of educating them. Sometimes I

get very disappointed when one of the excuses parents give me for wanting bursaries for their children is that they have too many of them. Who forced them to have those many children?

**Mr. Ethuro:** Ask them!

**The Assistant Minister for Education, Science and Technology** (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, the other issue is on the arid and semi-arid lands. As much as we have spoken about who decides which kinds of projects should be undertaken, and as much as the previous regime might have designed those kinds of projects, it is important to realise that sometimes for many of the districts that were put in this plan, the decision was sometimes political. We should realise that all over this country, there are pockets of poverty in every district and as we think about those projects, let us see how best we can also accommodate those kinds of areas.

With those few remarks, I beg to support.

**Mr. Mwanja:** Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to contribute to the Presidential Speech.

I will start by thanking the President for giving us the assurance that the issue of security is going to be looked at even more seriously this time round. The issue of security is an important one and it touches very much on what goes on within the country and how people manage their own affairs. It also touches on tourism. As you know, there is no tourist who will want to relax in a tourist destination that is not safe. I, therefore, must say that it was a good assurance. However, we are waiting because we had already started saying that securitywise, the KANU Government was a lot better. Yesterday, we read in the newspapers that Mr. Angwenyi had been attacked while conducting a function in his constituency. An attack on an hon. Member like Mr. Angwenyi is an attack on all of us. I can assure you that the goons who were hired to attack him were taking advantage of the lax security situation that was already prevailing in the country. In my constituency, in a sub-location called Gachuba, in one market place, it had reached a point where thugs, burglars and robbers would write letters warning residents of their intention to strike. They would rob shops at night. This is because they were aware that nothing would happen and they would go ahead and rob a businessman, to the extent that the market was nearly closing down because of this lax security situation. It is with that gratitude that we are waiting and hoping that the situation where hon. Members of Parliament were being chased in town and getting home by 6.00 p.m. to escape any security problem will change. Some had even been robbed in their own homes and the general public was getting worried. We are, therefore, waiting and hoping that something tangible is coming out this time round.

We thank the NARC Government for the free primary school education. However, as we thank them, we also know that the pupils who joined schools are not getting quality education. This is because, in some classrooms, like in my constituency, there are up to 80 and sometimes 100 pupils who have gone to take advantage of the free primary school education. The teachers in this country were trained to handle 40 pupils in a class. They do not know how to handle 100 pupils. We are asking the Government to move with speed so that they can employ more teachers so that we can then benefit from free primary school education. Because of the increased number of pupils in schools, there are not enough physical facilities, and especially in my constituency, where we have very high rainfall. We have had cases where roofs of classrooms have been blown off during heavy storms. We are asking the Government to help schools. I have examples of Bitundugusi Primary School and many others in my constituency which have had their roofs blown off and pupils are not having enough physical facilities for learning.

Mr. Temporary Deputy Speaker, Sir, I was gratified to learn from the Presidential Speech that Kshs14 million has been set aside for revamping the Agricultural Finance Corporation (AFC). Farmers in this country continue to listen as we say that agriculture is the mainstay of this economy, but nothing much was being done. There was no Kenya Co-operative Creameries (KCC) and the AFC was inoperational. We thank the Government for looking into that, but hope that the

infrastructure to benefit all farmers will be put in place so that they can benefit as soon as possible. As we speak now, the rains are here but farmers do not even have the fertiliser that they were promised. When the President went to Eldoret during a tour of that region, he promised that there would be fertiliser. However, as we speak, the fertiliser has not reached the farmers. Moreover, the fertiliser in the market is now very expensive; a bag of 50 kilogrammes is going for Kshs1,800 and that is extremely expensive. Something has to be done on the price of fertiliser. It has to come down to at least between Kshs1,300 and Kshs1,400 as that is the only way farmers can make a return on their investments in agriculture.

We are told that something is being done about the sugar industry and at the same time we are informed that there is 1.1 million tonnes of sugar that is being off-loaded at the Coast in Mombasa. These two are contradictory statements. Something has to be done about the sugar industry, otherwise we shall have no industry to talk about. I wish to elaborate a little bit on what needs to be done to give sugar-cane farmers better returns. The problem with our sugar industry is that sugar is the main product from sugar-cane processing. Elsewhere, where farmers have made money from cane, what is happening is that there are many by-products from sugar-cane processing. There is the power alcohol and the bagasse which comes from the processing of cane. That bagasse is used in furnaces to produce electricity and the electricity is then fed into the national grid or is sold to earn money. There is also yeast produced, industrial alcohol and methylated spirit. There are many products that come out of sugar-cane and yet in Kenya, the main product is sugar, and we keep saying that the imported sugar is coming from elsewhere. Where is it coming from? What are those people doing in those countries to make that sugar cheap? That is what they are doing. As we are renovating this industry, that needs to be done otherwise, year in, year out, we shall be speaking about sugar coming in to spoil the sugar industry in our country.

We are informed that the status of agriculture is improving in this country yet pyrethrum farmers, as we speak, are lamenting. I come from a pyrethrum growing constituency and district. Farmers in Molo and such like areas in the North Rift have not been paid for their deliveries for the last two years. Even Mr. Kimeto here says farmers in his constituency have not been paid. Is this an industry that is growing? What are we doing? We are aware that flowers delivered to the Pyrethrum Board of Kenya (PBK) in Nakuru are deteriorating in content because they have not been processed. Is this industry collapsing? What can we tell our farmers? You cannot address a meeting in my constituency without them mentioning anything about it. Farmers are asking many questions, but we do not have answers to their questions. Could we be informed about what we need to do?

Mr. Temporary Deputy Speaker, Sir, in the international market, a kilogramme of black tea is selling at Kshs40. However, a kilogramme of tea leaves in this country is selling at Kshs9. In fact, fertilizer used in tea farming is more expensive. What is being done to safeguard this foreign exchange earner for this country? When we travel abroad, the tea that we drink is labelled as "made in London". We know very well that there is no tea grown in London. What is this country doing to ensure that it markets its own brands of tea? Why should we, after 40 years of Independence, still be selling our tea in 50-kilogramme packs to somebody, say in Mombasa, who then repacks it in 5-gramme packets to sell to the international market and make a profit in excess of Kshs1,000 per kilogramme? Could something be done? Are we just a talking shop? This needs to be addressed.

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

**Mrs. Mwendwa:** Thank you very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the President's Speech.

From the outset, I would like to comment on the insecurity in the country. We do appreciate that a lot of changes were made which rendered quite a number of people jobless. All the same, we must do something about our security in this country. Some of it can be done by rearranging, and perhaps, retraining our security personnel. I have in mind the administration police officers who guard the chiefs' camps and other centres. Most crimes are committed in the countryside but, in

many incidences, they are not reported. Crimes are only reported when Members of Parliament and other prominent people are attacked. I have an example of a former councillor who was running his small business in Kathivo Market. He was attacked and killed, but no action was taken. At the moment, many people are being terrorised in the same market. I am sure, if the administration police officers were retrained and reinforced, they could have an input in the efforts to improve security in this country.

Mr. Temporary Deputy Speaker, Sir, we keep on talking about attracting foreign investors to come and invest in our country. I would not invest in a country where I cannot sleep because I am afraid of being attacked or killed. So, we have got to deal with the rising level of insecurity properly, so that when investors come here they know they are coming to invest in a peaceful country.

Mr. Temporary Deputy Speaker, Sir, I would like to comment on the free and compulsory primary education programme. I heard some hon. Members say it is not good enough. I agree with that, but if we were to ask the NARC Government to wait until it has got all the resources to employ all teachers and rebuild all schools, then we would wait until the Lord Jesus comes again. So, let us pick it up from where we have started. We do need resources because many pupils from poor families are learning under trees. They are not as comfortable as other pupils. I would like to urge the NARC Government to improve the learning environment so that pupils who are in bad learning environments are not disadvantaged. At the same time, we need more teachers. There is no need of having 100 pupils being taught by one teacher. It does not work. In most of the good schools, we know, the ratio is about 16 pupils to one teacher. That is where we send our children. If not that low, at least 30 to 40 pupils per teacher. So, we need to employ more teachers.

Mr. Temporary Deputy Speaker, Sir, I would like also to comment on the Arid and Semi-Arid Lands(ASAL) regions. The President, in his Speech, said the Government has set aside Kshs7.7 billion to develop 22 districts. Out of the Kshs7.7 billion, Kshs3.3 billion is to be used to develop water projects. Water is life. In these ASAL areas, inhabitants heavily rely on animals. These animals have to travel for many miles. Some die on the way. Therefore, I would like to urge the Government to use the Kshs3.3 billion to complete the water projects, some of which were started more than four years ago. Let us have boreholes functioning. We have some stalled projects. In my constituency, we have the Masinga-Kitui Water Project, which was started almost ten years ago. However, this water has not reached Kitui Town because there were no resources. Now we have Kshs3.3 billion. This project does not need even Kshs200 million. It needs much less. Instead of starting new projects, let the Ministry of Water Resource Management and Development be given some of this money to finish the projects which were started a long time ago. Let us complete what is not complete instead of starting new projects.

Mr. Temporary Deputy Speaker, Sir, I would like also to comment on the HIV/AIDS pandemic. This is an area where we have done more talking than really dealing with the scourge which is killing our people. I am of the opinion that, since we were requested by the President to fight this pandemic in all constituencies, we should now be empowered. There is no need of starting a Constituency AIDS Control Committee which is not funded, and where you are doing nothing. Let us have the Voluntary Counselling and Testing (VCT) centres where they are required. I am of the opinion that there is no need for us, as hon. Members of Parliament, to preach water while we drink wine. We should be the first people to be tested for HIV/AIDS. All of us should be tested for HIV/AIDS. If I am HIV-positive, I am, and if I am not, I am not. There is no need of going to our constituencies and telling our people that they should be tested for HIV/AIDS because the medicine is available, and yet we do not come out to be tested.

*(Applause)*

We must lead by example!

**Hon. Members:** She is also afraid!

**Mrs. Mwendwa:** Mr. Temporary Deputy Speaker, Sir, everybody is afraid to go for a test. Let all of us stop being afraid of being tested for HIV/AIDS. Our constituents will come out to be tested for HIV/AIDS if we assure them that they will be given anti-retroviral drugs and be supported. But if we tell them that they should be tested for the HIV/AIDS, and we, as hon. Members--- The HIV/AIDS does not know who you are. You are either HIV-positive or negative. So, let us be brave enough and lead by example.

*(Applause)*

So, when we go and start our Constituency AIDS Control Committees, let us be the first to be tested. It is not a big deal to be HIV-negative or positive nowadays.

Finally, this morning, I was rather taken aback to hear that we do not have foreign policy in our country. Somebody was simply trying to attack a Minister because he does not belong to his community. If somebody was a Minister before, he is a Minister today and is doing his job well, it is not fair to say that he is not doing his job. It is during the same Minister's tenure that we had the World Bank and the International Monetary Fund (IMF) resuming aid to Kenya. Surely, if we had such a bad foreign policy, these two financial institutions would not have resumed aid to Kenya.

It is also disheartening to hear this, because we have got the Somalis and the Sudanese who want to sign their peace agreements in our country. We are discouraging them when we say that we do not have a foreign policy. We should support our neighbours, especially Somalia, in their endeavour to establish good governments. I would like to see this country establish a very good Government because the Somalis are our neighbours. I would like to see the same thing happen to Sudan.

If I want to attack a Minister, let me be brave enough and congratulate him or her when he or she has done a good job. It is not good for an hon. Member to rise in this House and start attacking some Ministers because they do not belong to his or her community. That should not happen. When the Ministers do a good job, let us say that they have done a good job.

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

**Mr. Lesrima:** Mr. Temporary Deputy Speaker, Sir, I would like to congratulate the gracious lady who has just spoken eloquently.

*(Mr. Omamba stood up in his place)*

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, Mr. Omamba!

**Mr. Lesrima:** Mr. Temporary Deputy Speaker, Sir, I would also like to join my colleagues in congratulating the President for his Address. I do not want to comment on all the aspects the President touched on in his Address but rather, touch on a few. The President gave us his vision on the way forward in his Address. He told us that he wants this country to grow economically. We were given a figure of 7 per cent GDP growth as a target.

The agricultural sector was covered in the Presidential Address. We heard the President talk about the coffee, the maize, the sugar and the dairy sub-sectors but very little on the livestock industry which is facing a marketing crisis. Our people are unable to sell their livestock. We were told by the Minister for Livestock and Fisheries Development that the population of cattle is about 9 million, whereas we know that in the neighbouring Ethiopia, the population is 45 million. That means that the ratio of human beings to cattle in Kenya is 10:3, while in Ethiopia, it is 4:3. The ideal ratio should have been 1:1 so that we have enough meat and not resort to game meat as it is the case now. I am not saying that game meat is not good but our people get it illegally because of the

shortage of meat.

We have a problem in marketing our livestock, particularly, in pastoral areas because of the foot and mouth disease. This is the case, and yet politicians engage themselves in politics. This makes it very difficult for us to market our livestock, which sometimes is the only source of income. The biggest problem the pastoralist communities face is getting a proper vaccine. There is a problem of the quality of the vaccine produced by the Kenya Veterinary Vaccines Production Institute (KEVEVAPI). This institute is now "homeless". We do not know whether it is under the Ministry of Agriculture or under the Ministry of Livestock and Fisheries Development. Our people are suffering out there while the two Ministers are fighting over the control of this institute. Our people are unable to sell or move their livestock from one place to another in order to get money to pay school fees and for domestic use.

We also did not hear the President touch on the way forward for the Kenya Meat Commission in his Address. We have been promised, since the beginning of last year, that the KMC will be opened.

I would also like to comment on the Kshs4.5 billion project which was mentioned in the Presidential Address. I know this project was designed by the previous regime, although I was not around during the design period. This project was intended to serve the ASAL areas. I have no problem with this project being extended to cover other ASAL areas in the country, such as Kieni, Kikuyu and Maela because the people who live in those areas are suffering. My quarrel with this particular project is its design. The project talks quite a lot about capacity building and training. In the next two years, we will spend the bulk of that money in just engaging consultants. In other words, this money is lent to us to benefit the consultants from the United States of America and Europe. It is time the Government thought of re-designing this project so that we have actual dams, cattle dips and institutions on the ground to benefit our people. There is also inequity in its implementation. Some districts have received Kshs130 million while others, like mine, have received only Kshs20 million. We do not understand why this should be the case. I believe that if Kshs4.5 billion is divided by about 20 districts, each district will receive Kshs200 million.

I would like to talk about the Kshs2 billion to be spent on water projects as mentioned in the Presidential Address. I understand that this amount of money will be used on Ewaso Nyiro North Development Authority, which is a very small set-up and is run by a very small community. That regional Authority has failed to control the misuse of water from River Ewaso Nyiro. That river is drying up because that Authority has no capacity to manage it. How can the Government entrust Kshs2 billion to that Authority? Something should be done about that.

On HIV/AIDS, I would like to thank the Government for supporting the HIV/AIDS infrastructure in the districts. The HIV/AIDS stations or offices have been established at the district level and clerks, accountants and other staff posted there. The staff is waiting for money to be sent there. We understand that the money is still not available but negotiations are going on. Mr.

Temporary Deputy Speaker, Sir, I have no problem with the women who came, at a cost of Kshs30 million, to attend the HIV/AIDS conference held here in Nairobi. When I asked the Samburu women the benefit they got, they told me that they were very happy because they saw the President and some of them had an opportunity to see Nairobi.

*(Laughter)*

Mr. Temporary Deputy Speaker, Sir, I would like to congratulate the new Director of the National AIDS Control Council (NACC), but I am rather disappointed that he has not lived to the pledge he gave hon. Members of Parliament in a seminar we held in Mombasa. We were told that a number of crooked NGOs were given resources through the Constituency AIDS Control Fund. We were promised that a repeat of the same will not take place. But it is unfortunate and very sad to



report that crooks continue to report to the Director's office, collect some money and misuse it.

Mr. Temporary Deputy Speaker, Sir, we want the new Director to be supported. I think he should take control of the staff below him. I believe there is a lot of corruption in that organisation.

Mr. Temporary Deputy Speaker, Sir, I want to touch on security. We want to congratulate the new Commissioner of Police, Brigadier Ali, as he undertakes his new task. I think it is a brilliant idea. We hope that he will not lose his promotion opportunities to become a Major-General in the military, given that he was the most senior ranking Somali in the Kenya Army. We wish him all the best. We hope that he will be in a position to return our calls as Members of Parliament. I thank the Government for supporting security arrangements in my constituency. We have eliminated cattle rustling by co-operating with the Government. We hope the new Commissioner of Police will visit Samburu and provide support to the District Security Committee.

I must take this opportunity to thank the Departmental Committee on Administration, National Security and Local Authorities for visiting my constituency. In, particular, I would like to thank the Member for Embakasi and the Member for Uriri who came to Samburu and encouraged us to stop cattle rustling. We have eliminated cattle rustling now. But we are still waiting for the equipment and the establishment of an Anti-Stock Theft Unit that we were promised. We hope those promises will be fulfilled soon.

Mr. Temporary Deputy Speaker, Sir, I want to conclude by saying that the Constitution is not the property of the NARC Government. In a number of speeches from that side of the House, we have been given the impression that the Constitution of Kenya is the property of the NARC Government. It is not the property of the NARC Government. It is the property of the people of Kenya! I think we live in a very good time now, because Kenya is a very peaceful country. Kenyans do not want a collapsed nation; a nation like Cote d'Ivoire. It is quite easy for this country to deteriorate to that level. I believe in the settlement of the people who have been displaced. I also believe that those who have been displaced should exercise a bit of humility. I have many displaced people from Molo in my constituency. We just pray and ask them to be humble as they trade with people in Samburu. We look forward to their being settled at one point.

We thank the President for lowering the temperatures. I think the mood in the country now is for reconciliation and consensus-building. We, and the President, should seize this opportunity to bring the country together. I would like to quote a famous Englishman by the name of William Shakespeare. He said: "There is a tide in the affairs of men, which taken as the floods, leads onto fortune; omitted all the voyage of their lives is bound to shallows and misery".

This is the time for Kenyans to take the tide and take this country forward.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**Eng. Nyamunga:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the Motion. I join my colleagues in congratulating the President for a good Speech. A Speech that gave us direction on the way forward, as far as the economy of this country is concerned. I noted with appreciation that we have managed to turn round the economy from a negative growth rate to a positive growth rate. We were told that the industrial sector has realised a 1.5 per cent growth rate, agricultural sector 2 per cent and Gross Domestic Product (GDP) realised a growth of 1.8 per cent. If all that has been realised in 12 months, I think there is something to congratulate the Government for.

The Government has realised that to create a quick and an immediate positive impact, as far as the welfare of the people of this country is concerned, we must address the agricultural sector. That is the sector that employs 80 per cent of Kenyans. I am afraid to say that, in my observation, we give that sector more lipservice than action. The President said that we are soon going to have a legislation that will commercialise the agricultural sector, so that we can produce quality products. That made me very happy. We want to produce quality products that will compete both in quality and price, in the local and international market.

## QUORUM

**Mr. Onyancha:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Chair satisfied that we have a quorum in the House?

**The Temporary Deputy Speaker** (Mr. Khamasi): Obviously, there is no quorum. I order that the Division Bell be rung.

*(The Division Bell was rung)*

Order! We now have a quorum. Eng. Nyamunga, you can continue.

**Eng. Nyamunga:** Thank you, Mr. Temporary Deputy Speaker, Sir. I will carry on. I said that I noted with appreciation that the Government is going to bring in legislation this year to make farming commercially viable, in order to produce competitive products both in quality and price for both the local and international markets.

Mr. Temporary Deputy Speaker, Sir, as I said earlier, we call agriculture the backbone of our economy but we do not seem to pay enough attention to that particular sector. We have problems in the agricultural sector. For example, if I take the sugar sector, recently, the chief executive of the Kenya Sugar Board said that even if we were to levy 100 per cent tax on sugar from Sudan, Brazil or the other places, the price of sugar produced in this country would still be higher. Now, there are two things here. We must then find out why our costs are that high. I do remember, about two years ago, when even maize from Uganda was cheaper than maize produced in Kitale, for example. I carry out rice business in Ahero and I know for sure that rice from Tanzania, in Mwanza and Moshi areas, lands in Ahero at cheaper prices than rice produced in Ahero. Now, these are the issues that the Minister for Agriculture must be able to help us solve.

Mr. Temporary Deputy Speaker, Sir, we have signed various treaties. We are a World Trade Organisation (WTO) signatory. We have a signature with the Common Market for Eastern and Southern Africa (COMESA) and the East African Community (EAC). It means that we cannot close our borders to imports. Imports will keep on coming. We must find a way through which our products are competitive, both in quality and price. At any rate, I do not think we need to make Kenyan consumers pay more prices than is justifiable in the market.

Mr. Temporary Deputy Speaker, Sir, it is unfortunate hon. Mwanicha is not here but he mentioned something very significant concerning the sugar sector. When we set up the sugar factories in this country, we under-invested in the sector such that the millers do their costing based on the table sugar. The Kenyan farmer producing sugar-cane has got a commodity to sell but it is the business or the concern of the millers to make sure that they take as many products as they can out of this sugar-cane as a commodity. In sugar-cane farming, you have to produce more than your capacity in order to produce more than one commodity. Bagasse is a source of electricity. You can have molasses as a source of spirits, yeast and even fertiliser but we do not do that. However, unfortunately, when we had power problems in this country about two years ago, we know for example, Mumias Sugar Factory is one of the factories which has got proper investment. They have the capacity to produce about 15 megawatts but we, as a country, were happy bringing in Independent Power Producers (IPPs) which sell electricity to us very expensively. We did not buy electricity from Mumias and yet it has the capacity to produce electricity. We could easily get eight megawatts from Mumias. We never did that. Why? Because of corruption.

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

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

Mr. Temporary Deputy Speaker, Sir, the success of the agricultural industry is not going to be based on closing our borders but we must find out how to make the products that we produce in this country competitive.

Mr. Temporary Deputy Speaker, Sir, the other thing is that, in order to support the agricultural industry, the President did mention that the issue of environment, land and water management is important. However, again, here as a country, we are paying lip service to that issue. We know our forests are being depleted. Our river catchment areas are diminishing to the extent that some rivers are actually drying up. Nyando River, which flows through my constituency, used to be clear for most of the year. Right now, it is heavily silted 12 months in a year. In fact, Lake Victoria is being heavily silted, and almost going to be affected, simply because we are not taking enough care of our water catchment areas. It is high time we took serious concern about the water catchment areas and took care of our environment so that we can manage our land and water resources properly.

Mr. Temporary Deputy Speaker, Sir, to protect our environment, the President did mention that we are going to extend the Rural Electrification Programme to cover most of the rural population so that we can use also use it as a source of fuel, besides gas that he had mentioned. However, we have two problems with electricity. First of all, we know that Kenya has one of the highest electricity tariffs in the world. Our competitors like Egypt, South Africa and Sudan sell electricity at one-fifth of our price. They are at two US cents per kilowatt hour. We are at US cents 10 per kilowatt hour. How on earth can our commodities or manufactured products compete with products from South Africa or Egypt for that matter? That is one of the reasons why we might find it difficult to compete with the other countries that are competing for the same foreign investments when our tariffs are very high.

Mr. Temporary Deputy Speaker, Sir, the other thing that I think is a big problem is how the Rural Electrification Fund is being managed. For example, if you consider how the Road Maintenance Levy is being managed and you compare it with how the Rural Electrification Fund is being managed, there is a big difference. When you look at the Road Maintenance Levy, it is collected by the suppliers of motor vehicle fuels. It is remitted to Kenya Revenue Authority (KRA) and sent to Kenya Roads Board. The procurement of services is being done by the Ministry of Roads, Public Works and Housing and it is being done competitively. In that way, we know that the money is being spent correctly because procurement of services is done competitively through public tendering. However, when you come to the Rural Electrification Fund, you will find that the money collected by Kenya Power and Lighting (KPLC). Five per cent of whatever you consume is collected by KPLC. That same KPLC is the consultant and contractor. The Ministry of Energy has no capacity to question whether this service line would have cost Kshs1 million instead of Kshs5 million. The monopoly of that information rests with KPLC. Here is a situation where they collect this money, they are the consultants, contractor and they also want to be the same people maintaining it. For heaven's sake, this is a very unfair arrangement and the Minister for Energy must move very quickly, so that he has an arrangement which is more or less similar to what we have in the Roads Maintenance Levy Fund so that they can be the contractor but not the collector of tax.

With those few remarks, I beg to support.

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity to contribute to the Presidential Speech. First of all, I want to congratulate the Minister for Education, Science and Technology for the way in which the bursary funds were disbursed to constituencies. I want to tell all the other Ministers who would like to assist with funds to develop

our constituencies to do the same.

Mr. Temporary Deputy Speaker, Sir, however, while congratulating the Minister for Education, Science and Technology for disbursing the money to the constituencies, I want to say again that the bursary funds given to the constituencies were peanuts. They were small. The funds were like a drop of water in the ocean. So, we need this NARC Government to also give more money to the secondary school students.

Mr. Temporary Deputy Speaker, Sir, the NARC Government is offering free primary education to our children. However, I would urge the Government to add the word "poor" after the word "free" so that we have the phrase "free and poor primary education." I propose that addition because, as a teacher, I have visited so many schools in my constituency and found out that in every school there are more than 80 children in a classroom. The NARC Government has to know the situation on the ground. It should know that although KANU Government failed to provide free primary education, the kind of education that existed during KANU regime was properly planned.

Today, we have free education, but after eight years from now, all the children who are now in Standard Eight will not have benefitted. Their level of knowledge will be equivalent to that of pupils in standard two. This is because teachers are supposed to attend to a large number of pupils and thereby not getting enough time to look at every pupil's needs. This Government ought to have realised that free education would be almost impossible without employment of more teachers and construction of more primary schools. I suggest that 1,200 schools would have been built in the rural areas. The urban areas are fortunate to have many well established schools.

Mr. Temporary Deputy Speaker, Sir, rural schools are actually unequipped. When I visited Mt. Elgon last week, I realised that there was a school with about 300 pupils with only five teachers. Really, what will come out of this scenario seven years to come? We shall end up with free and poor primary education in our country!

Mr. Temporary Deputy Speaker, Sir, every one has been saying that agriculture is the back bone of this country. The Government should allocate money to groups that are showing signs of growth in the various provinces of this country. For example, the money could be given to Rift Valley Province the way hon. Prof. Saitoti did. Such money should, in fact, be given to constituencies so that hon. Members can plan on what crop to grow in their areas. The NARC Government should not fail the way the KANU Government did.

Mr. Temporary Deputy Speaker, Sir, I would like to suggest that whenever we are contributing in this House, all Ministers ought to be present. Whom are we telling all these and yet they do not even read the HANSARD? If they are present in the House, they will be able to learn from the discussions generated by other hon. Members. If the NARC Government does not change their ways now, come 2007, they will face KANU and I know for sure if KANU prepares well, then, it will take over from NARC.

Mr. Temporary Deputy Speaker, Sir, water is a major resource in our country. Establishment of a good road network in the country is also vital. The donors are giving us Kshs5 million, but the NARC Government does not have an idea on how to use this money. The Kshs5 million can be distributed down to the people in form of employment. Such money can be used to create the 500,000 jobs people were promised. If only we could get down to the people, we would realise that this country is rich in terms of human resource. The Government should tap this resource.

Mr. Temporary Deputy Speaker, Sir, I want to urge that the issuance of the Certificate of Good Conduct should be decentralised. People are coming to Nairobi from as far as South Nyanza or Mombasa just to get the Certificate of Good Conduct. If you go to Times Towers you will see that these people are suffering a great deal. Some of them have been in Nairobi for the last ten days and yet they have not been given the certificates. What are we doing about these as hon. Members? We need to visit these people. They are beaten up by thugs in early morning hours as they come to

town to queue for the Certificates of Good Conduct. There is great need to decentralise the issuance of those certificates to the district levels.

I know that many of the people coming for the Certificate of Good Conduct are the youth. They are thousands in number. I want them to know that hon. Kimeto is fighting for their rights and come 2007 they should vote for me so that I continue to fight for their rights.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, the NARC Government is selectively deploying nurses in areas that voted for it in the last General Elections. The NARC Government has forgotten that upon getting to power, they ought to work indiscriminately by employing everybody who deserves employment. In Bomet, Bureti and other constituencies considered to be KANU zones, there was no employment of nurses. They are telling us that if you are not pro-NARC, then, you will not benefit at all. I want to urge this Government to employ people indiscriminately. It should not wait up to that time I will have the capacity and power to employ people in this country. It should employ people regardless of where they come from or their political affiliation.

Mr. Temporary Deputy Speaker, Sir, people have been talking about pyrethrum. This is the only agricultural sub-sector that is still alive. Why cannot the Minister for Trade and Industry take officials abroad to bargain for a good price for our pyrethrum in the overseas countries. This would earn our pyrethrum farmers a living and the Pyrethrum Board will be able to pay the farmers their dues. I urge the Government to pay farmers as it waits for the sale of pyrethrum in Nakuru. If this Government does not look at the plight of pyrethrum farmers, we shall be left with no factory in this country. We need to appreciate whatever resources we have. That way we will be able to handle well any other resource that comes our way.

Mr. Temporary Deputy Speaker, Sir, last year we passed a Bill on retirement benefits. Retirement means, "go home and enjoy the fruits of you past labour." But what retirees are experiencing now is " go home, come to Nairobi and enjoy the suffering you never experienced before."

*(Applause)*

The opposite is actually happening. Please, let retirees be paid their dues from their areas of work as soon as they retire. This should be done two or three years before a person retires. Retirees are suffering here in Nairobi. They are tarmacking in Nairobi. We want them to be given their money immediately they retire.

Mr. Temporary Deputy Speaker, Sir, concerning HIV/AIDS, when we were in Mombasa, I urged His Excellency the President and the First Lady to lead by example by going to the Voluntary Counselling Centre (VCT). Hon. Kimeto has already gone to the VCT. We want money targeted for HIV/AIDS projects to be handled by people living with HIV/AIDS. It is not proper for people who are HIV negative to oversee the use of such money. The money should be used to feed people living with HIV/AIDS. I want to make it known that, in my constituency, whenever the money targeted for HIV/AIDS will be available, I will give it out to people who are already suffering from AIDs. We do not want Non Governmental Organisations run with people who are not HIV/AIDS positive to handle these money. Let people with AIDS assist themselves.

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

**Mr. Omamba:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to the Presidential Speech. The Speech was fairly good because the President touched on various areas of concern.

Mr. Temporary Deputy Speaker, Sir, life is very precious. Indeed, it needs to be protected.

We should be protected and we should also protect ourselves individually. The number of thugs has increased immensely in the country. This has not only happened around Nairobi, but also in other towns including my home town. I can imagine what happened to some homes neighbouring the headquarters of Uriri Constituency, where there is a District Officer (DO) and two Administration Police officers. A robbery took place in that area and people with illegal arms were just walking around the village. Since there was no vehicle at the police station, the police could do nothing. So, there is a great need for vehicles to be sent to strategic areas like the district and divisional headquarters where the DCs, DOs and the police are situated. Policemen lack vehicles in many police stations. You can report a crime in these stations, but they will just look at you and do nothing because they lack vehicles. This is really a lamentable situation.

As regards roads, when we leave this House, we shall go home. But in my home area, there is a road which was repaired during the *El Nino* rains, but the engineers by-passed one bridge which has since collapsed. I had talked about this issue here earlier on. Where is the money? The Minister for Roads, Public Works and Housing has been commended very much on the Floor of this House for the very good work that he has done. But there is sabotage somewhere because the funds are not being released. The Minister should look for a workable solution so that the Minister for Finance can release the funds so that these roads and bridges can be constructed and *wananchi* benefit.

Mr. Temporary Deputy Speaker, Sir, the President spoke very much on the agricultural sector. I do not know whether he forgot about western Kenya because we have crops like cotton growing there. We know that people need to wear clothes, but we continue to import *mitumba* from foreign countries. For how long shall we continue importing these second-hand clothes from foreign countries? The cotton industry is dead, and we are asking the Minister for Agriculture to revive the cotton industry, especially along the Lake Region where there is the black cotton soil. Fish is another commodity which is only enjoyed by foreigners like Asians in this country. It is very difficult to get fish from the lake, but when the fish is brought on the shore, somebody else comes and collects all of it at a throw-away price! Nobody is worried about this issue! The President, in his Speech, forgot about western Kenya, especially around the lake region and he should now be informed.

Mr. Temporary Deputy Speaker, Sir, there was a proposal to open a Kenya Meat Commission (KMC) depot in Nyatike in western Kenya. There was a lot of cattle which came from Tanzania to the KMC depot here, but that is now history. Why can the NARC Government not implement the proposal? I wonder whether the 500,000 jobs will be created. It is just empty rhetoric.

Mr. Temporary Deputy Speaker, Sir, with regard to the sugar sub-sector, there is no remedy to save it. I commend the Minister for Agriculture for the efforts he has put to stop the importation of sugar. Some of the importers are with us and this is making it difficult to stop the business.

Let me talk about the constitutional review. This is a headache to Kenyans. The consensus which is being talked about is a secret discussion. How many consensuses do we need in Kenya? We had a consensus for two months at Bomas of Kenya. Where were these Ministers? They are now inviting individuals to State House to try and compromise them. We need the Attorney-General to bring the Bill to this House, so that we either reject or accept it. We should not secretly try to compromise some people. We are fed up with this.

With those few remarks, I beg to support.

**Mr. Owino:** Thank you, Mr. Temporary Deputy Speaker, Sir. Let me add my voice to my colleagues' voices on the President's Speech. I am a very strong Member of the NARC Government, but I have my reservations on its performance. The honeymoon is over for the NARC Government to start taking stock of what it promised Kenyans. It is high time the NARC Government started behaving like a businessman. As a professional accountant, every business worth its name must prepare a balance sheet or a trading and loss accounts every year. The object of this is to determine

the company's profits and losses, so that the company can plan forward. Kenyans sent the former KANU regime packing and mandated the NARC Government to take over the leadership of this country. It is high time the NARC Government behaved like a professional businessman.

*(Loud consultations)*

Mr. Temporary Deputy Speaker, Sir, could you protect me from the hecklers from that side?

**The Temporary Deputy Speaker** (Mr. Ethuro): You are protected!

**Mr. Owino:** Mr. Temporary Deputy Speaker, Sir, we should talk about the promises that we made to Kenyans. We talked about having a new Constitution in place within 100 days in office. It is now more than one year and we have not given Kenyans the new Constitution. It is high time that the NARC Government started scanning through and grading its scores against its failures, so that it may realise why Kenyans are getting disgruntled with it. On education, the NARC Government promised to provide free and compulsory primary education and it came with a bang. Many of our children are in school and the credit goes to the Government. However, Kenyans are looking forward to seeing an expansion of learning facilities and employment of extra teachers in our schools. For example, in my constituency, I have six schools with more than 200 students and only three teachers in each school. This has led to poor quality of education in most of our schools countrywide.

If we want our Kenyan students to compete with other students in the world, then we must be concerned about the quality of education we are giving to our pupils and students.

Mr. Temporary Deputy Speaker, Sir, we prepare our pupils to go to the secondary school section. What plans do we have for our pupils in Standard One and Two, who will, eventually, join Form 1 and go up to Form 4, if we do not prepare secondary schools to accommodate them? We have to have a policy from the Ministry of Education, Science and Technology of expanding our secondary schools. The Government has banned *Harambees* and I do not see how expansion of schools will happen in the foreseeable future.

We want to see a policy properly guided to the development of our infrastructure. The roads are dilapidated. Even the agricultural sector, which is the cornerstone of this country, is dilapidated. We are talking about creating 500,000 jobs. How will we create these jobs when the investments are not forthcoming? How will we reconcile the Government's promise of creating 500,000 jobs *vis-a-vis* the IMF and World Bank instructions that some of our employees should be rendered redundant? The Government must come up with a policy to convince Kenyans that it is committed to creating the 500,000 jobs against the loss of 200,000 jobs that are demanded by the World Bank and the IMF.

Mr. Temporary Deputy Speaker, Sir, on insecurity, it has been said repeatedly in this House that the situation is appalling. It cannot be said to be correct. I must say here that, when you sack the Commissioner of Police and his counterpart in the Criminal Investigation Department (CID), you are not solving the problem of insecurity in this country. The problem of insecurity in this country lies within those in the lower and middle cadres. Let us not face the situation simply because it is complicated. We have people who are going hungry because of poverty and because they are dispossessed, they will look for other means of living. That is why there is so much thuggery. They are dispossessed and they do not have anything to think about. They can only think about how to survive. They will see it in us, who are driving big cars here.

Mr. Temporary Deputy Speaker, Sir, security must be handled best by the Minister. The Minister is not giving us enough. It does not mean that when you sack the Police Commissioner and increase the salaries of police officers, you expect them to perform well when they are living in poor houses and do not have enough communication systems. They do not even have enough security

systems to assist them in handling insecurity. Something must be done and it must be done now. The police force should not be seen as a force, but as a service to the people of Kenya.

Finally, I have something to say about the constitutional review. It is a wonder and a surprise that those of us who were in the Opposition and in the Government now, who demanded a people-driven Constitution, have changed their minds to what the former KANU Government wanted at that time. Kenyans are asking: What has happened in their minds? We wanted a people-driven Constitution. What has happened that, this time round, we are talking about what Mr. Moi wanted with his henchmen at that time?

Mr. Temporary Deputy Speaker, Sir, I am also concerned about the issue of consensus. Consensus-building should not be done very many times, otherwise it becomes a vicious cycle. Let us be serious if we want Kenyans to have a new Constitution. Let us have the Constitution in a transparent manner. Let some people not go somewhere, hide and talk on behalf of Kenyans. Kenyans have already spoken through Wanjiku and Atieno. They produced a draft which is the one that Kenyans want to see being in operation. If there is to be any consensus over it, then it must be reached in a transparent manner.

With those few remarks, I beg to support.

**Mr. Keter:** Mr. Temporary Deputy Speaker, Sir, thank you for giving me this chance to air my views on the Presidential Address.

The NARC Government came to power with a lot of promises. Some of the promises that the President outlined in his Address concern corruption. I support what he said, that he had set up many commissions to fight corruption. The commissions are being paid a lot of money to check on corruption. I am worried because of what I am seeing happening. Friends of Ministers are being rewarded. They are being given jobs by Ministers and the commissioners. Those working for the commissions are also being paid a lot of money.

In the last one year and three months that the Goldenburg Commission has been working, there is nothing that has come out of it. We know that there is a lot of money that has been spent. The principal witness in the Goldenburg issue is Mr. Kamlesh Pattni. He should have been given a chance to defend himself and say how he distributed the money. For instance, he may have given Kshs20 million to Mr. Paul Muite. Instead of that, he is being confined to a police cell after being charged in court for an unrelated case of murder, so that he does not have a chance to speak and give the names of the people he gave the Goldenburg money to.

Mr. Temporary Deputy Speaker, Sir, recently we were told that some tapes were collected from Mr. Pattni's residence. We were then assured that the tapes were in safe custody. Are they safe or being amended, so that the names of certain people are erased? That is an issue that proves that instead of the NARC Government fighting corruption, it is promoting it. That is where the NARC Government is going wrong.

The President also talked about the achievement that has been realised in the *matatu* sector. It is true that it is an achievement. We are seeing some discipline. However, this is at the expense of so many Kenyans. For instance, the roads in my Constituency are in a pathetic state. There are no Nissan *matatus*, which are worth being fitted with safety belts and speed governors. There are only lorries and donkeys there. The lorries and donkeys are not fitted with safety belts. We are asking the Government to implement the *matatu* reforms in phases. First, the speed governors can be fitted into the vehicles so as to reduce the number of accidents on our roads. When we try to implement all the policies at a go, not many Kenyans may afford to comply because our economy is not doing very well. If our economy is not doing very well, why are we torturing the people in the rural areas, who cannot even access market places? A case in point is that last weekend when I was at home, I noted that there were these *matatus* which people used a long time ago before the speed governors and safety belts were introduced. People put their goods in them and then use other vehicles to get to the urban centres. Nowadays when people go to the urban centres they cannot get



their goods there. That is why we are saying that these changes should have been implemented in phases.

I also want to comment on communication. Proper communication is vital for any sort of development in any country. The Government has licensed and gazetted a third mobile telephone company. This third mobile service provider should have been given to Telkom Kenya Limited in which we have invested a lot of national wealth. Third mobile service providers in Uganda and Tanzania have been given to telecommunication companies which are owned by the people of these countries. In Kenya it is vice versa. We were promised in the Budget that we would get about Kshs4.7 billion in form of licensing fees that was to be paid by a third telephone company, but the third mobile service provider was licensed at a fee of about Kshs2 billion, and the licensed company has sold its shares in Nigeria. It is not able to inject a lot of money to develop telecommunication services in this country. What we are paying now for mobile service should be reduced. Otherwise, the monopoly by Safaricom and Kencell companies will continue. They will continue charging high prices instead of lowering them. If the Government was serious in assisting Kenyans, it would have licensed Telkom Kenya Limited to establish a third mobile company. This is what the other two East African countries have done.

Another area that I want to comment on is the agricultural sector. The President talked about creating about 80 per cent of new jobs in this sector. In my area there is a lot of tea. Three-quarters of my constituency has tea. It is supposed to be a rich constituency, but it is not rich. We pay billions of shillings in taxes, but we are not getting anything because the multinationals like Brooke Bond, John Finlay and George Williamson, which are owned by foreigners, are exploiting Kenyans by paying employees about Kshs3,000 or Kshs2,000. This is happening despite the fact that the top management, who are expatriates and are supposed to be knowledgeable, are being paid a lot of money in foreign accounts. Why should we have expatriates yet Kenyans can do their jobs?

As leaders, we cannot just watch as these expatriates, who are racists, continue coming to Kenya despite the fact that the NARC Government took power with a lot of promises. I thought this was an area the Government should have used to give Kenyans employment. I want to call upon the Ministry in charge of immigration to vet these expatriates. Yesterday, Mr. ole Ntimama talked about expatriates exploiting Kenyans. This is rampant in my constituency, because that is where the multinational companies are.

I also want to talk about rural electrification. The President talked about Kshs14 billion being available. There are groups in my constituency which paid the 10 per cent deposit in 1995, 1996 and 1997 amounting to about Kshs13 million, but up to now they have not been supplied with electricity. These are people who have made commitments and the President talked about the amount of Kshs14 billion. I do hope that this Kshs14 billion will first of all benefit those groups which paid deposits back in 1995, and if there are some which paid them earlier than that, they should be considered.

Ministers in the NARC Government are discriminative. For example, when the Ministry of Health advertised the posts of nurses, clinical officers and public health officers countrywide some districts, like my Kericho District, were not even given a chance and yet we contribute a lot of money in form of cess which comes from our tea. We have a lot of people who are qualified, but they were not given a chance. The other day the Minister organised a workshop here in Nairobi which---

**The Temporary Deputy Speaker** (Mr. Ethuro): Your time is up.

**Mr. Keter:** Thank you, Mr. Temporary Deputy Speaker, Sir.

**Mr. Mbau:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to speak in support of the Presidential Address, which was delivered here last week.

Mr. Temporary Deputy Speaker, Sir, I want to thank the President for the Address that he gave because it touched on the lives of many Kenyans.

I would like to start with issues that I feel the President actually touched on. Agriculture is the mainstay of our economy. We need to support our farmers in all ways. One way of supporting our farmers is by giving them water, so that they can practise irrigated agriculture. The President did mention that Kshs2.2 billion will be given out by our development partners to support our Budget. There is a lot of water in Masinga Dam which covers 48 kilometres of my constituency, but we do not have access to that water. It is my wish that the Minister will get this water to the hills. I would like to suggest that she takes it to Kagode Hills, so that it can flow down by gravity and we can have our people doing irrigation. This area has potential for growing a lot of crops, in this way we can alleviate poverty.

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

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

Mr. Temporary Deputy Speaker, Sir, I want to thank the Minister for Transport and Communications for the good work that he did to dismantle the *matatu* cartels that used to run this sector without even having their own *matatus* on our roads. We need to assist the Minister because there was a time when I was going to Machakos and a *matatu* was in front of me. It was actually doing 120 kilometres per hour while I was doing 100 kilometres per hour. It means that some of these transporters have not even fitted their vehicles with safety gadgets like speed governors.

On the issue of co-operatives, I want to say that this is an area in which the Minister is supposed to do a lot, so that we can do away with some of these people who have been running co-operatives. In my constituency, I have a co-operative society which has been looted by people who have been in charge of it. We need to strengthen these co-operatives, and see whether we can assist the co-operators to get their money, which they have not been getting of late.

On the issue of electricity, about 75 per cent of electricity in this country is produced in Masinga Dam. We do not have electricity in our areas. Very little has been done towards the generation of electricity. I would request the Minister in charge of energy to have this facility benefit us. Since electricity is generated in our vicinity, our people should also benefit from it. There are so many institutions that need to have access to this important facility. We have schools, markets and dispensaries which do not have access to electricity. The amount of money that has been voted to this Ministry and what they expect to get from our development partners will assist them to form a Constituency Rural Electricity Fund (CREF) so that each constituency can access electricity.

Mr. Temporary Deputy Speaker, Sir, on the health sector, the Ministry of Health is doing very well. We have many health centres and dispensaries all over the country. For example, in my constituency, members of the public have come together and constructed 12 dispensaries. Unfortunately, the Government has not posted nurses to those dispensaries. I appeal to the Minister to post nurses to those dispensaries so that our people can get good medical care.

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

**Mr. Koros:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion on the Presidential Address. While I appreciate the good work done by his Excellency the President, I am not happy with the way his Ministers are conducting themselves. They are supposed to be implementing what is contained in the President's Speech.

The President, in his Speech, indicated that the agricultural sector has experienced a 2 per cent growth. Actually, I think it has experienced a negative growth. During the reign of KANU, a bag of fertilizer cost Kshs1,000, but today, farmers are buying a bag of fertilizer at Kshs2,000. This is double the price.

The President talked about reviving the Kenya Farmers Association (KFA) so that it can

advance loans to farmers. However, the activities of the KFA are concentrated in one region. In Rift Valley Province, particularly Uasin Gishu District, farmers are being asked to meet some conditions before they are given loans. However, in Central Province, farmers are not given any conditions by the KFA.

Mr. Temporary Deputy Speaker, Sir, the insecurity situation in this country has been caused by reforms in the *matatu* industry. These reforms rendered *matatu* drivers and touts jobless. Therefore, they have teamed up with gangs to terrorise Kenyans so that they get their daily bread.

Mr. Temporary Deputy Speaker, Sir, on the free primary education programme, I would like to say this programme is not well implemented because of shortage of teachers. There are no enough classrooms, desks and other facilities. This means that our children are not being taught.

Mr. Temporary Deputy Speaker, Sir, I am surprised that there is no single Minister in this House and yet, they are supposed to implement what is contained in the President's Speech. Therefore, I call upon the President to sack all of them and replace them with the Back-benchers who are determined to work. I do not know where these Ministers are. Probably, they are roaming in the streets.

Mr. Temporary Deputy Speaker, Sir, on the transport sector, I would like to commend the Minister for Transport and Communications for initiating reforms in this sector. However, I would urge him to consider re-opening Moi International Airport, Eldoret, because its closure is a big blow to people of Rift Valley Province. Let me warn him that if he does not open this airport before the end of the month, I will lead my constituents to graze their animals there. There is plenty of grass and our animals are dying for lack of pasture. That airport is lying idle.

**Mr. Kajembe:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that he is going to invade Eldoret Airport?

**The Temporary Deputy Speaker** (Mr. Khamasi): Mr. Kajembe, what is your point of order? You have not raised any point of order.

Proceed, Mr. Koros!

**Mr. Koros:** Mr. Temporary Deputy Speaker, Sir, I think the hon. Member was asleep. If there are 300 acres of idle land with a lot of grass, why can we not invade it?

Mr. Temporary Deputy Speaker, Sir, the Minister for Co-operative Development and Marketing has been going round the country saying that the Government is reviving Kenya Co-operative Creameries (KCC) factories, but there is no factory which has been revived in the Rift Valley Province. The KCC factories in Eldoret and Kericho have not been revived. So, what is the Minister doing?

**The Assistant Minister for Co-operative Development and Marketing** (Mr. Kenneth): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that KCC is being revived in certain areas and not in other areas when the KCC Factory in Sotik is fully operational? He also knows that there are peculiar problems with the Eldoret Factory, which we are addressing.

**Mr. Koros:** Mr. Temporary Deputy Speaker, Sir, the KCC Factory in Sotik was operational even before NARC came into power.

Mr. Temporary Deputy Speaker, Sir, Ministers have been going round talking about consensus building. I do not know the purpose for this consensus building campaign. We concluded the constitutional review process on 15th March, 2004, and I do not think we are going back for any consensus. So, the Ministers should take note of that fact. This Government should be nicknamed "Government of commissions." So, I request the Minister in charge of the constitutional review process to appoint a commission to look into the matter. The Government is full of commissions.

With those few remarks, I beg to support.

**Mr. Akaranga:** Mr. Temporary Deputy Speaker, Sir, I thank you for giving me this

opportunity to contribute to this Motion. I also stand to add my support to the Presidential Speech to this House as most of my colleagues have done.

Mr. Temporary Deputy Speaker, Sir, the Presidential Address addressed quite a number of issues affecting the general population of this country. However, there are certain issues which I would like to comment on.

The Presidential Address did not, for instance, address the issue of poverty, which is rampant countrywide. Majority of Kenyans are living below the poverty line. In my own constituency, a *gorogoro* goes for Kshs50. "*Gorogoro*" is a Greek word which means two kilogrammes of maize and our people cannot afford that maize. You realise that *ugali* is the staple food of Kenyans. If the price of maize goes up so much, our people will continue to suffer. It is, therefore, important for the Minister for Agriculture to address all those issues. There are National Cereals and Produce Board (NCPB) depots all over the country, but they do not hold any cereals. If you go to the depots, like the Chavakali Cereals Board Stores, they are completely empty. I wonder why they are called stores for cereals. Those depots are now storing rats instead of cereals.

Mr. Temporary Deputy Speaker, Sir, the poverty situation in this country has been aggravated by some field officers who do not take their work seriously. For example, there is a teacher by the name Nicholas Manono, who retired five years ago. Since that time, he has not been paid his retirement dues. That man is now languishing in poverty in his rural home. There are many other public servants who have retired, but they have not been paid their dues. So, the various Ministries of the Government should be very serious with their work.

Mr. Temporary Deputy Speaker, Sir, members of the business community out there are complaining bitterly about ferocity of funds in this country. There is no money. Even though banks have reduced their lending interest rates, people are still not able to borrow funds because of lack of collateral. Nowadays banks are reluctant to accept collateral securities presented to them. They say that the properties which are being demolished, perhaps, even the collateral which you are presenting to the bank might be earmarked for demolition. So, the situation out there is extremely difficult. Therefore, the Minister for Trade and Industry must come out very strongly to see how the business community can be assisted to remain in business.

Mr. Temporary Deputy Speaker, Sir, let us look at the infrastructure in this country. Over the weekend, I went to Budalangi. I was forced to change certain parts of my vehicle because the roads in that area are in a very bad state. I used to think that the only bad roads are found in my constituency, but I have realised that they are all over. In Nairobi, I live in South C Estate. Even reaching my house is a big problem. The roads in Nairobi are in a terrible state. The drainage system of the roads is not functioning. When it rained yesterday, it became impossible for some small vehicles to move along the Nairobi streets. They caused traffic jams all over. We waste a lot of man-hours just being on the road. Yesterday, I took almost three hours to drive from Parliament Buildings to my house in South C Estate, because there was a heavy traffic jam occasioned by the poor drainage system of our roads. Therefore, I would like the hon. Members who come from Nairobi to tell us how they use the Kshs5 million that is allocated to their road committees. Can they not use that money to repair some of the roads? I was talking with a friend of mine who asked me why motorists pay for road licences. Once you pay for a road licence, you would want to get value for your money. Therefore, it is important that the Government looks into that issue and addresses it urgently. There are so many things which need to be done in Nairobi.

Mr. Temporary Deputy Speaker, Sir, a number of my colleagues have already talked about insecurity. I would like to add a point to what they have said about this problem.

I am happy that there has been some change in the Police Force because in business, problems normally start from the bottleneck and the bottleneck is always at the head. Therefore, if you want to improve performance in a certain company, you must change the head. I want to believe that the new Police Commissioner was appointed because of his competence and not just

because he comes from northern Kenya or whatever. We would like to give him our full support so that he changes certain things in the Police Force.

Mr. Temporary Deputy Speaker, Sir, when I stress about security, there were these people who were retrenched from various Ministries. They are so many, and they were not paid their dues. Now, nobody knows where these people are at the moment. Those are the people who could easily pose a security risk to this country. If you look at those officers who used to work for the Kenya Air Force, here in Nairobi I know about 400 of them who have grouped themselves and have been meeting in this City. The other day they sent a memorandum to the Attorney-General, but nobody is addressing that issue. Nobody is addressing their complaints. Those are people who can easily cause a problem for this country. We are actually sitting on a time bomb. It is the duty of the Government to check the actions of those people who were sacked or dismissed from the Kenya Air Force. In fact, if you look at their letters of dismissal, they were not dismissed by the Kenya Air Force, a body which employed them, but they were dismissed by a non-body called the 82 Air Force. This is a body which never existed, but for political reasons, it was instituted just to perform a certain duty. I am asking the Minister for Internal Security to look into the plight of the ex-Kenya Air Force personnel and find out where they are at the moment. As I said previously, in Nairobi alone, they are almost 400. If you went around the country you would find that there are many who are just idle. In my own constituency, there were people who were attacked at night and cut very badly.

With those few remarks, I beg to support.

**Mr. Kajembe:** Thank you, Mr. Temporary Deputy Speaker, Sir. In the President's Speech, he talked about HIV/AIDS. It is a disaster and a problem. While launching the Constituency HIV/AIDS Committees one has to get funds to mobilise people. We have been told to launch these HIV/AIDS Constituency Committees and yet the National AIDS Control Council has not disbursed any funds to the constituencies. I for one, have done it in my constituency, but I had to pull out some money from my own pocket. You cannot go round asking for money to launch that committee, because if you do it, you will go against the Public Officer Ethics Act. This is not allowed. So, you will even find that up to now, no money has been disbursed to those groups recommended in the constituencies to carry out HIV/AIDS awareness campaign. I think it is time the National AIDS Control Council started disbursing money to those groups which have carried out activities in the constituencies.

Mr. Temporary Deputy Speaker, Sir, we are told that there is a lot of money in the National Aids Control Council (NACC), but that money has not been seen. We only see Dr. Gachara being taken to court and denied bail. We, as Members of Parliament, are creating awareness among our people, so that they are not infected with HIV/AIDS.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the Goldenberg Inquiry. Kenyans want to know the findings of the Goldenberg Inquiry. We know that there are judges sitting in that Commission. Yesterday, I read in the papers that the Chairman of the Commission, Justice Bosire, was car-jacked the previous day. If we had lost him, it could be a disaster. Many things would not have been known. The chief witness in the Goldenberg Inquiry is Mr. Pattni. But, now, he permanently lives in police cells. Apart from the Goldenberg case, he has been put in for a murder case. He killed one of his employees. We do not know what game is being played. We wonder whether the intention is to put Mr. Pattni in and let him die there, so that we can lose the chief witness! No one knows. I think time has come for the authorities to do their best to ensure that something comes out of the Goldenberg Inquiry.

Mr. Temporary Deputy Speaker, Sir, those who released the money from the Central Bank of Kenya (CBK) for whatever reasons, should be held accountable for that money. That money belonged to *wananchi*. Up to now, they are going around the cities freely. I think time has come now for those people to be punished. I am talking about those who were accountable. I am not talking about the people who were mentioned in the Goldenberg Inquiry. That is because they will

appear to defend themselves. But a lot of money was looted from the CBK, which is very bad. We want to see that money recovered as soon as possible.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the infrastructure. The road from Mombasa to upcountry brings all the commodities to and from the Port. It is a very useful road in this country. The road is in a pathetic state. Even the Government does not show any interest in refurbishing the road and yet, the whole economy relies on that road. It takes goods from Kilindini Harbour to landlocked countries like Uganda, Rwanda and the rest. Even the revenue collected at the Mombasa Port during the first regime went to build the infrastructure in Central Province. Not even one shilling was used in Coast Province. During the second regime, all the revenue collected from the Port went to build infrastructure in Rift Valley. Some of the money was used to build the Eldoret Airport, which is today not viable at all. We want the money collected as revenue from the Mombasa Port, which is in Coast Province--- We want some revenue to be apportioned to build roads, schools and other infrastructure in Coast Province. Somebody will say that it is a national institution. There are so many other national institutions in Kisumu, Nyeri and other places. Why are you so eager about the Mombasa Port?

Mr. Temporary Deputy Speaker, Sir, we are not talking of *majimbo*. But we are saying that when revenue collection is done in any particular area in this country, the people of that area should benefit first.

That applies also to the Zero Draft Constitution. We are eager to see that Constitution approved by this House. I remember when KANU was in power, the former President, Mr. Daniel arap Moi said, "If the Opposition today are given power to run this country, they will take my position." I can see today, they have taken the same position that Mr. Moi took at that time.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, we are not opposed to consensus building. But let us do it with fairness and all of us must be very faithful. There is a delay now and things are not working out well. We want the Attorney-General to do his work. He should now prepare a Bill for this House so that we can take action. I am saying this because we need a Constitution now. We are very much in need of it.

*(Applause)*

If we are talking of consensus building, well and good. But why do we not do it fast enough? Why are we also delaying the consensus building? Let us do it very fast. It is true that the Constitution must be acceptable to all Kenyans because it is a contract between the people and their rulers.

Mr. Temporary Deputy Speaker, Sir, my position is that once the Constitution is adopted by this House, it should be enforced after the 2007 General Elections. But I am opposed to any idea of saying it should be implemented after the year 2012. What is the problem? Why 2012?

Mr. Temporary Deputy Speaker, Sir, let us be honest. Let us make our Constitution faithfully. Let us work together regardless of our political party affiliation. The President has assured us that Kenya will get a new Constitution by June this year. Those who are now not working in good time will be surprised to see the new Constitution will be adopted before June this year.

With those remarks, I beg to support.

**Mr. Kagwima:** Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity. I rise to support the Motion.

First of all, the Speech read by the President on the official opening of this Session was well thought-out and well delivered.

From the outset, I want to say that our economic mainstay, which is agriculture, is not properly managed. For instance, production costs in all sectors of agriculture are excessively high. They are so high that goods from other countries, including eggs from South Africa, are airlifted to this country and are able to sell a lot cheaper than our own.

Mr. Temporary Deputy Speaker, Sir, we have complained many a time regarding imports of sugar into this country. This is because our sugar is more expensive than the one which comes into the country. If we have better methods of producing sugar cheaply or at the same level as those other countries, we shall have no complaints. This is because we have enough market for our sugar in the country. But our sugar is produced at very high costs.

However, it is not only sugar that is expensive; even rice from Mwea is more expensive than rice from Pakistan. If you look at all the sectors including coffee, the one that used to be the main foreign currency earner is also expensive.

A long time ago when I used to be in that sector at the Kenya Planters Co-operative Union (KPCU), we told the Government many times that the cost of producing coffee was higher than what farmers were getting, but not much was done about it. The trend continued until farmers abandoned coffee farming. Right now the coffee sector is down; I think it is number five or so in terms of foreign exchange earnings. We need to look afresh at our agricultural systems and see whether we can improve on the cost of production so that we are competitive, not only for export but also for our own consumption.

We also require to teach our people to consume some of the agricultural produce from various parts of this country. People produce foodstuff and instead of consuming it, they are busy looking for markets. Probably the market might not be there because those other people we are trying to sell to may not know how to use whatever produce we are selling to them. We require personnel in the Ministry of Agriculture to go into rural areas to encourage and teach people how to make foodstuffs from their produce. For example, in my constituency, we produce millet and a number of times I am being sent to the National Cereals and Produce Board (NCPB) to ask them to buy the seeds. I am happy that the Government has come out in that support, but some of it could also be consumed in those areas, in Ukambani and other areas as this would be creating market for that produce.

Having talked about agriculture, I want to move very quickly to the co-operative sector. I am happy that the Government is bringing a Bill into this House so that we can streamline the same. Otherwise, that sector has been run-down and our co-operative sector which employs more than 5 million Kenyans is now in shambles. Those who used to benefit from it are now left without any hope as to where to go. I want to ask the Minister to hurry up in bringing that Bill so that this House can support and give him facilities to manage that sector.

I am also happy that the Government has agreed to write-off debts amounting to over Kshs10 billion owed by societies that exist. However, I am also asking the same Ministry to come in, in support of new ones. This is because there are sectors that did not have co-operative movements. As much as we are writing-off debts, could we also make available another Kshs10 billion for the new societies that are being formed? This will ensure that we will have co-operative movements throughout the country. Those other areas that did not have co-operative movements could benefit from the same. I am saying, for example, if we have a new co-operative society coming up, the Government should give a financial base of about, say Kshs3 million, and then members also contribute some money and get a starting point. Whereas we are writing-off debts, let us also make finance available to the new co-operative societies.

I am also saying that the Government should assist the co-operative societies to acquire money more cheaply than they have done in the past. This will ensure that when co-operative societies are lending to members, they will do it at reasonable rates. If we could go below the 1 per cent per month or below 12 per cent per annum, members borrowing will be able to utilise the money in better ways and will be able to pay without much suffering.

Mr. Temporary Deputy Speaker, Sir, on water sector, I am happy that the Minister is here. I want to thank her. For the short time she has been in the Ministry we have started seeing water flowing to the rural areas. I am happy that the Ministry gave us some money to rehabilitate two water projects. We are also building three dams in the constituency. I want to congratulate the Minister and urge her to continue in the same spirit. His Excellency the President, in his Speech, said there is Kshs4.5 billion from the World Bank, Kshs2 billion from the European Union and Kshs1 billion from the African Development Bank. I would urge the Government to allocate a substantial amount of this money to the Ministry of Water Resources Management and Development, so that they can start water projects in Arid and Semi-arid (ASAL) districts, like Tharaka District. I am sure the Minister has taken note of it. In fact, if we could get Kshs30 million in the next allocation, we would be very happy. We have also seen a bit of improvement in the part of the personnel. For example, the new District Water Engineer is doing very well. I hope he will continue with his good work.

Mr. Temporary Deputy Speaker, Sir, on health, I request the Minister for Health to ensure that all district hospitals have enough personnel. I have no quarrel with the Minister. She is a hard working Minister. However, during the last recruitment of nurses, no nurse was posted to Tharaka District hospital. So, I request her to ensure that nurses are posted to that hospital. I would also request that funds from the African Development Bank (ADB), which is financing Kibung'a Health Centre and Marimanti District Hospital, be disbursed quickly so that our people can benefit.

Mr. Temporary Deputy Speaker, Sir, I want to address myself to the energy sector in this country. Those of us who have not travelled much in this country to see the potential in ASAL districts, probably would say that money is being taken from high potential areas to productive areas. Contrary to that perception, the undeveloped districts actually have the potential to support those high potential districts that have already been adversely affected by population. The high potential districts are no longer productive. But if we develop the ASAL areas, which occupy about three quarters of this country, we will be able to support the densely populated districts. Food will not be enough for the high potential areas. If we have enough electricity in Tharaka District, we will be able to contribute substantially to the Exchequer because we shall utilise the natural resources that God gave to us. We have all the minerals you can think of. For example, we have iron ore which we can use to produce steel which is in shortage in this country. Recently, prices of steel went up because the Republic of China imported most of the steel in the world. If Kenya now got into producing steel from the iron ore deposits that are in Kitui District, Tharaka District and other places, we shall be able to sell it locally, and probably export. I am informed that there is coal in Mwingi District. We can utilise that coal to smelt the iron ore that is available.

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

**Mr. Muriithi:** Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, do allow me to correct Mr. Kajembe who has alleged that the Kenyatta regime supported only Central Province. I think he is wrong. Former President Kenyatta worked for all Kenyans and we can see the fruits. I am not quite sure about the regime which followed thereafter because these days, they have an airport and I think they were also due for that facility.

I rise to support the Presidential Address during the State Opening of Parliament. I will go straight to the Rural Electrification Programme under the Ministry of Energy. While most of us



would like to use electricity in our houses, I have a different opinion. I would like to call upon the Ministry of Energy to ensure that all schools, particularly, secondary schools are supplied with electricity. If this is done, students will have access to information technology which is now the order of the day all over the world.

The Minister for Health is here, and these two "girls" have done very well in their Ministries.

**The Minister for Water Resources Management and Development** (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, did I hear the hon. Member say that we, girls, have done well in our Ministries? Let him address his constituents!

*(Laughter)*

**Mr. Muriithi:** I am sorry, Mr. Temporary Deputy Speaker, Sir. These two ladies have done extremely well in their respective Ministries. I am sure that the Ministry of Health will provide health services throughout the country. However, I would like to request the Minister to ensure that we have health centres at the locational and sub-locational levels. This will minimise congestion at the provincial general hospitals, not to mention Kenyatta National Hospital (KNH).

As the Chair is aware, before the Harambees were banned, we had started, particularly in my constituency, to put up health centres. Some of these centres are yet to be roofed while others are yet to be supplied with medicines and furniture. Since we are not allowed to conduct Harambees, I would like to request the Ministry of Finance to release the Kshs20 million to the Constituency Development Fund so that we can construct health centres and classrooms which are now dilapidated. We need to expand these facilities as a result of the recent increase in the number of pupils in our public primary schools.

I would also like to request the Ministry of Education, Science and Technology to come up with a policy paper and tell us whether parents should be allowed to hold Harambees to complete the projects they started on Harambee basis but have now stalled. Those parents should be allowed to hold Harambees to complete stalled classrooms for the benefit of our children. We appreciate the effort of our good Government in implementing the free primary school programme but the facilities cannot cope with the large number of children who would like to join primary schools. Some of the facilities can only accommodate a small number of pupils. I would like the Ministry to come up with a policy paper and tell us what we should do with the projects we started but have now stalled.

On the agricultural sector, we still have problems with sub-standard seeds being sold to farmers. I would like the Government to ensure that the Kenya Seed Company sells high quality seeds to farmers. Some people who claim to have taken over the management of that company should not be allowed to produce low quality seeds which they sell to our farmers. I urge the Ministry of Agriculture to provide us with extension officers who will show our peasant farmers how to plant, in order to maximise yields, now that it is the planting season in most parts of the country.

*[The Temporary Deputy Speaker*

*(Mr. Khamasi) left the Chair]*

*[The Temporary Deputy Speaker*

*(Mr. Sasura) took the Chair]*

On banks, I would like to say that they are still cheating us. If you have some surplus cash

and deposit it in a fixed deposit account, you will get at most 0.7 per cent interest. You will be paid an interest of 0.5 per cent per year on the money you deposit in a bank but if you borrow money from it, it will charge you a minimum interest of 12.5 per cent. If those people cannot reduce the rates, how can we revive our economy? The banks are still squeezing ordinary Kenyans when they borrow money to expand their business

On security, I join my brothers and sisters in this House. It is almost impossible for us to walk at night! We cannot even visit our constituents! We cannot even attend a funeral and visit somebody who is sick. We are scared! It is not only affecting Members of Parliament. We read in the papers that there are some people who are guarded by many security personnel. Why? Ordinary Kenyans have no security. It is unbelievable for an individual to carry a whole battalion, when my own mother cannot go to the next house to borrow some sugar. It is very sad. We are all equal and we require security! Whether we are big or small, it is a right of every Kenyan to have security during the day and night.

On transport, the Minister has done extremely well and we congratulate him. The only worry is when we read in the papers that some drivers can remove the speed governors and put them in briefcases. It is unbelievable! Those are murderers and they should actually be charged and if possible, sentenced for life imprisonment as a deterrent. That is very dangerous because they want to kill our people. For a while, we did not have any deaths on our roads. But when they started removing the gadgets, you can see what has happened. The Ministry should introduce strict measures and ban such drivers from driving for the rest of their lives. We want Kenyans to be safe on the roads.

With those extremely few remarks, I beg to support.

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

*[The Temporary Deputy Speaker  
(Mr. Khamasi) resumed the Chair]*

**Mr. Keter:** On a point of order, Mr. Temporary Deputy Speaker, Sir! I am not seeing anybody who is ready to talk and I wanted to contribute

**The Temporary Deputy Speaker (Mr. Khamasi):** Well, Mr. Keter, I think you leave that to the Chair to decide. Indeed, unless there is somebody who wants to contribute then I--- Yes, Ms. Karua!

**The Minister for Water Resources Management and Development (Ms. Karua):** Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support the Presidential Speech and applaud its exposition of policy and the direction the Government is taking. I have listened variously to colleagues in this House and I sympathise with the impatience many of them are displaying, on the pace of bringing change to this country. I just want to remind everyone that it is very easy to destroy, but more difficult to rebuild. We are dealing with cleaning up a mess that has occurred over decades. It will take quite sometime. Efforts are there and they are noticeable to those who want to fairly judge and assess what the Government is doing for this country in the various areas.

We all agree that there have been incidents of insecurity. But as all Members know, the Government is doing its best to curb insecurity. It is battling with rot that has occurred over decades. It will take time, but it is being addressed. We would urge that citizens ought to co-operate with the law enforcement agencies because the people who are causing incidences of lawlessness are Kenyans and maybe, brothers and sisters of some of us. So, if we co-operated, then it would go a long way

into helping. Let us not resist change when the Government effects changes to improve the lives of Kenyans. Change in the Public Service and in the Civil service is the order of the day. There is no station which can be regarded as permanent and pensionable, unless the constitution and the law says so and all those working in the Public service work knowing that they can be moved at any time. So, let us as leaders not mislead the population that there is anything wrong when routine changes that help in improving the welfare of Kenyans are initiated.

Mr. Temporary Deputy Speaker, Sir, I have listened to a colleague who has contributed just now and who is very hopeful that something good will happen about the water situation in his constituency. I want to say that my Ministry is doing its best to ensure that Kenyans access services. It is not possible to address the backlog in rehabilitation and maintenance of infrastructure and to lay new infrastructure where infrastructure has been lacking, but we are taking bold steps and some Members of this House can actually confirm that work is ongoing. I am urging all Members to make their own contribution in improving services to their constituents by helping us to police what is happening in the water sector. We in the Ministry of Water Resources Management and Development agree to be policed by the beneficiaries and it is incumbent on the Members here and their constituents to ensure that funds voted are applied efficiently. My Ministry is doing all it can in supervising the districts and the ongoing works but this cannot succeed without contribution from the Members. I would encourage interaction with our officers and directing complaints in a timely manner to the Ministry so that instead of dealing with postmortem issues, we address the problems while the projects are still being implemented.

Mr. Temporary Deputy Speaker, Sir, as a Government, we are trying to co-ordinate all the monies voted for water. The Arid Lands Project is housed at the Office of the President. Previously, it has been implemented through that office. We are now trying to co-ordinate so that the Ministry of Water Resources Management and Development and the Director of Arid Lands sit together so that we are able to make an impact in each of the arid constituencies using the Ministry's budget and the budget set aside for the Arid Lands Project. We are hoping within a short time to reduce the distances women have to walk and also men in search of water for livestock. We are hoping that within the available means, we should be able to make an impact.

Mr. Temporary Deputy Speaker, Sir, we know that we may not have all the funds that we require but we pledge and we have been doing it, to begin by efficiently applying the little that we have before we cry for more. I am very confident that as I come back to this House to seek more funds in the next Budget, we will be able to give a blow-by-blow account of what we have been able to achieve with the little budget that we have been having. We have to this extent, been collaborating with an inter-governmental agency as opposed to contractors, to ensure efficiency in utilisation of funds and value for money. We have done that with the National Youth Service (NYS) on various projects with very good results. We are exploring collaboration with other inter-governmental agencies to ensure once again that the little funds we have are spread over to as many people as possible.

Mr. Temporary Deputy Speaker, Sir, I want to agree with His Excellency the President when he said that he would be proud to be a Member of the House that will be remembered by posterity as having made it possible for Kenyans to have a new constitution. We would urge that citizens ought to co-operate with the law enforcement agencies because the people who are causing incidences of lawlessness are Kenyans and maybe, brothers and sisters of some of us. So, if we co-operated, then it would go a long way into helping. Let us not resist change when the Government effects changes to improve the lives of Kenyans. Change in the Public Service and in the Civil service is the order of the day. There is no station which can be regarded as permanent and pensionable, unless the constitution and the law says so and all those working in the Public service

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Mr. Temporary Deputy Speaker, Sir, I want to agree with His Excellency the President when he said that he would be proud to be a Member of the House that will be remembered by posterity as having made it possible for Kenyans to have a new constitution. This calls upon each of us to put the nation first and not short political fixes meant for immediate gains. We should have a Constitution that suits all Kenyans. This calls for bargaining and listening to one another. We should recognise the fact that no one group can pass the Constitution without considering the views of the other. The threshold of 65 per cent is deliberately put there, the world over, to ensure that even the most reluctant have to seek their opponent for serious discussions.

Mr. Temporary Deputy Speaker, Sir, it, therefore, calls upon us to distinguish ourselves as leaders. At the end of the day, the real responsibility lies with the elected leaders. It is us hon. Members who were elected by popular mandate and it is us who will be answerable should we be unable to deliver on any one score, including reviewing the Constitution.

Mr. Temporary Deputy Speaker, Sir, I think that many hon. Members are ready to discharge their duties and this House will stand the test of time. We have seen situations in the past where there has been total disagreement amongst us, but with a bit of patience and reason, we have been able to bridge our differences.

Mr. Temporary Deputy Speaker, Sir, I want to remember 1997, when there was a near-crisis and Parliamentarians got together. We did not agree on all the issues even at that time. However, there was a give and take situation and we managed to arrive at a consensus. I want to remember the turbulent history before the Constitution of Kenya Review Act could actually be operationalised. It was amended more than three times and today we are still talking about amendments. There is no short cut to a good Constitution. If we find it necessary to make further amendments to help us arrive to a conclusion befitting this country and our future, remembering that we have no spare country which we can go to should we mess, then, let us do what is necessary to give us such a Constitution.

I have confidence that this House will do its duty. It is us who need to sit with experts, look at everything and agree that the Constitution is good. After all Section 30 of the Constitution of this country bestows on us the duty to legislate. That duty means that you cannot vote blindly. You have to reason to know why you are doing what you are doing. It means that the responsibility of saying yes or no to any piece of legislation is here in this House. But should we feel that we need to include the views of Kenyans, then, obviously, we are talking about seeking the views of the people through a referendum. So, let this House do whatever is necessary to go to the roots that will bring a Constitution that everybody feels comfortable with and that which is not seen as a political fix for any one side. This is a heavy responsibility which I believe we are ready to discharge.

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

### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Khamasi): Hon. Members, it is now time to adjourn the House. The House is, therefore, adjourned until tomorrow, 8th April, 2004 at 2.30 p.m.

The House rose at 6.30 p.m.