

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 13th April, 2004

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

EXTENSION OF MANDATE OF SELECT COMMITTEE ON DEATH OF DR. OUKO

Mr. Sungu: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:- THAT, this House resolves that the mandate of the Select Committee appointed by the House to investigate and report on the circumstances which led to the death of the late Dr. Robert Ouko be renewed in order to enable the Committee continue investigations and complete its work.

ORAL ANSWERS TO QUESTIONS

Question No.004

COMPENSATION TO KOITALEL SAMOEI'S FAMILY

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

(a) whether he is aware that on 19th October, 1905 a British soldier, Captain Minertzhagen, murdered the Nandi Laibon, Koitalel Samoei, together with 22 members of his family, and thereafter British troops, under the command of General Manning, killed 1,600 Nandis, robbing them of 16,213 head of cattle and 36,000 sheep and goats;

(b) whether he is further aware that the British soldiers thereafter evicted the Nandi from their ancestral land in Tinderet, and the land was annexed by the British who occupy it up to now; and,

(c) what action he is taking to have the British Government compensate Koitalel Samoei's family and pay war reparations to the Nandi people.

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Deputy Speaker, Sir, I wish to seek the indulgence of the House to answer this Question on Wednesday next week.

Mr. Sambu: Mr. Deputy Speaker Sir, the Assistant Minister did not give the reason why he should give his answer on Wednesday next week.

Mr. Deputy Speaker, Sir, maybe, he should give us the reason why. That way, maybe the House will be in a position to consider his request.

Mr. Deputy Speaker: Mr. Assistant Minister, what is the reason for you to want to answer the Question next week?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Deputy Speaker, Sir, this is a Question that is dealing with the colonial period. I will have to get appropriate information retrieved, and also have the issue of compensation researched into in order to enable me handle the Question appropriately.

Mr. Deputy Speaker: Mr. Sambu, the Assistant Minister has asked for a week to answer the Question. Is it too much?

Mr. Oloo-Aringo: On a point of order, Mr. Deputy Speaker, Sir. We bring Questions here and give Ministers adequate time to answer them. The Questions are not ours. We ask them on behalf of the people of Kenya.

Mr. Deputy Speaker, Sir, if the Assistant Minister knows that this is a historical Question that requires research, why does he not have the research in place? We have set up a whole Ministry, and we pay for it in order for him to adequately answer Questions by the citizens of the Republic of Kenya!

Mr. Deputy Speaker: Well, that having been said, Mr. Sambu, the Assistant Minister is asking for one week. I do not think that he is asking for too much. Is that okay with you?

Mr. Sambu: Fine, Mr. Deputy Speaker, Sir, this is the third time I am asking the Question and is always being deferred. Nevertheless, I will inform the Assistant Minister that at the Kenya National Archives, there are documents like the one I have. It is just a question of sending someone there. As to whether the British are supposed to pay war reparations, the High Commissioner is around, and he involves himself in matters which are irrelevant to his diplomatic mission. Why can he not compensate the families of those who were killed first?

Mr. Deputy Speaker: Mr. Sambu, you are now getting out of the Question. If it is okay with you, we shall defer the Question to next Wednesday, 21st April, 2004 at 2.30 p.m.

(Question deferred)

Question No.005

RECONSTRUCTION OF BITUNDUGUSI PRIMARY SCHOOL ROOF

Mr. Mwancha asked the Minister for Education, Science and Technology:-

(a) whether he is aware that a section of a roof of Bitundugusi Primary School in Manga Division in Kitutu Masaba Constituency has been blown off by wind, causing the collapse of the classrooms; and,

(b) what immediate action he is taking to reconstruct the schools whose pupils are learning under trees.

Mr. Deputy Speaker: Where is the Minister? We will revisit the Question later.

Question No.001

PAYMENT OF TERMINAL BENEFITS TO RIFT FLORA EMPLOYEES

Mr. Wamwere asked the Minister for Labour and Human Resource Development if he could explain when Mr. John Githinji and 19 other people will be paid their benefits, namely one month's pay in lieu of notice, overtime, leave and other benefits, which they were entitled to after the termination of their services by Rift Flora Ltd. on 7th March, 2002 as per the agreement between the said firm and

KPAWU signed on 23rd April, 2002.

Mr. Deputy Speaker: Is the Minister not there? Let us move on to the next Question. We shall come back to that Question.

Question No.002

RE-OPENING OF KMC

Dr. Kuti asked the Minister for Livestock and Fisheries Development:-

- (a) when Kenya Meat Commission will re-open; and,
- (b) what plans he has of opening abattoirs closer to pastoral communities.

Mr. Deputy Speaker: Is the Minister not here? We shall come back to that Question.

Mr. Mwanicha: Mr. Deputy Speaker, Sir, before I ask my Question for the second time, I must inform you that I do not have a written answer.

Question No.005

RECONSTRUCTION OF BITUNDUGUSI
PRIMARY SCHOOL ROOF

Mr. Mwanicha asked the Minister for Education, Science and Tehnology:-

- (a) whether he is aware that a section of a roof of Bitundugusi Primary School in Manga Division in Kitutu Masaba Constituency has been blown off by wind, causing the collapse of the classrooms; and,
- (b) what immediate steps he is taking to reconstruct the school, whose pupils are learning under trees.

Mr. Deputy Speaker: The problem is that there is no one to answer the Question. The Minister for Education, Science and Technology is not here. I wonder who should answer this Question.

Mr. Sungu: Mr. Speaker, Sir, late last Session, the Leader of Government Business set a very good precedent by being ready to answer Questions directed to any Ministry in the absence of Ministers. I believe that was a very good arrangement because our Cabinet must have collective responsibility. May I ask that a representative of the Leader of Government Business explain to us what is going on? These are very important matters and Parliament is supreme.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Mr. Ojode, do you want to answer?

The Assistant Minister for Lands and Settlement (Mr. Ojode): Mr. Deputy Speaker, Sir, I undertake to send the message so that this Question is answered even tomorrow.

Mr. Deputy Speaker: Hon. Members, I think someone had better tell the Minister for Education, Science and Technology that we want this Question answered tomorrow, first thing in the morning. So, it is deferred to tomorrow morning.

(Question deferred)

Next Question!

*Question No.001*PAYMENT OF TERMINAL BENEFITS TO
RIFT FLORA EMPLOYEES

Mr. Wamwere asked the Minister for Labour and Human Resource Development whether he could explain when Mr. John Githinji and 19 others will be paid their benefits, namely one month's pay in lieu of notice, overtime, leave etc., which they were entitled to after the termination of their services by Rift Flora Ltd. on 7.3.2002 as per the agreement between the said firm and KPAWU signed on 23.4.2002.

The Assistant Minister for Labour and Human Resource Development (Mr. Odoyo): Mr. Deputy Speaker, Sir, may I table my humble apologies to the whole House.

Mr. Deputy Speaker, Sir, I beg to reply.

On 7th March, 2002, Mr. John Githinji and 19 other people went on strike. The strike was considered unlawful and the employer subsequently dismissed all the workers without any benefits. After intervention by the Ministry, the employer agreed to convert the dismissal to normal termination. On 26th March, all the employees were paid a minimal amount, and they all signed for it against their names.

Hon. Members: How much!

Mr. Deputy Speaker: Order, hon. Members! There is a way of asking such a question. You stand up and catch my eye.

Mr. Wamwere: Mr. Deputy Speaker, Sir, the Assistant Minister admits that the workers went on strike and for that they were dismissed and later on paid a minimal amount of money. I do not know what this money was supposed to represent. If there is punishment for workers when they go on strike, could the Assistant Minister tell this House why there is no punishment for employers when they go on strike and refuse to pay their employees what they are entitled to?

Mr. Odoyo: Mr. Deputy Speaker, Sir, it is true that the current laws are not in favour of workers. That is why we will bring to this House before the end of this Session, new labour laws to address specifically some of the issues raised by the hon. Member. At this particular time, I wish to say that the Ministry uses the current laws to take action, from time, to time on specific cases where labour laws are flouted. In this particular case, we have established that the agreement was not followed to the letter. I wish to assure the hon. Member that we are taking action.

Mr. Rotino: Mr. Deputy Speaker, Sir, there are many instances of various companies, especially those run by Asians, which keep on sacking people without giving them their benefits. Despite this, the Ministry waits until a Question is put forward by a Member of Parliament before taking any action. What is the policy of the Ministry regarding this matter, since it has taken so long to bring the Bill that the Assistant Minister is talking about? What is the current policy that the Ministry is following to ensure that a case like this one is taken care of?

Mr. Odoyo: Mr. Deputy Speaker, Sir, I do accept that the previous regime was very lax in implementing---

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

Mr. Deputy Speaker: Let him finish.

Mr. Odoyo: Mr. Deputy Speaker, Sir, can you protect me from these people?

Mr. Deputy Speaker: Let the Assistant Minister answer the question first.

Mr. Odoyo: Thank you, Mr. Deputy Speaker, Sir, for protecting me.

I wish to state that there are many instances where the Ministry of Labour and Human Resource Development intervenes, and these are the instances which you do not hear about. The

few that the MPs bring to our attention, represent but a very minimal percentage of those instances where the Ministry puts everything right. The majority of cases never come here because we handle them on time.

Mr. Obwocha: Mr. Deputy Speaker, Sir, how could this employer pay one month's salary in lieu of notice, overtime and leave? Is the Assistant Minister satisfied that this was right? I thought that if he paid one month's salary in lieu of notice, then he should have paid overtime and leave. Could he tell us what the employer paid?

Mr. Odoyo: Mr. Deputy Speaker, Sir, I have said that the Ministry has expressed dissatisfaction, and that the anomaly will be corrected within a period of not more than 90 days. We are dissatisfied with the amount that was paid and the MP was right to bring this matter to the attention of the House. We request for 90 days and if the MP sees no change, he will be at liberty to raise this matter again.

Mr. Wamwere: Mr. Deputy Speaker, Sir, I think it is known to the Ministry that slavery is almost taking place in the flower growing firms in this country. Our workers are treated so badly that you can compare them with slaves. It is not as if the Ministry is not aware of this because I know the Minister for Labour and Human Resource Development has visited some of these flower growing farms. He has seen the problems being experienced by the workers, and has promised that he would address the problems, but we have not seen any action being taken. We have also informed the Minister about the corruption that exists on the part of labour officers, who collude with employers in order to short change workers. Why should we believe the Assistant Minister when he says that this time there will be a solution when nothing has happened before, and what is he doing to get rid of corruption on the part of labour officers?

Mr. Odoyo: Mr. Deputy Speaker, Sir, we are aware of labour problems within the EPZs, and the flower industry. Unfortunately, many flower firms, which the MP is complaining about, are owned by indigenous Kenyans. Some of the malpractices are meted out on our own people by fellow Kenyans. In the case of EPZs I wish to assure the House that we have a commission that studied labour problems in them and the flower farms. Due to the range of the problems, we found that we could not solve them without reviewing the current labour laws. I promise this House that the labour laws will be brought here for review, so that we can give more teeth to the Government to address some of the issues being raised by hon. Members in this House. When the labour laws are brought here, hon. Members should give us support and pass them at the earliest opportunity.

Question No.002

RE-OPENING OF KMC

Dr. Kuti asked the Minister for Livestock and Fisheries Development:-

- (a) when the Kenya Meat Commission will be re-opened; and,
- (b) what plans he has of opening abattoirs closer to pastoral communities.

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Deputy Speaker, Sir, I beg to apologise for coming late. I was held up in a traffic jam.

However, I beg to reply.

(a) KMC will be re-opened after the board of commissioners whose constitution is at an advanced stage is finalised.

(b) Recently, the Ministry, in conjunction with the Ministry of Agriculture, launched a strategy for Revitalizing Agriculture (2004-2014) where the Ministry has plans to create a favourable environment to stimulate growth and development of livestock in ASAL areas and other parts of the country.

In line with this strategy, there are plans to facilitate the private sector investment to construct in four ASAL districts, that is Isiolo, Garissa, West Pokot and Baringo, abattoirs at a cost of Kshs30 million under the ASAL-based Livestock Development Project (LDP) to be financed by the African Development Bank (ADB) as from July, 2004.

Mr. Deputy Speaker, Sir, this is as opposed to a comment made by one of the nominated hon. Members. The KANU regime never thought of the ASAL areas.

However, in the meantime, we shall continue to facilitate and offer a conducive environment to private sector development to supplement the Government efforts in the provision of the required abattoirs in the ASAL areas.

Dr. Kuti: Mr. Deputy Speaker, Sir, I appreciate the answer given by the Minister. However, I would like to get his comments regarding the issue of disease and disease-free zones. This is an imaginary line which was drawn by the British Government to protect their own animals in the higher zones. Products of animals in the disease-prone zones do not access European markets. Now that vaccination of animals is being carried out countrywide, especially in the ASAL areas, could the Minister see to it that this imaginary line is removed so that our animals could, after the completion of these abattoirs, access the European markets?

Mr. Munyao: Mr. Deputy Speaker, Sir, I must thank the hon. Member for his concern over the ASAL areas. I also appreciate his use of the words, "imaginary line". This was a method that resulted from competition. Some countries that have access to Websites give wrong information about our meat. My Ministry is determined to eradicate animal diseases in this country. You even saw me, two weeks ago, trying to treat an animal because I am concerned. We want disease-free animals. In fact, we are negotiating with representatives of those countries to come here and see the measures that we have put in place to make sure that our meat is of high quality and that it can be sold anywhere in the world.

Mr. Y. Haji: Mr. Deputy Speaker, Sir, could the Minister assure this House that, since this is an ASAL area programme, members of the KMC Board will be appointed from northern Kenya?

Hon. Members: Why?

Mr. Munyao: Mr. Deputy Speaker, Sir, could the hon. Member repeat his question?

Mr. Y. Haji: Mr. Deputy Speaker, Sir, since the Minister is very concerned about the ASAL areas, could he assure us that the members the KMC Board will be drawn from the ASAL areas and not any other place?

Mr. Munyao: Mr. Deputy Speaker, Sir, I do appreciate the concern of my friend, the former PC. However, the Government deals with 31 million Kenyans. Therefore, the members of that board will be drawn from 31 million Kenyans. For the information of the hon. Member, the ASAL areas now constitute 22 districts. Those areas the hon. Member is talking about are within those districts.

Capt. Nakitare: Mr. Deputy Speaker, Sir, I am a bit concerned about some of the things that the Minister is addressing in the House. Where are the holding grounds? Could the Government assure this House that the holding grounds will be re-possessed?

Mr. Munyao: Mr. Deputy Speaker, Sir, we all know about the holding grounds. Even those who made an attempt to grab them knew those were holding grounds. Currently, I have a committee in my office who are liaising with an already established commission on land to try and identify those areas. Eventually, we will re-posses them.

I am appealing to those who might have made an attempt to use Government land to surrender it in advance.

Dr. Kuti: Mr. Deputy Speaker, Sir, this is a very important Question. It was my hope that more hon. Members would be given an opportunity to ask supplementary questions.

Mr. Deputy Speaker: Dr. Kuti, all Questions are important. Proceed!

Dr. Kuti: Mr. Deputy Speaker, Sir, could the Minister appreciate the very fact that animal markets in the ASAL districts are now over-crowded because there are no abattoirs? Could he give us a specific time when KMC will be re-opened?

Mr. Munyao: Mr. Deputy Speaker, Sir, as I reply to that question, I want to assure my friend that I have just arrived from the Coast where I have opened an abattoir called Mombasa Slaughter house. This abattoir will cater for the entire Coast Province. I will be going to Lokichoggio to lay the foundation stone for another abattoir. I would like to encourage people from Wajir District and other districts to join hands with us so that we can put up proper abattoirs. In Wajir District and Lokichoggio Town we have very decent airstrips which can serve Kenya and other countries. Therefore, I am taking that issue into account. I am very concerned.

Mr. Deputy Speaker: Mr. Munyao, the hon. Member does not want to know the exact time, but the approximate time when KMC is likely to be re-opened. I think that is the gist of the question.

Mr. Munyao: Mr. Deputy Speaker, Sir, you and I come from the ASAL areas. Therefore, my interest is to make sure that KMC is re-opened very soon.

Hon. Members: When?

Mr. Deputy Speaker: Order, Members! You are trying to get the Minister to give you an answer. He has said "as soon as possible." Therefore, let us leave it at that.

Let us move on to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

ATTACK ON HON. KAMOTHO BY POLITICAL THUGS

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

I hope the Minister will not read the very same answer which he read to us last week since that is the written answer I have been given here in the House.

(a) Is the Minister aware that on Saturday 20th March, 2004 at 11.00 a.m. an organized group of thugs from Nairobi and Kora Sub-Location of Mathioya Constituency attacked me and my wife and prevented the public launch of the Mathioya Constituency AIDS Control Committee to take place?

(b) What action has the Government taken to apprehend those involved in the planning of this heinous crime as they are known by the public and the police?

(c) What has the Minister done to ensure that political and other forms of violence stop once and for all?

The Assistant Minister, Office of the President (Mr. Tarus): Mr. Deputy Speaker, Sir, may I seek the indulgence of the House to answer this Question tomorrow afternoon because, after looking at the answer that I am supposed to present to the House, there is not even a single change to it. I apologise to the House, but I will answer it tomorrow afternoon.

(Loud consultations)

Mr. Deputy Speaker: Order! Order, hon. Members! Mr. Assistant Minister, you realise this Question was deferred to today by consent. You had agreed with the Chair that you would bring an adequate answer today. This is the second time you are asking for the indulgence of the House. We will give you that indulgence. So, please, bring the answer tomorrow afternoon. Is that okay, Mr.

Kamotho?

Mr. Kamotho: Mr. Deputy Speaker, Sir, I hope that when the Assistant Minister comes here tomorrow, he will bring us a correct and properly researched answer from Murang'a. The names of the people he mentioned here last week, as he attempted to answer the Question, had already been released. They were released following a telephone call from Nairobi to Murang'a. For that reason, this matter should be looked into much more seriously than the way the Ministry is doing currently.

Mr. Wanjala: On a point of order, Mr. Deputy Speaker, Sir. Last week, the Chair ruled very clearly that this Question must be answered by the substantive Minister himself and not by a "half Minister."

(Laughter)

Mr. Deputy Speaker: Order! Order, Mr. Wanjala!

The Minister for Finance (Mr. Mwiraria): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for an hon. Member to talk about "half Ministers?"

Mr. Deputy Speaker: Mr. Wanjala, certainly, you are out of order. I am not aware of such a ruling. As far as I am concerned, the use of the term "Minister" in this House applies to both Ministers and Assistant Ministers.

Mr. Obwocha: On a point of order, Mr. Deputy Speaker, Sir. You would appreciate the reasons why the then Chair ruled that this Question should be answered by the substantive Minister in charge of internal security. As the Chair, you cannot allow hon. Members to be harassed and stoned everywhere. This is a matter that is supposed to be taken seriously by the substantive Minister himself. Even if I differ with you, there is a more civilised way of handling me. You cannot go round harassing hon. Members. Therefore, Dr. Murungaru should come here and answer this Question.

(Applause)

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

Mr. Deputy Speaker: Order! Order! Mr. Angwenyi, I have not given you permission. The matter of the Question being deferred to tomorrow is finalised and Mr. Kamotho has already consented. I do not understand what these points of order are all about. I am not aware of a ruling from the Chair that this Question must be answered by the Minister. I would be comfortable if the answer was satisfactory, regardless of who brought it here.

(Question deferred)

(Dr. Members was applauded as he entered the Chamber)

Mr. Deputy Speaker: Order! Order, hon. Members!

Next Question, Mr. Karaba!

Mr. Oloo-Aringo: On a point of order, Mr. Deputy Speaker, Sir. Did you see the Minister wave his hand as if he is in a marketplace? Is that allowed in the practice of this House?

Mr. Deputy Speaker: I did not see!

(Laughter)

Next Question, Mr. Karaba!

ABDUCTION OF TWINS FROM
KIRINYAGA DISTRICT

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

(a) Is the Minister aware that twins Juliana Muthoni and Caroline Nyawira of Kiamwenja Village, Ngaru Sub-Location, Kirinyaga District, were abducted on 3rd January, 1998 at a tea farm in Kiarangana from their mother by a Rwandese man by the name Karaferi Mundanyuka, who has since fled to Uganda?

(b) Is he further aware that the two girls were spotted with a stranger in Uganda at a place called Ntanzi, Ntanjeru Sub-Location, living under dehumanising conditions and that efforts by the mother to get them back have not been successful?

(c) What urgent measure is the Minister taking to ensure that the twins are re-joined with their mother?

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

(a) I am not aware of the abduction of Juliana Muthoni and Caroline Nyawira. There is no report that was made at Kerugoya Police Station to that effect. On the contrary, I am aware, through a sworn affidavit by the mother of the twins, that she was aware that the father of the twins, who was her lover, moved to Uganda with the children and that she had already made custody application in respect of the children when their father died.

(b) I am further aware that the mother of the children traced the children to Uganda in 2001. She sought the intervention of the Chief Magistrate's Court at Mukono in Uganda for the custody of the children.

(c) At the moment, there is no action required of the Minister. The mother of the twins should abide by the Magistrate's ruling that a final ruling on the custody application will be made after a probation officer's report is received from Kiamwenja Sub-Location, showing her financial stability to care for the children. Since 2002, when the ruling was made, no probation report has been forwarded to the Mukono Court in Uganda to help determine the case.

Mr. Karaba: Mr. Deputy Speaker, Sir, you must have understood that the twins from Kirinyaga have been in Uganda for six years now. Their mother has been struggling with the little money that she earns from harvesting tea to travel all the way to Uganda to retrieve these twins. It is true that the Magistrate's Court in Uganda ruled in favour of the children; that they were Kenyans. It is a bit confusing that our Kenyan children are in Uganda. So, I am asking whether the Ministry has a way of re-uniting these twins with their mother. They can even get the probation report the Assistant Minister is talking about. According to me, it was a favourable report, and these twins should have been retrieved to their biological mother in Kenya. After all, they are Kenyans.

Mr. Tarus: Mr. Deputy Speaker, Sir, the only handicap that the lady had was lack of the probation report as requested by the court in Uganda. As soon as that report is submitted, everything should be finalised.

Mr. Munya: Mr. Deputy Speaker, Sir, it is surprising that two young Kenyans can be abducted from our own country and taken to another country, and that there is no diplomatic intervention by our Government to get them back. Why has the Assistant Minister not followed the diplomatic channels to have the twins brought back?

Mr. Tarus: Mr. Deputy Speaker, Sir, I said that there is an affidavit sworn by the mother of the children indicating that this was not an abduction. She knew the person who went with the

children to Uganda. So, it is not a case of abduction. The lady has received support in her quest to have the children under her custody except for the fact that there had been an objection that had arisen in Uganda by the persons who are taking care of the children. I think, as soon as the report we have just mentioned is made available, this problem should be sorted out.

Mr. Angwenyi: Mr. Deputy Speaker, Sir, this is the only Government in the world which does not take care of its citizens.

Could the Assistant Minister undertake to get the probation report, send it to Uganda through our diplomatic channels and have those children brought back to their country?

Mr. Tarus: Mr. Deputy Speaker, Sir, we have taken the hon. Member's sentiments.

Mr. Karaba: Mr. Deputy Speaker, Sir, I have the affidavit that was sworn by the mother of the twins indicating that she is capable of taking care of the children. It is true that the court ruled against her application because she could not afford to take care of the twins. As the area Member of Parliament, if I offer to provide for their needs, will the Assistant Minister ensure that they are brought to me?

Mr. Tarus: Mr. Deputy Speaker, Sir, we shall facilitate wherever possible, to make sure the children are brought back to Kenya.

Mr. Deputy Speaker: Very well! Next Question!

GOVERNMENT SETTLING OF
MR. WAMALWA'S DEBTS

Mr. Billow: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Finance, the following Question by Private Notice.

(a) Could the Minister explain the circumstances under which the Government is settling personal debts incurred by the late Vice-President, hon. Kijana Wamalwa?

(b) Under what Vote will the debt be cleared?

The Minister for Finance (Mr. Mwiraria): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Government is not settling the personal debts incurred by the late Vice-President, the hon. Kijana Wamalwa. What the Government has decided to do is to assist the family in acquiring two decent homes; one in Kitale and another one in Nairobi. This is being done because the Vice-President died in office.

(b) The assistance will be given through Development Vote No.5 of the Office of the Vice-President and Ministry of Home Affairs.

Mr. Billow: Mr. Deputy Speaker, Sir, this is a very important Question, and it touches on public finance. It would be a failure on our part if we did not question matters of public finance and especially when there are significant amounts involved. It is not my intention, in any way, to demean our beloved late brother, the Vice-President. For the information of some of the hon. Members here, the hon. Vice-President had many more people who loved him in Mandera than the people who are complaining here!

*(The Vice-President and Minister for
Home Affairs was applauded
as he entered the Chamber)*

What does "to assist" in the context of Government policy mean when officers die in office? We have examples of the late Mr. Parpai who died in office. We even have an example of the first President of this country who died in office. Is there a Government policy that any Minister, a Vice-President or a Government officer who dies in office will be bought a house or a car? I need to

know what "to assist" means in the context of the answer that has been given.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, it is common practice for the Government to assist its servants through ex-gratia payments. They have been made for many people over the years. People who die after a long stay in hospital sometimes have their medical bills paid. But let me say that sometimes the circumstances and the people involved could make the difference. So, let me plead that since the Cabinet saw it fit to assist in the circumstances, because this House has not passed the retirement benefits law for the Vice-President, we should perhaps accept it and do what we can to sort out the retirement benefits as soon as possible.

Mr. Shitanda: Mr. Deputy Speaker, Sir, those of us who were close to the late Vice-President take great exception to this Question. While I appreciate the fact that it is within Mr. Billow's right to ask this Question in this House, could the Minister tell us how many other people are enjoying certain facilities like being provided with security and Government houses and yet they are not working for the Government or their beloved ones died in office? Do we have such people in this country?

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

Mr. Deputy Speaker: Order!

(Dr. Ali stood up in his place)

Mr. Deputy Speaker: Order! Will you sit down?

Mr. Mwiraria: Mr. Deputy Speaker, Sir, that is a slightly different Question. I will need to do research to answer it.

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

Mr. Deputy Speaker: Order! Order! Point of information during Question Time does not exist!

Mr. Muiruri: Mr. Deputy Speaker, Sir, it is within our culture to respect the dead and to let them rest in peace. The late Kijana Wamalwa was a friend of many of us and he needs to rest in peace. When we question about a little amount to the tune of Kshs24 million, which is peanuts considering what the late Mr. Wamalwa did for this country, the Question is not only ridiculous but stupid!

Mr. Deputy Speaker: Order! Order, Mr. Muiruri! Mr. Muiruri, you used abusive language. You said that the Question is stupid. Could you withdraw that remark?

Mr. Muiruri: Mr. Deputy Speaker, Sir, I withdraw and apologise. It would be---

Mr. Deputy Speaker: What is your question?

Mr. Muiruri: Mr. Deputy Speaker, Sir, could the Minister consider that all the heroes in this country, including the freedom fighters of this country, are also rewarded and taken care of like Bildad Kaggia who is in bed? The Government should pay his hospital bills. Mr. Paul Ngei is begging for money outside this Parliament and yet a lot of money was spent on the fictitious Mr. Mathenge. Could the Minister seriously consider genuine freedom fighters, compensate them and let the heroes lie in peace?

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

Mr. Deputy Speaker: There will be no point of order. The Minister should answer the question.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, much as I appreciate the sentiments of the hon. Member, I must say that under the present financial circumstances, we can only deal with matters case by case.

Mr. Billow: Mr. Deputy Speaker, Sir, the concern here is about accountability and transparency. It is not about anything else. I would like the Minister to inform the House the name

of Vote D05 and how much was budgeted in June last year.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, I said that it is the Vote of the Office of the Vice-President and Minister for Home Affairs. The amount budgeted for is Kshs47 million.

Mr. Deputy Speaker: Next Question!

MEASURES TO CONTAIN BIRD FLU DISEASE

Mr. Ndolo: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Livestock and Fisheries Development, the following Question by Private Notice.

Could the Minister state what precautionary measures the Ministry has put in place to ensure that the bird flu disease does not affect our poultry farming as it did in Asia?

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Deputy Speaker, Sir, I beg to reply.

Since the first reports of Newcastle disease in Kenya in 1935, the Government has been carrying out regular surveillance of viral diseases of birds which present similar symptoms as those of bird flu, which is also called Avian Influenza A. To date, there has been no reports of bird flu. As a result of the recent outbreak of bird flu in the Far East and elsewhere, my Ministry, in conjunction with other Ministries, has incorporated the following emergency preparedness measures.

Mr. Deputy Speaker, Sir, first, there is an inter-Ministerial Avian Influenza Working Group chaired by the Ministry of Health. It comprises the following Ministries: Ministry of Trade and Industry, Ministry of Tourism and Information, Office of the Vice-President and Ministry of Home Affairs and my Ministry. It has been constituted to review the results of the surveillance work being carried out, and to draw out strategies for immediate response in the event of an outbreak of bird flu. All veterinary officers have been instructed to be extra vigilant and sensitise the people on how to recognise and deal with the disease.

Mr. Ndolo: Mr. Deputy Speaker, Sir, while I thank the Minister for that answer, could he elaborate further on what kind of tests are done on poultry feeds to ensure that they meet the recommended standard?

Mr. Munyao: Mr. Deputy Speaker, Sir, I might as well say that we have stationed our experts in all entry points in Kenya to carry out tests in all suspected vessels. Therefore, we have qualified persons to cater for that. We have not seen any danger since that time.

Ms. Abdalla: Mr. Deputy Speaker, Sir, I hope the Minister will answer this Question considering that he considers nominated Members of Parliament as children of a lesser god when he, himself, was nominated after losing an election.

(Applause)

Nonetheless, could he kindly confirm what curative measures are in place in case that bird flu attacks?

Mr. Munyao: Mr. Deputy Speaker, Sir, I am sure that lady knows what she is dealing with. Does she know who she is dealing with?

(Laughter)

However, Mr. Deputy Speaker, Sir---

Mr. Deputy Speaker: Order, hon. Members! Mr. Munyao, I am sure you did not mean what you have said. Go on.

Mr. Munyao: Mr. Deputy Speaker, Sir, I also thank you for giving me that bit of time to

breath and hold my breath. Let me say so. I know what we think about that in the region where we come from.

Mr. Deputy Speaker, Sir, my Ministry has very qualified persons and we have not experienced any bird flu incidents. The last incident was experienced in 1935. We are prepared to fight that disease more than ever.

Mr. Deputy Speaker: Last question, Mr. Lesrima!

Mr. Lesrima: Mr. Deputy Speaker, Sir---

Mr. Deputy Speaker: Mr. Lesrima, speak up!

(Loud consultations)

Mr. Lesrima: Mr. Deputy Speaker, Sir, I now understand why KEVEVAPI, an institute that produces drugs for foot and mouth disease, was removed from the Ministry! It is because the Minister seems to be suffering from foot and mouth disease; from the way he has answered the previous Member of Parliament.

Mr. Munyao: Which Institute?

Mr. Deputy Speaker: Order, Mr. Lesrima! We are doing very serious business. I do not know whether the Minister heard what you said. Nevertheless, we want to be serious now.

Mr. Lesrima: Mr. Deputy Speaker, Sir, this is a very serious Minister. Since he is no longer in charge of KEVEVAPI, which institute produces vaccines for the poultry industry?

Mr. Munyao: Mr. Deputy Speaker, Sir, I am sure that is not a question! That is because KEVEVAPI is within the Government and I work for the Government.

Mr. Deputy Speaker: Do you have a last question, Mr. Ndolo?

Mr. Ndolo: Mr. Deputy Speaker, Sir, I believe the disease also affects human beings too. Could the Minister enlighten this House which of his measures correspond with those of the Ministry of Health?

Mr. Deputy Speaker: Mr. Minister, did you get that?

Mr. Munyao: Mr. Deputy Speaker, Sir, did I hear the question?

(Laughter)

Mr. Deputy Speaker: Mr. Ndolo, can repeat his question! Mr. Ndolo, will you do that?

Mr. Ndolo: Mr. Deputy Speaker, Sir, I think he is getting a bit old now! I believe the disease also affects human beings. Could the Minister enlighten this House on whether the measures he is taking correspond with those of the Ministry of Health?

Mr. Munyao: Mr. Deputy Speaker, Sir, yes, I have heard the question. It is true that what the hon. Member believes is not what the Ministry believes. We, in the Ministry, have put in place corrective measures.

Mr. Deputy Speaker, Sir, as I said, we are working closely with the Kenya Airports Authority, Kenya Ports Authority, Kenya Revenue Authority and other regulatory bodies to ensure that aircraft and vessels are disinfected or treated before goods are off-loaded. We know that it also affects human beings. We have learnt from the experience in the Far East and we are putting in place preventive measures, so that, that disease does not occur in Kenya.

Mr. Deputy Speaker: That is the end of Question Time. I have quite a number of requests for Ministerial Statements. So, let us give it a go.

POINT OF ORDER

BURNING DOWN OF KENYA SEED COMPANY ADMINISTRATION BLOCK

Dr. Wekesa: Mr. Deputy Speaker, Sir, in view of the national importance that Kenya Seed Company plays in our agricultural sector, and in view of the recent burning down of the administrative block which houses historical and other administrative documents, I wish to ask the Minister for Agriculture to give to this House a Ministerial Statement and, particularly, assure this House and farmers in Kenya that the perpetrators of that heinous act will be apprehended and punished.

MINISTERIAL STATEMENT

BURNING DOWN OF KENYA SEED COMPANY ADMINISTRATION BLOCK

The Minister for Agriculture (Mr. Kirwa): Mr. Deputy Speaker, Sir, I have some preliminary information that I got from Kenya Seed Company yesterday, and I think I can give it for the benefit of the hon. Member and the House. The Kenya Seed Company premises in Kitale were, until yesterday, guarded by Pravo Security Agencies.

Mr. Deputy Speaker, Sir, on Saturday, 10th April, 2004, they were on guard as usual and there were officers in the Marketing Department who worked up to 3.00 p.m. that afternoon. Early 11th April, 2004 at about 2.45 a.m. the guards informed the Managing Director of the said company, Mr. David Karen, that the main office block was on fire.

Mr. Deputy Speaker, Sir, the Managing Director, Pravo Security Agencies contacted the Chief Security Officer, Kenya Seed Company, Mr. Thomas Mkun and the Officer Commanding Police Division (OCPD), who all went to the site. Meanwhile, the Managing Director, Pravo Security Agencies called the fire brigade from Kitale and the fire engine arrived minutes later without water.

By this time, there was no power and the stand-by generator did not go on because, as it was found later, it had been switched off to manual mode instead of automatic. Therefore, all the activities were being carried out with limited lighting from the spot-light torches. The overhead water tank had no water and the hydrants, even if they had water, there was no power to pump up. The team contacted Eldoret Fire Brigade that sped to the site but arrived too late to save anything meaningful. It was about 5.00 a.m. when the Eldoret Fire Brigade arrived. All the computers, furniture and company documents were consumed by the fire save for vital documents that were in the strongroom.

Initial investigations reveal that there was a 13-Kilogramme cooking gas cylinder outside the room where the fire started. A metal pipe led into the room where the fire started. This was connected to a rubber pipe which, apparently, was connected to the gas cylinder outside the building. It is apparent that the gas was opened and released into the office of the processing engineer and then, it was lit. The fire then spread into this room and the rest of the building.

Investigations are going on, led by the independent investigator from the provincial office in Nakuru, Mr. Julius Masai. The security team in the district, led by the District Commissioner (DC), Officer Commanding Police Division (OCPD), Officer Commanding Station (OCS), and the District Criminal Investigations Officer (DCIO) are all on site assisting the investigators.

When I learnt of this information, I ordered the Permanent Secretary in my Ministry to go to Kitale yesterday morning and to convene an urgent Board meeting in the company of the Director of Agriculture. Among the Board's resolutions that were taken is that the security should be beefed up and that the Managing Director and Chairman would request the Government for additional

armed Administration Policemen, which they have done, and they have been provided. Secondly, security will be tightened in other premises, including the factory, research centre at Elgon Downs and other offices in Nairobi and elsewhere. This has been done.

The Board also resolved to carry out a complete review of the entire organisation's security arrangement with a view to strengthening it in order to ensure that such incidents do not recur in future. In fact, what we have done is to ensure that the security services of the company that hitherto was running the services, have been terminated pending normal procurement by the Government so as to ensure that nothing is seen to go wrong.

The audit team that is continuing its work had taken some of the most important documents, which we suspect, might have been the cause of the fire, and had made relevant copies and are holding the said copies for the investigators to use for the case that is already in court. In the meantime, the management will re-organise itself to utilise the facilities available so that the work of the company does not suffer.

Mr. Deputy Speaker, Sir, I will make a visit to Kitale on Friday this week so as to apprise myself of the situation and give further information as requested by the House or by the members of the public.

I would want to clarify two issues. One, is to assure members of the public and farmers in general, that the procurement or sale of seeds will continue unhindered because stockists and various agents already have enough stocks. The only thing that was stopped temporarily yesterday and today, and possibly, for the next two days, is direct acquisition of seeds from the Kenya Seed Company, pending the issues of ensuring no seed is sold without proper documentation of the same.

I would also like to assure members of the public that the case in court and any other case, or any other vital document of the company is in safe custody.

Thank you.

(Applause)

Mr. Deputy Speaker: Well, that was an interim Ministerial Statement. The statement that Dr. Wekesa sought is still forthcoming from the Minister. So, we are not opening debate on that. I only allowed that because the Minister wanted to give an interim Statement. So, Mr. Kirwa, you will still give a statement in due course to Dr. Wekesa and the House in general.

The next Member is Eng. Nyamunga.

POINTS OF ORDER

STATE OF PLANT MACHINERY IN KANO PLAINS

Eng. Nyamunga: Mr. Deputy Speaker, Sir, I have two issues that require a Ministerial Statement, one from the Ministry of Water Resources Management and Development, except I do not see the Minister here.

Mr. Deputy Speaker: It is all right, Eng. Nyamunga. Just say what you want to say because the Assistant Minister is here and the Leader of Government Business is also here.

Eng. Nyamunga: Mr. Deputy Speaker, Sir, late last year, following the heavy rains and floods in Kano Plains, the Minister for Water Resources Management and Development sent her officers who made a scheme which the Minister launched. Early this year, the equipment to implement the work was taken there; one D8, one D6 and one large excavator and one drag-line. We were surprised that the four machines were used for one week and they all collapsed. Right

now, as I speak here, they are there buried in the same floods which they were supposed to help prevent. We do not know whether this is sabotage or not, because we cannot understand how four machines which came from different places failed after working for one week only. Now, people are very disgruntled because they cannot believe that this has just happened. So, I am seeking a Ministerial Statement on the state of these machines.

CONSTRUCTION OF BRIDGE
ACROSS RIVER NYANDO

Eng. Nyamunga: Mr. Deputy Speaker, Sir, I would like to seek a Ministerial Statement from the Minister for Roads, Public Works and Housing. In that same area, for those who do not know, River Nyando approaches the lake from the East and the Western side is lower than the Eastern side.

We, the people of Magina Sub-location in that area have been asking the Ministry to make a light-duty bridge which can help people move from East to West and more so at times like now.

Mr. Deputy Speaker: Eng. Nyamunga, please, come to the issue you want addressed by the Ministerial Statement.

Eng. Nyamunga: Mr. Deputy Speaker, Sir, the issue is to ask the Minister for Roads, Public Works and Housing, when that bridge will be constructed to enable people move from one side of the river to the other without a problem.

Mr. Deputy Speaker: That should have been an ordinary Question. May I advise that you draft a Question on the issue of the bridge. The first issue of the water can be taken up by the Assistant Minister who is here.

The Assistant Minister for Water Resources Management and Development (Mr. Munyes): Mr. Deputy Speaker, Sir, we will give an answer on Wednesday.

Mr. Deputy Speaker: Any time, this week! Just inform the Speaker.

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

Mr. Deputy Speaker: Order! There must be some order here. You cannot just come and ask for a Ministerial Statement. Hon. Ethuro?

STATE OF DISPLACED PASTORALISTS
IN TURKANA

Mr. Ethuro: Mr. Deputy Speaker, Sir, I rise to seek a Ministerial Statement addressed to the Minister of State in charge of national security. I suppose the Minister is also in charge of Provincial Administration and national disaster.

For the last one week, about 15,000 pastoralists who were violently displaced from Uganda, have camped in three divisions of Lokichoggio, Oropoi and Kakuma.

I am hoping that the Minister, in his response, will consider some measures of disaster response and in particular the situation of food security as relates to water and food, given the fact that now the rains have come and these people were found out there and are suffering more.

When a neighbouring country, that is supposed to be friendly and part of the East African Community, involves its army in violent displacement of neighbouring Kenyans, does that not amount to an act of declaration of war? What is our Government doing to retaliate?

(Laughter)

DETENTION OF HON. SAMOEI

Mr. Kenyatta: Mr. Deputy Speaker, Sir, I rise to demand a Ministerial Statement from the Minister of State, Office of the President regarding a matter of concern to us hon. Members in the Opposition. This morning, Mr. Samoei, on hearing that he was being sought by officers from the Criminal Investigation Department (CID), presented himself in the company of about 12 hon. Members of Parliament.

Hon. Members: *Mwizi!*

Mr. Kenyatta: Mr. Deputy Speaker, Sir, on presenting himself, we were assured that he would be taken to court. However, that did not happen and they proceeded to detain him without giving us any indication as to what they were detaining him for. We are concerned and we hope and seek the assurance of the Minister that this is not an attempt to intimidate hon. Members of the Opposition into silence.

(Applause)

If a crime has been committed, we need to be told. If it is intimidation because of certain Bills or Motions that have been brought forward, we need to be told. This is a question on an issue that is of importance to us and we would like a Ministerial Statement from the Minister of State, Office of the President.

Mr. Deputy Speaker: Where is the Minister of State, Office of the President?

*(Several hon. Members stood up
in their places)*

Order, hon. Members! I am only allowing Ministerial Statements on matters that have been raised with the Chair. Where prior to this---

Dr. Khalwale: But I have a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: There is nothing. There is no point of order!

INVASION OF MOYALE BY
ETHIOPIAN MILITARY

Dr. Galgallo: Relax, Dr. Khalwale!

Thank you, Mr. Deputy Speaker, Sir. I would like to seek a Ministerial Statement from the Minister of State, Office of the President. Over the last week---

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Listen to Dr. Galgallo.

Dr. Galgallo: Mr. Deputy Speaker, Sir, while Kenyans have been enjoying the Easter holiday, three villages in my constituency namely; Bori, Waiyogotha and Madoadi have been under siege from Ethiopian military. They first attacked Waiyogotha and Madoadi villages on Tuesday last week. They overran the Administration Police (AP) post that was there and abducted three Kenya Police Reservists (KPRs) whom they later released. The APs have since abandoned camp

and the villagers have followed suit. The Ethiopian military is now occupying a hill next to the village on Kenyan territory. Yesterday they crossed the border at another place called Bori and abducted two herdsboys; Dida Dida Wako and Kateno Dida Fora who are now in the hands of the Ethiopian military.

I would want the Minister to explain why they have constantly allowed the Ethiopian military to cross our border at will and attack our innocent civilians; why they are not taking action while a foreign military is now occupying Kenyan territory and what action will they take to bring back the herdsboys who were abducted yesterday?

Mr. Deputy Speaker: Very well! Mr. Kamama!

INVASION OF BARINGO EAST BY
CATTLE RUSTLERS

Mr. Kamama: Thank you, Mr. Deputy Speaker, Sir, for granting me this opportunity to demand a Ministerial Statement from the Minister of State, Office of the President.

I can see many hon. Members smiling, but I want to say that I have no reason to smile. The people of Baringo East have also no reason to smile because, during the Easter holiday, my people were subjected to massive and horrendous attacks by people from Turkana South.

Hon. Members: Ethuro!

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! This is a very serious matter, so listen!

Mr. Kamama: Mr. Deputy Speaker, Sir, it is a serious matter. On 8th February, 2004, about 300 cattle rustlers armed with AK47 and G3 rifles attacked a village called Kulal Area of Baringo East. In this incidence, 1,800 head of cattle and 300 goats were stolen and driven towards Lokori Division in the Turkana South Constituency. One herdsman was killed---

(Loud consultations)

I want hon. Members to give me peace because we are talking about death and not happiness! One herdsman was killed, an old man injured and cannot be referred to the Rift Valley General Hospital because all the roads are now cut off in that place. He is groaning with a lot of pain somewhere in my constituency.

Mr. Deputy Speaker, Sir, about eight women were gang-raped during this incident and small children were also beaten. I want the Minister to address the following five issues: What is he doing to restore confidence among *wananchi* in Baringo East? What is he doing to recover the stolen livestock? What action is he taking to bring to book all the killers and the rapists? What is he doing now to feed the families that have been displaced in my constituency? This is because they are homeless, helpless and have nowhere to turn to. I want those issues answered and to be given the highest priority possible in this House. I want the answer this week!

Mr. Deputy Speaker: Mr. Minister, you have heard. Lastly, Mr. Boit.

ERUPTION OF GEYSER NEAR LAKE BARINGO

Mr. Boit: Mr. Deputy Speaker, Sir, last week I asked the Minister for Water Resources Management and Development to give a Ministerial Statement on a borehole which the Ministry

was sinking.

(Mr. Munyes consulted loudly)

Mr. Deputy Speaker: Mr. Munyes, listen!

Mr. Boit: Mr. Deputy Speaker, Sir, instead of the borehole giving us water for human and animal consumption, it is emitting hot, fiery and red substance which we do not know whether it is lava. We are worried because even two people are in hospital as I speak now. Could the Minister tell me why she ignored to answer that question when the place is even now attracting tourists? Tourist No.1 who has visited the place is former President, Mr. Moi and so many other people are visiting the place. Could we be told if this is another wonder? The Minister for Tourism and Information is here and can come---

Mr. Deputy Speaker: Mr. Assistant Minister, do you have anything to say?

The Assistant Minister for Water Resources management and Development (Mr. Munyes): Mr. Deputy Speaker, Sir, I will provide a response tomorrow.

Mr. Deputy Speaker: Mr. Boit, you will get the answer tomorrow.
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.

*(The Vice-President and Minister for
Home Affairs on 31.4.2004)*

*(Resumption of Debate interrupted
on 8.4.2004)*

Mr. Deputy Speaker: Who was on the Floor? Mr. Moroto will continue for seven minutes.

Mr. Moroto: Ahsante sana, Bw. Naibu Spika.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Those who wish to leave may do so quietly!

Mr. Moroto: Bw. Naibu Spika, Hotuba iliyotolewa na mhe. Rais si tofauti na hotuba zingine ambazo zimekuwa zikitolewa hapo awali. Lakini kitu muhimu tunachoomba na kuuliza ni kwamba yote ambayo yalitajwa na kiongozi wa nchi, yafuatwe na kutekelezwa.

Waheshimiwa Wabunge wengi wamezungumza juu ya usalama. Ninawakilisha eneo la Bunge ambalo limepakana na nchi jirani. Watu wetu wamekuwa wakivamiwa na magaidi kutoka nchi jirani. Hii inaonyesha ya kwamba Serikali yetu haijali usalama wa wananchi wake. Juzi, askari wa UPDF walivamia eneo langu na kuiba ng'ombe wengi.

Ni jambo la kuhuzunisha kuwa hakuna hatua Serikali yetu imechukua dhidi ya tukio hilo. Hata hivyo, Rais Kibaki, katika Hotuba yake, aliahidi kuimarisha usalama katika nchi hii.

Tumeshuhudia mabadiliko katika kikosi cha polisi. Serikali yetu ilimteua Kamishina mpya wa Polisi kutoka kikosi cha wanajeshi.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! Hon. Members, please, consult in low tones. We cannot hear what Mr. Moroto is saying. May I ask those who want to withdraw from the Chamber to do so quietly and let the business of the House continue.

Proceed, Mr. Moroto!

Mr. Moroto: Bw. Naibu Spika, nilikuwa nikizungumza juu ya kuzoroteka kwa usalama katika Wilaya ya Pokot Magharibi. Huko kwetu kumekuwa kama uwanja wa vita. Watu wetu hupigana na askari wa UPDF kutoka Uganda wanaotuvamia kila wakati. Rais Kibaki, katika Hotuba yake, aliahidi kuimarisha usalama hapa nchini. Hata hivyo, hatujaona mabadiliko yoyote. Hali ya usalama inaendelea kuzoroteka. Serikali ilitauka kamishina mpya kutoka kikosi cha wanajeshi kusimamia idara ya polisi. Tunajua umuhimu wa idara ya polisi. Hata hivyo, kuna njia mwafaka ambazo tunaweza kufuata ili kuimarisha hali ya usalama katika nchi hii. Ninamtakia kila la kheri Kamishina mpya wa Polisi. Ni matumaini yangu kuwa usalama utaimarishwa.

Bw. Naibu Spika, nachukua fursa hii kumshukuru Waziri wa Maji. Kwa kiwango fulani, yeye amefaulu. Hata hivyo, tungependa kuona mabwawa mengi yamechimbwa katika sehemu kame za nchi hii kama vile wilaya za Turkana, West Pokot na Mkoa wa Kaskazini Mashariki. Ninaiomba Serikali hii kutatua shida ya maji katika sehemu hizo.

Bw. Naibu Spika, naishukuru Serikali ya NARC kwa kubuni Wizara inayohusika na mifugo. Hata hivyo, Wizara hii haijafanya mengi. Mimi hushangaa sana nikimuona Waziri akizunguka tu nchini bila kutatua matatizo yanayowakumba wakulima wa mifugo. Ninaomba Waziri afanye kazi kikamilifu ili nchi yetu ifaidike kutokana na mifugo. Wananchi wetu watakuwa na imani na Serikali ikiwa itashughulikia masilahi yao.

Bw. Naibu Spika, elimu ni jambo muhimu sana. Naishukuru Serikali kwa kutoa kiwango fulani cha pesa kushughulikia karo ya shule kwa wanafunzi wanaotoka katika jamii maskini. Hata hivyo, pesa hizi hazitoshi. Ningewaomba wadhamini wengine wasaidie Serikali ili kuinua hali ya elimu katika nchi hii. Wilaya ya Pokot ilipata Kshs1 milioni za kugharamia karo ya watoto wetu. Lakini pesa hizo hazitoshi. Waziri alisema hapa kuwa Serikali haiwezi kutupa pesa zaidi kabla hatujaeleza jinsi tulivyotumia Kshs1 milioni tulizopata hapo awali. Hii ni sawa na kuwaangamiza watoto wetu kwa sababu wakati mwingi, wako nyumbani. Hawaendi shuleni kwa sababu ya ukosefu wa karo. Ninaiomba Wizara ya Elimu, Sayansi na Teknolojia kutuma pesa hizo haraka iwezekanavyo ili watoto wetu waendeleo na masomo yao bila kukatizwa.

Si jambo rahisi kwa wanafunzi kutoka sehemu kavu kujiunga na vyuo vya elimu. Hii ni kwa sababu alama ya chini ya kujiunga na vyuo hivyo ni "C". Hata hivyo, wanafunzi wengi kutoka sehemu hizi kame hupata alama ya "D" au "D+". Si kupenda kwao kupata alama hizi, bali ni ya hali mbaya ya mazingira. Ningeiomba Serikali kuwasaidia wanafunzi wetu ili wawe sawa na wanafunzi kutoka sehemu zingine nchini.

Bw. Naibu Spika, ningependa kuzungumza kwa ufupi kuhusu Katiba. Ijapokuwa watu wengine wanafikiria mambo mengine, kukamatwa kwa Bw. Ruto ni kwa sababu ya msimamo wake kuhusu Katiba na wala si ufisadi. Wajumbe waliketi kule Bomas na kuunda Katiba kielelezo. Wananchi wote walisheherekea Katiba kielelezo. Hata hivyo, kuna viongozi wachache ambao hawataki Katiba mpya.

Mr. Deputy Speaker: Order, Mr. Moroto! Your time is up.

Proceed, Dr. Kituyi!

Mr. Moroto: Bw. Naibu Spika, kwa hayo machache ninaunga mkono.

The Minister for Trade and Industry (Dr. Kituyi): Thank you very much, Mr. Deputy Speaker, Sir, for according me an opportunity to also make a few remarks on the Presidential Speech. I will use the occasion to make a few remarks on Kenyan politics. I will start with just one statement about the President's Speech. I have had the privilege of being a Member of this House for the past 12 years. When I listened to President Kibaki's Speech when opening this Session of Parliament, there was something he did which I have never seen done before. That a President says: "Last year, on a similar occasion, I set out the following legislative agenda. In the course of the past year, this is what we have been able to do on that agenda." He came and carried out an audit of his promises and his performance. I just imagined what could have happened in the yonder years of KANU, if they had attempted to relate "promise" and "performance". I am not saying this because of any desire to cast aspersions on the integrity of the KANU Government. However, I have been here listening to hon. Members making contributions, and heard how much they are rewriting the history of the "KANU" days. I even listened to a gracious lady, in full flight, describe how the KANU Government embarked upon a major programme of pastoralism rehabilitation and investment in pastoral areas. She also went on to explain how everything that this Government is claiming credit for was, in fact, started by the KANU Government. I think she just fell short of saying that even our war against corruption was started by the KANU Government. It is exciting to hear that because, if you had been there, and you saw them on this side of the House, you would remember one or two things which are slightly at variance with some of the rewritten history they are already trying to invent.

Mr. Deputy Speaker, Sir, be that as it may, I just want, at this point, to congratulate Kenyans. Except for the very unfortunate accident this morning when a *matatu* rolled off the causeway in Mombasa and killed, at least, five people, which I had a misfortune to witness physically, we have gone through an Easter holiday without a single road accident. This is something that, we, as a country, can be proud of ourselves. We have not had the kind of massive loss of lives that we usually associate with seasons like this. We might have had cars hitting each other, but we have not had cases of, for example, ten people being killed or a bus rolling and 20 people dying, as we were traditionally used to around this time of the year. This, in appreciation, acknowledges the sacrifice that the Kenyan people have been ready to make in order to sort out this sector. I thank my colleague, Mr. John Michuki, for being consistent and firm on what was right. But more importantly, I thank the Kenyan people who walked for many kilometres, in the wee hours of every morning; in the rain and mud, but they said: "Hold on and hold out. Let us return civility and good manners in this sector."

Mr. Deputy Speaker, Sir, there is no model of any society which developed without inculcation of discipline in the management of public affairs. There is no society which can thrive without law and order. After years of moral decay and celebrating chaos, it is nice to see our people and the Government united in a determination that we have to return order in the way we do things. The best example is how we were so united in the way we dealt with the *matatu* industry, and there are many more to come. Although *matatus* are now slower than they were before, Mr. Michuki forgot to explain that dual carriageways are not an invention to allow drivers of different *matatus* to talk to each other while driving. There is something called "a slow and a fast lane". But these are small things he can do in due course. While we urge the people of this country to be disciplined, we, as leaders, also have a responsibility to show some sense of decorum and self-respect. Sometimes, it is very tempting and exciting to exchange abuses and shout down each other. While at the individual level, one may think that he or she has won, the whole institution of Parliament suffers and is demeaned by the collective misconduct of its Members. As an institution of

governance, we are supposed to show the citizens of this country by example that we can have dialogue. But something happened early last week, and somehow nobody talked about it. There were no responses to this incident except in the weekend media. Members of Parliament issued a statement condemning the President for inviting their party leaders to talk with him. That was very interesting. For the first time, a President was being attacked because he was opening up for dialogue with party leaders. I thought that if I was unhappy with my party leader meeting my President, why could I not condemn him for going to meet the President? Why should I condemn the President for inviting him to dialogue?

(Applause)

How can there possibly be the nurturing of democratic culture in a society if we try to stigmatise dialogue at the highest level of political leadership?

Similarly, when I hear hon. Members say extremely unacceptable and uncivil things about the diplomatic representative of a friendly country whose only crime was that he hosted senior politicians to consult on what is possible to ease tension in the society, then something is wrong with our society. Normal decorum dictates that we respect representatives of our friendly countries. If we are unhappy with our political leaders meeting them over breakfast for consultation, we should take up that matter with our leaders. The High Commissioner of Britain never sent any vehicle here with *askaris* to arrest political leaders to go to his house for breakfast. Our leaders got into Government cars and drove themselves there. I saw somebody saying, "keep your Britain and let us keep our Kenya". Why must we imitate President Mugabe in his worst element? Where is the virtue in making those kind of irresponsible remarks? We belong to a community of civilised nations and we must meet international standards. Our conduct, as leaders, is what will be the driver of the kind of nation we build around this region.

Mr. Deputy Speaker, Sir, this country has a unique opportunity to grow now. The emergence of an East African market at the time when the leading manufacturers in Kenya were relocating to Uganda and Tanzania--- These two countries are more attractive investment destinations than Kenya. But just the sheer goodwill which exists today has made people make a short-term economic decision to remain in Kenya or reverse the flow of capital from Kenya to Uganda and Tanzania.

Mr. Bahari: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member is the Minister for Trade and Industry and he is supposed to be at the forefront---

Mr. Deputy Speaker: Order! I do not like hon. Members who interrupt others when they contribute, simply because they do not like what the hon. Member has said. Please, hold your horse until your time!

(Applause)

The Minister for Trade and Industry (Dr. Kituyi): Thank you, Mr. Deputy Speaker, Sir. He has three-and-half years and he will get to understand a point of order.

We have a chance today. We have the historical geographical opportunity to make us the hub of the COMESA region. We have the tantalising opportunity of an emerging economic dividend after the end of the civil war in Southern Sudan. We have the massive opportunity of being known how advantaged Kenya accounts for 8.9 per cent of the population of COMESA, but we account for 42 per cent of the trade in COMESA. We have a capacity to be the powerhouse of this region. We will not achieve that if the political leadership does not have the political appeal of

the economic governance issues, or if the political leadership does not know how much cost we are inflicting on the economy when we shout at each other, rather than talk to each other. If the political leadership of this country cannot have a common purpose in focusing what opportunities to create and translate them into opportunities for their constituents--- It might be more exciting to exchange an insult, but at the end of the day, the opportunity we missed will be missed by, at least, another generation.

There is a little matter which I wish to round off with concerning the Export Processing Zones (EPZs). Since I became the Minister for Trade and Industry, after the turbulence of early last year, I allowed, although the Minister for Finance had not degazetted the gazette notice waiving certain rights of trade unions' membership and application of the Factory Act in the EPZ, that they will be in force. Today, I can say without any fear that all the factories in the EPZ which have embraced the agreement with trade unions offer their workers better wages than the ones in the rest of the industries in this country. But we have this minor misfortune that since the Kenya Human Rights Commission took over the work which used to be done by the private Kenya Human Rights Commission; which was an NGO, it has made it its business to incite workers and write stories which are totally false, and having the net consequence of threatening closure of certain factories. The challenge will be that, those who think that in the name of human rights they can be populists about conditions in work places and lead to closure of those factories should be ready all the time to carry the buckets(?) of those livelihoods which are extinguished because of cheap populist and unsubstantiated statements they write to please people to continue financing them to exist as NGOs, when they have run out of relevance.

Thank you very much, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Yes, Mr. Ethuro!

*(Several hon. Members stood up
in their places)*

Order! It is never done and he knows that. He did it. Please, do not waste his time.

Mr. Ethuro: Mr. Deputy Speaker, Sir, they are wasting my time. I would like to support the Presidential Address His Excellency the President made in this Parliament. The Presidential Address covered a host of issues which hon. Members have contributed to. I would like to start my contribution by appreciating the various Government efforts and the desire to make this economy grow at the rate of 7 per cent per annum. Sometimes I think the Government is its worst enemy because it has put itself in such an idealistic position when it took over power. The Government expects the economy to grow so fast, and yet we have realised, already, there are structural deficits in place. Maybe, we need to be realistic and give Kenyans realistic expectations or else we run the risk of losing popularity. But it is a plus when we see the low interest rates being charged by banks. This means that more money is now being made available to the Kenyan public. It was just last weekend when we saw the Head of State telling his people in Nyeri something I think no President has done in the past. He told them that he will not give them any goodies just because he comes from Nyeri. That is the moral leadership we need in this country.

(Applause)

That, it does not matter, just because our own is in State House, and the rest of us will make claim to the national cake. That is one thing we need to destroy once and for all.

Mr. Deputy Speaker, Sir, having said that, you will realise- and I am not just criticising; I

think constructive criticism is allowed - that even this very afternoon, the number of Ministerial Statements being addressed to the Minister in charge of internal security--- If you are an observer sitting up there, you would think that this country is on fire; and it is on fire! It is on fire from Moyale! It is on fire from the Ugandan border! It is on fire internally!

An hon. Member: It is on fire even here in Nairobi!

Mr. Ethuro: Mr. Deputy Speaker, Sir, that is why I said "internally".

Mr. Deputy Speaker, Sir, there is no development that you can undertake. We cannot realise our goals without security! Period! I think we need to be serious. It is not enough to give those policemen Land Rovers. They will tell you there is no fuel. The former Commissioner of Police could dare tell us that you can walk down Tom Mboya Street--- I dared him, although quietly. I wished he could walk then, when he was Commissioner of Police, and not now when he is not the Commissioner of Police. He would be mugged!

Mr. Deputy Speaker, Sir, we cannot just keep telling Kenyans that all is well when we have every member of this society, the Judiciary, the Parliamentarians, our own security guards, not to mention ordinary folks who are attacked on a daily basis, but it is not even reported. As a Government and as a country, we need to focus on security.

I think we have been giving the Government a lot of money to provide security. I have talked about security in urban areas. You remember last week, the Minister was telling me that I should be happy because the Government has brought down incidents of cattle rustling. This afternoon, again, you can confirm from my friend from Baringo East Constituency that the initial attacks that we have been talking about in this House have increased. As you realise, sometimes we just need small solutions. You can post five administration police officers and five regular policemen to a place known as Epuke. That will protect both the Turkana and the Pokot. It was promised but never done.

I can tell the Minister that the amount of fuel he used on the helicopter to go to Mr. Maoka Maore's constituency is the fuel I need to set up a police post in my place, and there will be no more cattle rustling in that part of the world.

Mr. Deputy Speaker, Sir, the President has said it very well, and I agree with him, that, we should not be seen as a quarrelsome nation. He was addressing the Front Bench and nobody else! He was addressing the NARC side of the House. I have seen the eloquent Dr. Mukhisa Kituyi saying that people should not quarrel because--- You can quarrel if there was a deal that you agreed on and it did not work. Dr. Kituyi had no deal! He got more than what he expected! Do you expect him to quarrel?

(Applause)

Let us be realistic. It is not enough to tell Mr. Ethuro: "Do not raise the issue of insecurity", when my people are suffering. Address my problems. My problems are that I have no food and security. That is what my people are saying. If it was not fortunate that we got some rice last week, I do not know what we would be saying in this Parliament. We would just be counting the number of dead bodies when we have the Provincial Administration.

Mr. Deputy Speaker, Sir, I keep telling the Government side: "Unless you address the issue of the Provincial Administration, they will fail us the way they failed the KANU Government." We need to remove the chiefs!

(Applause)

We need to remove the District Officers (DOs) and the Provincial Commissioners (PCs). What are they doing? I have been telling the District Commissioner (DC) and the PC that there is one chief who disagreed with people because he was fighting for KANU and the people were fighting for NARC! Now, he wants to remove those *wazees* from the chief's office. I know the Government side and the Ministers here will ask me why I am talking about the chief. But it matters! That chief is doing maladministration at the grassroots level and that is the image of the Government. People wanted reforms! They are seeing the same images.

The Criminal Investigation Department (CID) officers who were in Turkana when the late Vice-President and other NARC Summit Members came for NARC rallies before elections were helping people to shoot us! It was in broad daylight on 23rd December, 2000, at 2.30 p.m. They are still there with us. Are they in a position to investigate that kind of incident? At the end of the day, we will have done nothing! Five years will be over and we will have nothing to account to those people. But we will be very happy here. We have bought new vehicles. We will be driving around town! We are even flying the helicopters which we used to say were not good enough, not to mention the Presidential Jet. But there is nothing wrong with Ministers driving good vehicles. I agree! But let the output be commensurate with the resources that we have given them.

(Applause)

Mr. Deputy Speaker, Sir, we have the Ministry of Water Resources Management and Development. I have my own good friend there as an Assistant Minister. We have no water! Even the people that I talked about went for eight days without water. We have lost more herds of cattle just because of thirst. For how long do we need to do those things? We need to see some immediate action. I am glad the Minister visited that place. I respect her because she is one of those hard-working ones. But if there is no water, it does not matter how many trips you make and we dance. We will ask our people to dance for you. It is just like the Vice-President and Minister for Home Affairs is doing a good job in the prisons. But when you make life in prisons more comfortable compared to that of police officers investigating crime--- They cannot even watch television, and yet the prisoners have access to television. The prisoners have access to computers! Internet will be accessible at that rate. We need to go slow on some of those things. I appreciate the concept, but let it be at a time when we have done some other things.

Mr. Deputy Speaker, Sir, I want to address the issue of Arid and Semi-Arid Lands (ASAL). I think the President described the Kshs7.7 billion that went into the ASAL. Most of that money is on the Arid Lands Programmes in the Office of the President. But 80 per cent of the money allocated to the arid land projects is used for capacity building. It is used to train Government staff. We do not need that training! If they did not go to public universities, let us not train them. We have enough talented people in this country. What our people need is, One, when there is a raid from Pokot, you should give us some food.

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

Mr. Muturi: Thank you, Mr. Deputy Speaker, Sir. My good friend, Mr. Billow, feels that I should give him a chance. But thank you for allowing me to say one or two things about the Presidential Speech which, in my view, is full of optimism and giving certain highlights of the success or perceived success of the NARC administration in the last 14 months. I must say that the Speech, like the old story of the good short skirt, is impressive, long enough to cover essential areas, and short enough to attract attention.

(Laughter)

Mr. Deputy Speaker, Sir, I shall demonstrate that in the following manner: The President, and we commend him for that because he has been in the forefront in the fight against corruption, signed into law, as early as May last year, two very important pieces of legislation. That is the Kenya Anti-Corruption and Economic Crimes Act and the Public Officer Ethics Act.

That was a good step, but nearly 12 months later, we are yet to see what work the Kenya Anti-Corruption Commission is doing or has done. Indeed, looking at the annual report for the year 2003, which was released ten days ago by the Kenya Anti-Corruption Commission, one gets very worried about the direction things are taking in this country. That report is very well augmented by the earlier report released by the Transparency International earlier this year, which clearly showed that with the euphoria that came with this NARC Government, within the first six months, Kenyans were very keen to report cases of mischief and what they perceived to be corruption.

Looking at the Transparency International Report, the trend you see from around June, July and August is one in which Kenyans gave up. They looked on this side and around, and like my good old professor, hon. Kibwana, would say: "The Kenyans lifted the veil and saw what was hiding behind this conglomeration in the administration." They realised that nothing had changed, save that at the top, we have commitments but just immediately below, there is absolutely no evidence that it is not business as usual.

(Applause)

Mr. Deputy Speaker, Sir, the President, in his Speech, also talked about the question of interest rates going down. The President did echo these sentiments again over the weekend, urging the residents of Nyeri to go to the banks. We are in a fluid situation. Banks will always demand collateral from the borrowers. We have a situation in which we are not too sure that the land title deeds that exist in this country are valid. Indeed, this matter started very well. The Government demonstrated this by deciding to keep the law aside and resort to things they call executive orders. It is an invention of the last 12 months so that even the banks are worried. If you do not honour title deeds, as much as we may lower the interest rates, what are the borrowers going to use as collateral? It is not enough. Yes, there are lower interest rates and a conducive climate, but are these title deeds valid?

We need to hear a comprehensive statement from the Government telling Kenyans--- Even before you tell them to go and borrow, since Kenyans know how to borrow, they need to be reassured that, actually, the documents they hold called "title deeds" are actually still recognisable and valid. If we do that, then we may say like the President said in his Speech, that we will make agriculture commercially viable because then our farmers will be in a position to go to the banks once that they get that reassurance. However, as much as the Government wishes to make agriculture commercially viable, we must then ask ourselves: "What measures are we putting in place to do that?"

Mr. Deputy Speaker, Sir, immediately the President announced that the interest rates were going down and that the National Cereals and Produce Board (NCPB) had been directed to import fertilisers, the next thing we saw was prices of fertilisers and farm inputs going up. Surely, is that the way to show that you intend to make agriculture, which is the mainstay of our economy, commercially viable? Is it designed to keep the majority of our farmers at subsistence levels? The Government needs to address or re-examine the policies it has in that area.

Mr. Deputy Speaker, Sir, the President also talked about the various financial instruments that the Government intends to put in place, including the Bills before Parliament; that is, the

Financial Management Bill and Public Procurement and Disposal of Assets Bills. It is not that the managers of public resources in this country are short of financial regulations and instruments. What lacks in this country and in this Government, and it is evident, is enforceability. Do they enforce the financial instruments or circulars that they issue year in, year out? Recently, even the Treasury Permanent Secretary confessed before the Public Investments Committee (PIC), which I chair, that he was not even aware of a circular that he had issued to all Permanent Secretaries regarding procurements, disposal of Government assets and the preparation of budgets. This is the Treasury Circular No.3 of 30th January, 2003. He himself confessed that he did not know. So, even as much we are told that we are going to have these Bills brought here, I think that we must have a committee of this House to follow up Government regulations which are issued under the authority of substantive statutes.

Mr. Deputy Speaker, Sir, a very good example is what you, yourself, helped bring before this House, which is the Pensions (Amendment) Act. If we do not have a committee of this House to follow up the circulars that follow, purporting to enforce the laws that we make, this wish by the President that once we pass all these laws things will be rosier than they are now will remain just that, a mere wish and just optimism that may not be very well placed.

Mr. Deputy Speaker, Sir, before I wind up, I want to touch on the area of foreign policy. I had expected my friend, hon. Dr. Kituyi, the Minister for Trade and Industry, to talk about this. In today's world, every country places a lot of emphasis on trade and, therefore, its foreign policy must have a bearing with commerce. I am sure you have seen it yourself when you travel to various foreign missions of this country and you find officials who have absolutely no idea what this country is capable of offering to the rest of the world. This is because we recruited people who started as District Officers and clerks, and now we expect them to go and start talking about commercial activities in this country.

I want to urge the Government to re-examine this area. It is not criticism of any particular person, but the Government must re-examine this as an urgent matter to address in its foreign policy.

With those few remarks, I beg to support.

The Assistant Minister for Local Government (Mrs. Tett): Mr. Deputy Speaker, Sir, thank you. I stand here to render my support to the Speech of our President.

When I was seated there and listening to the ongoing debate, since last week, I started wondering why there was so much criticism of the Government. It is as though this Government has done nothing. They did not think about all the achievements that this Government has achieved. I think sometimes it is good to mention some of the achievements this Government has achieved, instead of criticising it all the time. At the end of the day, these critics will be tired and the Government will continue with its work.

I heard one of my colleagues asking why the NARC Government keeps on talking about free primary education. Why not, especially when we have a huge achievement in that regard? Before the NARC Government took over power, three million children in this country had no opportunity of seeing the inside of a classroom. Three million children form 10 per cent of our country's population and as a result of not joining any school, these children were turning into thieves and murderers. Nobody used to care for them. The situation, as it is now, is commendable. Most of the children are now in classrooms and they are grateful to this Government. That is an achievement that cannot be forgotten throughout the history of this country.

Mr. Deputy Speaker, Sir, the President, in his Address, talked about small-scale enterprises. In this sector we have hawkers as well. He said that there are 1.3 million small-scale enterprises in this country which have employed 2.3 million people. I remember well, when we took over this

Government, hawkers in Nairobi were scattered all over. They were a menace. However, we realised that hawkers need to be given credit facilities and not to be beaten up and their goods strewn all over the streets. We nurtured hawkers, addressed them and allocated sites outside the city centre for them. If you remember well, Moi Avenue, Ngara area and along the road leading to UNEP Headquarters, were occupied by hawkers. They were all over the city. Some of them used to sell bhang and others were thieves pretending to be hawkers. At the moment we have set aside sites for them and they are doing well. If these people are encouraged, they will employ more than 2 million Kenyans. So, we need to enhance the small-scale enterprises.

Mr. Deputy Speaker, Sir, when you talk of the street families, I remember large numbers of the street families used to loiter in the streets of Nairobi begging. Sniffing glue was the order of the day for these families. Who used to care? Nobody did. There were 250,000 street children in Kenya; 60,000 of them resided in Nairobi and its periphery. So far, we have rehabilitated a lot of these children. No wonder you do not see them harassing you and the ladies in Nairobi City; 800 of these street children were taken to the National Youth Service (NYS). The street women were taken to training institutions and many of them are now employed at the Export Processing Zones (EPZ). As you might have seen on television the other day, some of the women shed tears of joy because they had been trained and are now employed at the EPZs. Nobody cared for these women. They used to loiter in the streets of Nairobi and the young girls would be raped. They, thus, became vulnerable to the HIV/AIDS scourge. When these women were under the intoxication of glue, they could not take care of themselves. So far, 2,000 street children have been rehabilitated in schools and we have put them in our reception centres. 200 street children have been repatriated back to their families. This is a very, very huge achievement in so far as the NARC Government is concerned.

Concerning the Judiciary in our country, the radical reforms that the NARC Government undertook were very important. We know too well that the poor people used to suffer. A colleague of mine was wondering why we need to give prisoners computers and so many other things. Many of the prisoners are really innocent, but because they could not afford---

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

Mr. Deputy Speaker: Yes, what is it, Mr. Billow?

Mr. Billow: Mr. Deputy Speaker, Sir, is the Assistant Minister in order to say that most of the prisoners are innocent when, indeed, they had been taken to court, judged and sent to prison because they were guilty?

The Assistant Minister for Local Government (Mrs. Tett): Mr. Deputy Speaker, Sir, what I am saying is that the Judiciary was rotten and only the rich would benefit by bribing judicial officers. Innocent and poor *wananchi* used to be jailed.

(Applause)

Mr. Deputy Speaker, Sir, Mr. Sambu is consulting loudly.

Mr. Deputy Speaker: Just address the Chair and you will be all right.

The Assistant Minister for Local Government (Mrs. Tett): Mr. Deputy Speaker, Sir, I was saying that most of the persons who were sent to jail were innocent and poor *wananchi*.

Mr. Deputy Speaker, Sir, with regard to the constituency bursary fund for the poor children, it never used to be there. At the moment, school children in our country benefit from the bursary even though it appears to be a drop in the ocean. The bursary fund is helping a lot of children to get secondary education.

Mr. Deputy Speaker, Sir, we have all seen the First Lady, Mrs. Kibaki, taking initiative on matters concerning HIV/AIDS. She has been going round the country trying to sensitize people that

the disease exists and it kills.

With regard to the Constituency Fund, at the moment each constituency is allocated Kshs6 million. This will help alleviate poverty amongst our people. This Kshs6 million is supposed to be used up to the end of June. Thereafter, Kshs20 million will be allocated. This is a lot of money and if every hon. Member can utilise this amount properly, then, poverty will be alleviated.

Mr. Deputy Speaker, Sir, concerning water, the Nairobi City Council has just signed a grant of US\$16 million. This money is meant for operations, training, information and for capacity building. It is a lot of money which, if used wisely, Nairobians will never go without water. It is also a big achievement by our NARC Government through the World Bank.

Mr. Deputy Speaker, Sir, our hospitals had been run down completely. At the moment we have rehabilitated eight maternity hospitals and 54 clinics that were totally run down here in Nairobi. So, when some people say that the Government has done nothing, I feel like crying because it is only a blind man who cannot see these achievements.

Look at the police force. Police officers were a disgruntled lot. Their morale for work was totally low, but at the moment, they are happy because the NARC Government increased their salaries. We are trying our level best to improve housing conditions for them so that four police officers do not share one room as is the case presently. Police officers used to get Kshs4,000. That amount could not sustain their families. If you look at university dons, the Government has increased their salaries.

Mr. Deputy Speaker, Sir, the Government did not forget the disabled persons. There is a building along Waiyaki Way which has been renovated and equipped with physiotherapy equipment. The list can go on and on.

We cannot forget the security that has been given to this House. Both hon. Members in the Opposition and the ruling party's side have been given security. Which Government can do that? This is a great achievement and I hope whoever stands up to criticise the Government, thinks twice.

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

Dr. Wekesa: Thank you, Mr. Deputy Speaker, Sir. I also want to join my colleagues in commending His Excellency the President for his very good speech.

I have a few things that I would like to touch on, and just like my colleague, the issue of security concerns all Members of Parliament and Kenyans at large. I was thinking that if I was the Minister in charge of Internal Security today, I do not think that I would be sleeping well because right across the country, Kenyans are complaining about insecurity. We have had cattle rustling and land clashes for many years in my own district. The people who were displaced during the land clashes six years ago are still languishing in markets because they have not been re-settled.

Carjackers have room to disturb and kill Kenyans. I once had a relative who was a carjacker and he told me that the easiest job to do in Kenya is to be a carjacker because the police cannot catch him. He did that job for seven years. I was thinking of what I would do to my relative, if the police were allowing him to do the job that he was doing. Little did I know that I would be a victim of carjacking.

Nairobi is not safe; Murang'a is not safe; Kitale is not safe, the countryside is not safe; and Kenya as a whole is not safe. The time has come when the Minister in charge of internal security sat down with the officers in charge of security and came out with a plan to deal with the menace. Because we, as Members of Parliament are elected and represent the very people who are being maimed and killed; we have a duty to do something, and we would like to collectively assist the Minister to do his job, because I am not safe when I go to my house. My voter is not safe and his cattle are not safe! This goes on and on.

Mr. Deputy Speaker, Sir, I attended a meeting in my constituency during the weekend and

the members of Kanyarikwach Farm almost chased me away from the meeting. They told me that, that was a meeting to discuss insecurity and that the District Commissioner (DC) had visited them and he had promised them security within 30 days, but 30 days had elapsed and the DC had not shown up. They also told me that they did not want me to speak in that meeting because I was in the United States of America for three weeks, and people were dying and their plots taken over by Pokots, who have been grazing in Kwanza Constituency without permission, and that they had now taken over the land that belonged to them. The Pokots have been grazing their animals while carrying guns. My people do not know how to carry guns or even where to get guns. This situation has been there for a very long time.

I am kindly requesting the Minister in charge of internal security to really come up with plans that will satisfy me as a Member of Parliament for Kwanza Constituency and all the Members of Parliament here because they are worried about insecurity. The Government must have a human face. Last year, when I was attacked, within half an hour of the attack, I received a call from Mr. Nyaseda, who has been sacked, and also from Mr. Matere Keriri, who was the State House Comptroller, but who has now lost the job. But I did not receive a call from my friend, Mr. Murungaru, who is the Minister in charge of Security. It is a very emotional thing! Quite a number of these hon. Members have been attacked, and it is a very emotional thing to be attacked with four guns in your own house. So, the Government should have a human face and deal with these cases. We have been elected to speak about these issues, but we are not doing it because it is immaterial. Life is a very important thing.

Mr. Deputy Speaker, Sir, food production is my pet subject. The price of fertilizer has gone up to Kshs1,800 per 50- kilogramme bag of DAP. I have been farming for a long time, but I have never seen such an escalation in the prices of fertilizers up to such level. I think the former Government made it worse because they used to steal all the money, making the NARC Government unable to subsidize the farmers.

(Laughter)

I would like to see a situation where the Government is taking agriculture as the mainstay of our economy. I know the Minister for Agriculture, hon. Kirwa, is doing his best. But we need more from him than trying his best. We need a planning department within the Ministry. Last year, while the Minister was addressing a meeting in my constituency, I told him that I thought that the price of maize should be Kshs1,250. In November, 2003, I also told him to take the bull by the horns and announce that the price of maize should be Kshs1,200. The Minister did not do that, but he increased the price of maize within a month, and by February, 2004, he had increased the price of maize to the one I had recommended to him. So, what we need in the Ministry is a plan or an announcement by the Minister about the price of maize of this year. He should do so now, not later, and not in November. Once the price of maize has been known, the farmer will be able to budget.

[Mr. Deputy Speaker left the Chair]

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

Mr. Deputy Speaker, Sir, the Agricultural Finance Corporation (AFC) has been revived, but it is very difficult for a poor farmer to actually get a loan. It is only the rich people like hon. Sambu who can actually secure a loan from AFC because he can show a title deed and he has a logbook of

a tractor or his car. But the poor ordinary citizen is unable to get a loan from the AFC. We would like to see GMR being revived so that the crop itself becomes the security for the farmer, and that way, the poor farmer will also be able to get these loans that we are reading about in the newspapers, and which are actually only being given to the rich people only. This morning I came through Kisumu---

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

Mr. J.K. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to the debate on the Presidential Speech.

Before I caught your eye, I was getting a bit worried because some of us make attempts to catch your eye, but we are hardly noticed. Then we see reports in the newspapers saying that some hon. Members of Parliament do not contribute in the House. I do not know whether the Press takes into account the attempts hon. Members make to catch your eye and they are not noticed.

On a more serious note, the Presidential Speech was well-thought out and quite reconciliatory in approach. On the face value, it came up with promises which the Government is looking at, but when you look at the Speech critically, it is a public relations exercise.

I am saying that because there are areas like the media which were not addressed. The media has moved a step further and the Fourth Estate plays a very big role in the democratisation of a country. Last month, a probe team was appointed to investigate the Kiss FM Radio Station for allegedly making derogatory remarks against one of the Cabinet Ministers. Sometimes the *Nation* Newspapers said that His Excellency the President had slipped in State House. Those allegations were immediately refuted by State House and no action was taken against the *Nation* Newspapers. After Bomas III, the Citizen Radio and Television was almost preaching hatred and war in this country because we did not agree on the Sulumeti Report, and no action was taken against them. Does this mean that we have gone back to censorship of the Press, or are we dealing with these media houses selectively? Are there some media houses which are politically-correct? Kenyans, and the world at large, are eagerly waiting to see what action the Government is going to take against the Kiss FM Radio Station after receiving the report of the probe team, while other media houses are being left to go scot-free.

Mr. Temporary Deputy Speaker, Sir, I want to touch on the issue of insecurity in this country. All the speakers who have contributed before me have spoken about insecurity and they are very concerned about it. It is true that hon. Members are given bodyguards, but will the 31 million Kenyans be given bodyguards? The Minister of State, Office of the President, in charge of internal security, should take personal responsibility and admit that the Government has failed, and give an undertaking that they are going to address the issue much more seriously. It pays to admit that you have failed to do something, and that is not a weakness. It gives you time to organise yourself. There is a lot of insecurity in my constituency of Mutito. Two weeks ago, two prominent businessmen from Mutika Location were mercilessly attacked and robbed. This is how serious things are, and yet in the entire constituency, you hardly find policemen patrolling. Policemen are known to be patrolling areas within town centres where there is transport. I call upon the Minister of State, Office of the President, in charge of internal security, to look into the issue of insecurity.

I would like to comment on the issue of the constitutional review. This Government came into power by making many pledges to the people. One of these pledges was to have a new constitutional dispensation in place within 100 days. A hundred days passed and the Government was given more days by Kenyans. Six months passed, and one year has gone now. When we thought we were headed towards the right direction, we saw one delegate called the Government walking out of the Bomas of Kenya. The President gave a Speech, but he remained non-committal on the issue of whether we will have a new Constitution by June this year. It is high time that the

President assured Kenyans that we are going to have a new Constitution by June this year. That is the best this Government can do for Kenyans. That is the best, we as Parliamentarians, can give to our people.

I want to commend the Minister for Transport and Communications for having instilled some sanity in the transport sector. We can now recognise *matatus* even 100 metres away when we see the yellow stripe. However, I would like to urge him to go an extra mile and borrow a leaf from our neighbouring countries, namely, Tanzania and Uganda, and gazette *matatu* fares. That is where the unscrupulous touts are fleecing Kenyans. I want to call upon the Minister to explore the possibility of coming up with fares for public transport. I do not think that will be very hard. He can liaise with the *Matatu* Welfare Association and other stakeholders, so that Kenyans know how much they are supposed to pay from one point to another. For instance, from South B to Nairobi City Centre, the fare is Kshs15. That will help the Minister to accomplish the good job he has done.

Mr. Temporary Deputy Speaker, Sir, finally, I want to talk about the Arid and Semi-Arid Lands (ASAL), where my constituency is. I am quite grateful that the President talked about Kshs5 billion which has been committed to these areas. In the past, money has been voted for these areas and the intended projects are not done. Sometimes, we are told that money has been allocated to do certain projects in our constituencies and we keep on promising our constituents that the projects will be done, until that financial year is over. I want to call upon the President to ensure that the Kshs5 billion that is committed for the ASAL areas, indeed, goes to those areas. Our people should be assisted in terms of drilling boreholes and constructing dams to bring water closer to them because water is life.

With those few remarks, I beg to support.

The Minister for Sports, Gender, Culture and Social Services (Mr. Balala): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate on his Excellency the President's Address, which he delivered here when he officially opened Parliament. We have seen the wisdom in the President's Address. In his vision last year and this year, he identified challenges and advised leaders on how they could handle situations, bring unity to the country, as well as look at Kenya as a place where there is no individual interest.

The President mentioned very many things that I want to touch on. On education, we have truly fulfilled our campaign commitment and pledge to provide free primary education. The free primary education programme is working, and has relieved parents of the burden of paying school fees, which has been quite heavy. Three million students were not in school because they could not afford school fees. The programme has enabled elderly people and even boys and girls of 18 years of age to join Standard I. That is noble and will change this country from having a high level of illiteracy to having a high level of literacy. The backbone of any economy is an educated population.

His Excellency touched on bursaries that we have been getting of Kshs1 million for each constituency. This money has helped secondary school education. It is not much, but it is a positive step towards the right direction. I believe that in the near future the Minister for Education, Science and Technology will increase this amount of money. The balance of Kshs570 million, which is still with the Ministry, should not be given on the basis of the number of secondary schools in a constituency. We did not have secondary schools in my constituency until only three years ago when we got only two. We have only two secondary schools in my constituency. It is unfortunate that a population of over 200,000 people, in the centre of the first major town in Kenya, is served by only two secondary schools. I regret that we might get very little money.

I want to advise the Minister for Education, Science and Technology that since we are providing free primary education, we need to expand primary schools as well as secondary schools.

Over the years, we have been lacking classrooms for our children. In my constituency, we have worked very hard to provide desks to schools. We have so far provided 500 desks to my people.

I am glad that, finally, the Ministry of Education, Science and Technology has managed to settle the issue of salaries for university dons. I am wondering when the Coast people will have a university. A university is crucial for any community. The Coast region, being a key region in the economy and the country, should be given priority in this respect. We were promised by the NARC Government that we would get a university. I want to believe that very soon we will have a brand new Government university, and we will not continue transforming polytechnics to universities. I believe that education can be key in developing communities, particularly in areas where they have been marginalised all this time. Coast has been a marginalised area through the two past regimes, and we have just seen the light in this regime.

Mr. Temporary Deputy Speaker, Sir, the other aspect that the President mentioned is youth. We are aware that 75 per cent of the Kenyan population are below 30 years of age, and education as well as sports are fundamental to the youth. Today, sports is business. It is a commercial venture. It is no longer a recreational activity. We, as the Ministry in charge of sports, are working very hard to develop it. I am glad that since I took over this Ministry, we have given sports a high profile, especially soccer. As regards soccer, we are having difficulties with the international federation, but I can tell you that we will not crash. We will rise above the problem and take it as a challenge to improve not only soccer, but also cricket, hockey, volleyball and all other sports.

I want to assure you that we are not only looking at mainstream sports as the only ones that should be given a high profile, but also games like chess, hiking, rowing and others that are helping our people, including women's soccer. Nowadays, this is a big trend. In the United States of America, men do not play soccer. There is American football, but women are the ones who play soccer. I believe we have the potential in Kenya for women to play soccer since gender balance is always being considered. We are glad that women nowadays are being considered in all aspects of appointments, particularly in this Parliament where we have at least 18 women Members of Parliament, seven of them in the Cabinet. I think women have a great role to play in the economy of this country as they form 52 per cent of the population of this country. Fifty-two per cent is a very important component in the development of this nation.

The most important thing in any Government or country is the economy. I can remember that one day, former President Clinton, when he was campaigning, used the word "economy" as the prime mover of his campaign, and he won. I believe that the NARC Government is committed to that. We have seen how many investment conferences have been held, but I think it is high time the Government thought about being flexible and creating an atmosphere where businesses are conducted effectively. The era when the Government used to control everything is gone. This is an era where the private sector moves things. The Government facilitates and, to some extent, regulates business. We are working very hard as a Government to make sure that we fulfil this. There are two major issues in the economy. One is the low cost of doing business. I am glad that interest rates and the cost of labour have gone down. The cost of telecommunications, transport and other infrastructure should also go down. Everything takes time. We need a capital investment in this country. In due course, we will see results as different Ministries are working very hard to fulfil their commitments.

The other aspect is the peace for Sudan. We encourage and congratulate the organisers of that initiative. I believe that Kenya should no longer be a mediator. Kenya should be a beneficiary of the peace deal. I believe that petroleum in Southern Sudan should be channelled through northern Kenya and into the country for refining and distribution in this region. If we build a proper refinery in the North Rift, we will be able to develop the northern area of Kenya as well as supply

this commodity to East and Central Africa. Selling it back to Sudan will be unviable. I believe we should benefit from that business.

His Excellency the President and the First Lady did a campaign last year on HIV/AIDS. The President said that he has no problem going for a check-up. It is high time Members of Parliament went for HIV/AIDS check-ups, so that we can verify who is sick, who is healthy, as well as help people who are unhealthy to be better. The discrimination aspect should not be found among us. We have to stand up and say: We are not discriminating; we are learning the truth.

Finally, I want to talk about the democratic space that we have created. The NARC Government has created democratic space and everybody is able to speak openly on FM radio stations and other forms of media are able to criticise. When criticism is positive, we should take it as a challenge and move forward.

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

Maj. Madoka: Thank you, Mr. Temporary Deputy Speaker, Sir. After six days of waiting, I have finally caught your eye. The Presidential Address, during the official State Opening of Parliament, was nothing new. These are the same things we hear every year. He tried to highlight the various perceived achievements of his Government. He tried to give us the prospects for the future. Various hon. Members, from both sides of the House, have clearly shown that the achievements which the Government is claiming to have achieved are very little. I will be able to highlight that.

When we come to the 500,000 jobs which the Government claims to have created, we are challenging the Minister for Labour and Human Resource Development to table here the jobs which have been created and the names of those people who have been employed. We do not want mere figures. Figures may represent people who have been employed to take up the jobs formerly held by retirees and so on. We want details on the 500,000 jobs. I challenge the Minister to present that here and then we will know that the Government is working.

We also have the Minister for Planning and National Development here. He has also said that we have had many investors who have invested a lot of money in the country in the last one year. We want to challenge the Minister to table here the number of investors, in which sector of the economy they have invested, and the jobs which have been created, and then we will know that the Government is working.

We have the Minister for Health here. She told us last year that no Kenyan will be kicked out of a hospital for non-payment of the cost of treatment. Madam Minister, there are so many Kenyans who are being kicked out of hospitals, and I can give you their names. There are so many Kenyans who cannot get drugs at hospitals. They still have to go and buy drugs. Where is your pledge, Madam Minister? That is your Government.

We are equally worried that because of the perceived created democratic space, Kenyans have gone wild and are making wild statements. If this continues, it will lead to the destruction of this country. It is time this Government took control and directed the use of that democratic space, so that Kenyans can live in peace and harmony. I am afraid if this continues, then I am sorry. We promised that we would be a responsible Opposition and, indeed, we have lived to that word. This is because we realized that the Government had people who had no experience in the governance of this country, we gave them enough latitude so that they could learn and improve. However, we are disappointed. We gave them that long rope and they have hanged themselves. Kenyans have lost faith and hope in this country. The Government must take charge.

Mr. Temporary Deputy Speaker, Sir, there are a few achievements which I would like to record like my friends did. I would like to commend the Minister for Transport and Communications because he has brought order and discipline in the *matatu* industry. That is,

indeed, commendable. However, we cannot help, but feel sorry for the workers who are walking everyday for two and a half hours to get to their places of work, and another two and a half hours to get back home. We cannot help, but feel sorry for the industrialists and the shopkeepers who are losing between three and four man-hours every day because they have to open late and close early to let their workers get back home. We cannot help, but feel sorry for the school children who also have to walk long distances after school because the bus fares are now regulated. In the past, school children were paying Kshs5 to get to their destination. Today, they have to pay Kshs20. Their parents cannot afford it. It is time that the Minister or the Government encouraged investors to invest in the transport sector so that we have enough transport to be utilised in terms of commuter services.

Mr. Temporary Deputy Speaker, Sir, let me now touch on the Constitution. The President spoke of consensus and I do support it. After all, in arriving at the final draft Constitution at Bomas, it was done through consensus. There is no harm in us trying to build some consensus on the articles which we still seem to have very strong divergent views. What I cannot reconcile is that some of us are saying that the Constitution is flawed and that certain articles need to be amended and, at the same time, we are saying that we should send this Constitution to Kenyans to endorse it. We will be very dishonest. As legitimately elected legislators of this country, we must come to grips with the situation and say: "If things are wrong, let us correct them in this House before we send them to the *wananchi*." Then we will be playing our proper role as legislators. My conscience would bother me if I took this document which I know is wrong and told my constituents to endorse it. This House has got to play its proper role effectively.

We know that at the Bomas talks, we all took cover under Wanjiku and said: "Wanjiku said this." In my constituency, she is called Wakesho. However, Wakesho did not say some of the things which came out of the Bomas talks. We know what came out of the Bomas talks in the last days was because of the dismal conduct of the Government. People just passed issues in protest. But, be that as it may, let us rise above that and take our proper role as Kenyans and make proper legislation. We want a document which will live long after us. We want a document which is practicable. Let us not take the populist position in this constitutional process. The populist position is detrimental to the future of this country. Let us be firm and accept our responsibilities, as leaders, and let us come out united to ensure that whatever goes out to Kenyans is a good document.

Mr. Temporary Deputy Speaker, Sir, there are many ways in which we can conduct this. There are some very contentious issues. I believe some of the contentious issues arose because some Kenyans did not fully understand all issues. For example, my Wakesho did not understand the difference between a parliamentary system and a presidential system. If you look at the document, you will realise that Kenyans were recommending for a strong presidential system. They said that they wanted to elect their President. They also wanted Ministers who are not parliamentarians. They wanted a Prime Minister, but they did not define the role of that Prime Minister. So, we need to take this situation seriously. If we want to do it properly, may be, we need to conduct a proper media campaign, highlighting the merits and demerits of parliamentary and hybrid systems.

Mr. Temporary Deputy Speaker, Sir, we should use the electronic and print media and other medium of civic education to educate our people. Maybe, after that, we can send commissioners to get the views of Kenyans. Mr. Temporary Deputy Speaker, Sir, I am not for a referendum, where you ask people to say "yes" or "no". We need to explain to them these systems properly, so that they can understand them, so that when they record their views, they know what they want for this country. So, I appeal to this august House that we do not seek populist positions in the constitutional review process. We must take our responsibilities seriously, so that we can come up with a constitution that we can all admire.

Mr. Kamanda: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this very important Motion.

First, I want to thank the President for his Speech which touched on almost every aspect of the Government. Having said that, I will go straight to my points, starting with the issue of insecurity.

It is true that lately, the insecurity situation in Nairobi has been so bad. However, there are other things that go with security. When you talk about security in Nairobi, you must also address the issue of roads and street lighting. These are lacking in Nairobi. In the last Parliament, I said that Nairobi is the face of the Government, and that it should not be left to a local authority to run it. Nairobi has a population of about 3.5 million. That being the case, this is an issue which is supposed to be tackled by the Cabinet. We have the Nairobi City Council (NCC) in place, but it cannot solve the many problems that are in this City. Some of us receive reports from the NCC every month. In its report, the NCC indicates that the Central Government owes it about Kshs3.5 billion in terms of rates and water.

Mr. Temporary Deputy Speaker, Sir, this Government is supposed to be very serious because it is the only Government in Kenya's history where Ministers have been given a lot of powers by the President. He does not interfere with what they do. He has given them all the powers. So, if they mess up their Ministries, they should not blame the President. I say so because we want to see the Ministers work as a team. We do not want to hear about Ministers going out there to say: "Lynch wananchi." We do not want to hear Ministers say: "This is my docket." We want to hear about the Ministers working as a team. If they work as a team, we will solve so many problems.

So, if we had a serious Cabinet, it could have solved the problems of Nairobi. The Cabinet could have sat down with the Minister for Finance and sorted out the Kshs3.5 billion that the Government owes the NCC. I am not suggesting that, that money be taken to the NCC. If the money is given to the NCC, it will spend it on personal emoluments and allowances, and briefcase suppliers. The Cabinet should address the problems facing the City of Nairobi and provide services to its residents. One of the services that are lacking in Nairobi is schools. For the last 20 years, the NCC has not put up an extra classroom. We can spend part of that money to construct more schools or additional classrooms for the existing schools or roads. Mr. Temporary Deputy Speaker, Sir, Nairobi is classified into two, namely, the rich and the poor. The rich live in Westlands and Karen. The middle class people, who are the majority and who pay more taxes than the rich, live in the "third world" residential areas of Dandora, Githurai, Kahawa, Mathare and Dagoretti. Those areas are not considered for any development despite the fact that the people who live there pay taxes to the Government. We know that the infrastructure in Westlands and Langata was developed by the KANU Government. During that time, the Government only wanted to hear about the rich people, like Asians, who used to give KANU a lot of money. That is why the Government tarmacked the roads in those areas.

We want roads constructed in Nairobi. If the Government wants to be taken seriously, it must clean its cities first. We talk of encouraging investors to invest in our country. When they come to Kenya, they will not come to Parliament or to the roads within the City Centre. They will also want to know how people live in Korogocho, Kariobangi, and all those other areas. If they find that there are no roads or water in those areas, they will not come to invest in our country. The Minister for Finance has repeatedly said that we have got aid from the IMF and the World Bank, but the people on the ground have not felt as if there is money in the country. As the President said, the Government has done a lot but some Ministers have not performed to the expectation of Kenyans.

Mr. Temporary Deputy Speaker, Sir, I still want to talk about Nairobi. If Nairobi is not governable, then we have no Kenya. As I have said, Nairobi is the Government's face. When you

wake up in the morning, you clean up your face so that you can face the country. So, we must clean up Nairobi before we go to anywhere else. If we deal with the issue of thuggery in Nairobi, then we would have solved that problem in other parts of the country. As I have said, Nairobi is too large to be managed by the Nairobi City Council. There was a report by the Omamo Commission which recommended that unless Nairobi is divided into four boroughs, services to Nairobi residents will still deteriorate, because it is too large to be managed by the Nairobi City Council. It is high time that the Government considered dividing Nairobi into four boroughs, as it was recommended.

Mr. Temporary Deputy Speaker, Sir, finally, there was a disaster in Nairobi about a month ago. City Hall was burnt, and Nairobi people and Kenyans in general were promised that within a week, they would get a report. It is now going to two months and yet we have not got the report. We would like to know what happened. Instead of these Ministers giving empty promises, we want to see some action. They promised us that within a week, we would get the report. We are still waiting for the report, and as soon as possible, people want to hear what action has been taken or who has been put behind bars because of that fire that broke out at the City Hall.

With those few remarks, I beg to support.

Mr. Kombe: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate on the Presidential Speech.

Mr. Temporary Deputy Speaker, Sir, whereas the Government has tried to live to the expectations of Kenyans, it is yet to make an impact in main areas. One is land. For instance, in Magarini Constituency, land has become a security issue at this particular moment. People are fighting as a result of not being given title deeds for the areas that they were allocated, and yet some private developers are moving into those areas with other title deeds, cutting down palm and mango trees and bulldozing houses, rendering the people who were allocated those pieces of land, squatters. Nobody at this particular moment is ready to be called a squatter in Magarini. The moment you utter the word "squatter", you should be prepared for a blow or an arrow. That is why I said that it has become a security issue. I wish to urge the Minister concerned to do as he promised to do and make sure that the pending case on Ngomeni land is concluded and those 2,682 squatters are given title deeds in order to own those pieces of land which were demarcated and written against their names.

Mr. Temporary Deputy Speaker, Sir, with regard to Magarini Settlement Scheme, it is a scheme that was actually meant to benefit the residents, but unfortunately as I speak today, if ever there are title deeds which were issued out, they are less than ten. If they approach the Agricultural Finance Corporation (AFC) in order to be given some loans to develop those areas, they are required to produce title deeds which they do not have. I wish again to urge the Minister to move with speed to ensure that people in Magarini Settlement Scheme are given title deeds since they have paid the amounts that were required to be paid.

Mr. Temporary Deputy Speaker, Sir, with regard to health, we have so many dispensaries in Magarini, but without nurses. Those other hospitals that we depend on, for example, the Malindi General Hospital, it is unfortunate that if you happen to visit the hospital at 8.00 p.m., you will find those who are supposed to be on duty asleep or not in the room at all. I have visited the hospital more than 20 times, I have rang the Medical Officer of Health (MOH) many times, and all I get is an officer coming in, who is very rude and not ready to attend to somebody who has maybe, been knifed. That is an incident I had just the previous week. I would like to urge the Minister to move with speed and ensure that the staff she has at Malindi General Hospital really live to the expectations of the people of Malindi.

Mr. Temporary Deputy Speaker, Sir, with regard to roads, it is indeed, unfortunate that as I speak, I might be attending my last week in this Parliament because roads will be impassable due to

the rains that are around the corner. I will not be able to reach my home, or come back to Nairobi. I wish to urge the Minister to move with speed and ensure that, at least, those roads are murramed. Even if they cannot be murramed fully, those areas that are slippery should be patched, and indeed, we shall be grateful.

Mr. Temporary Deputy Speaker, Sir, as I move on to the education sector, whereas we appreciate the fact that there is free education in Kenya, indeed, as free as it is, Magarini people are not benefitting from that free education. This is because most of the classes are taken under trees. As a result of the long rains, certainly nobody will be under the tree. Then how will they have benefitted from the free education? I, therefore, wish to call upon the Minister at this juncture to reconsider the amount that is set aside for renovation to be increased and be termed, building, construction and renovation. You renovate what is in existence, but you cannot renovate a tree.

Mr. Temporary Deputy Speaker, Sir, last but not least, I wish to move on to the Constitution. We are moving towards a point where we shall have the death of the true constitutional review bills plus the death of the Bomas Draft minus consensus. That will be equal to no new Constitution.

Mr. Temporary Deputy Speaker, Sir, in that particular respect, the NARC Government has failed to honour its promise to the people of Kenya, that it will give them a new Constitution within 100 days. The 100 days were reviewed to June this year. I wish to suggest to hon. Members and Kenyans at large that we should approach that issue with sober minds. We have to be very sober. We should come up with a Constitution for all Kenyans and not for special ethnic groups as it was thought during the previous regime. Those in the Opposition thought of having a new Constitution with a person in mind. They had a target! Moi must go! That is when they called Wanjiku to go and contribute. Now, she has contributed and other items have been put into her mouth. Today, that Constitution is not needed by the Government of the day.

Mr. Temporary Deputy Speaker, Sir, it is high time we had the Bills in this House and discussed them. We should also have the Zero Draft in this House and discuss it. We should also have consensus. Those are three positive things. Then, we will make a new Constitution. If we are going to look at the Constitution in terms of the sitting President, we are not going to make a step. If we are going come up with a Constitution that has a Prime Minister and already, at the back of our minds, we have Mr. Raila, we shall not come up with anything. That is because we shall simply come and say that, that is not a good Constitution because it was aimed at Mr. Raila.

With those few remarks, I beg to support.

The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs (Dr. Machage): Mr. Temporary Deputy Speaker, Sir, the Speech by His Excellency the President gave an assessment of what has been achieved. He foretold of our expectations and discussed in detail, our anticipations and hitches. Indeed, that was a wiseman's voice. However, we have to review some of the mistakes, benefits and successes that we have had over the years. A lot has been said about security in this country. Indeed, security should be a total responsibility of every citizen in this country. It cannot be solely a responsibility of the Government. That would mean employing a policeman for every citizen. That means employing 30 million policemen. That is impossible. Village policing can be very good and has been very successful in some regions. Just borrow a leaf from my own community where we have enhanced that system of policing. Believe it or not, Kuria Constituency, which used to be known as a cattle rusting area long ago, has zero cattle rustling these days. People are concentrating on other good activities.

Mr. Rotino: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member--
- Can you sit down?

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

Mr. Rotino: Is the hon. Member in order to say that cattle rustling in Arid and Semi-Arid Areas (ASAL) is zero when, over the weekend, the Turkanas raided the Pokots?

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Rotino! I heard the Assistant Minister very well. He talked about his own place. He did not refer to any other place. Proceed, Dr. Machage.

The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs (Dr. Machage): Kuria is not an ASAL area! Do not waste my time again! There is no cattle rustling in Kuria, unlike your area. I just gave it as an example that could be followed. I welcome the Member of Parliament to visit my area for a little training. Maybe, it could be useful. That information was for the consumption of the House!

It is, indeed, shameful that the colonialist built the railway line at the beginning of the last century. We, as a country, have not added even an inch to that infrastructure. We have, therefore, lost the benefits of the rail system and instead destroyed whatever little was laid down. We have to think in retrospect, and see where we lost the way, because it is one of the cheapest modes of transport that could open the hinterland and bring produce to Nairobi and other areas at an affordable cost and good profits.

Indeed, we are happy that the Government has taken a lot of interest in roads development and I would encourage that there be consensus in both the Opposition and the Government so that we do not project a bad picture to the international donor community who could help us enhance our road network.

Mr. Temporary Deputy Speaker, Sir, on the health sector, the Ministry of Health has done very well. However, there is no affirmative action and fair distribution of resources to all parts of the country. Some places were favoured by the former Government. We need the areas that were forgotten to be looked at.

In my own Constituency in Kuria, we do not have what we would really call a district hospital. We want our hospitals improved. Right now, the rainy season has begun and we have a malaria crisis now in Kuria District. But that area has not been gazetted as a high risk malaria zone and people still have to buy anti-malarial drugs. I request the Minister for Health to extend her hand and look at some of those areas that were marginalised for years.

In the last schedule of employment that was printed in the news media, we had no positions of employment for even nurses from my own Constituency. Again, I would like to request that the areas that were forgotten before should be considered for employment of these personnel that in most cases, would prefer going to work in their own areas. Very few people from other communities would like to work in hardship areas like Kuria.

Mr. Temporary Deputy Speaker, Sir, the same applies to the education sector. We know that we have few teachers in the country, and with the over-enrolment of pupils, we have a stretch on the few that may be available. However, those few that are available in the country should be equitably distributed. We know that the examinations do not favour areas that have not been given enough teachers. It is the same paper that every child sits in the whole country. That is an unfair system. Let us also have an affirmative action in this area.

Mr. Temporary Deputy Speaker, Sir, the Government has been very democratic, as every Member would agree. There has been a lot of democratisation of every system, including the media. However, this has been abused. Instead of giving the true projection of Kenya, the media thinks it makes more news to make negative remarks of their own country, especially the so-called gutter press. The Minister concerned should actually screen and sieve what some of these people write out there. Their aim is to make money out of defaming and spoiling, especially legislators names in the name of news. This must be watched, because it is not beneficial to this country.

Mr. Temporary Deputy Speaker, Sir, a lot has been said about prisons. I am very proud to be associated with the Vice-President and Minister for Home Affairs, because he has tried to put a human face in the prisons. It is unfortunate that some hon. Members might never have visited any prisons in this country. I urge them to visit one as soon as possible to see for themselves what it means to be in those prisons. We did make initial visits when this Government came into power and opened the prisons to the international media. What they saw was pathetic.

What we are giving to the prisons is a basic human need. We do not intend to make them five star or even one star hotels; just basics for these human beings who happen to be there to live and complete their sentences. It is unfortunate when your relative or clansman goes to the prison and all you have to pick later is a dead person. We must change and we beg for your support in trying to dole up this prisons to be places where human beings can dwell.

I really appreciate that we have had several Non-Governmental Organisations (NGOs) that have been very useful to this country. I will pick the Maendeleo ya Wanawake which has been used as a political tool for a long time and it is now at the eve of elections. However, it is pathetic that a condition has been set that the poor ladies have to pay Kshs60 as membership fee up from Kshs20. Many women in the rural areas will not afford this and I request that this organisation looks into this and adjusts so that a democratic process is followed to pick on their good leaders.

I would also call on all Kenyans to be patriotic especially when it comes to Constitution making in this country. Good sentiments have been expressed by hon. Members in this House and consensus building is noble. Over 70 per cent of the document that we have from the Bomas of Kenya is acceptable to all Kenyans and only a few chapters need to be ironed out; the Executive and maybe devolution chapters which are not terribly bad. All they need is a little ironing out here and there to give Kenyans a proper document. Parliament cannot abscond or escape from its responsibility of ironing out some of these badly constituted phrases to hand over to the people what will be a noble document from Parliament. This is because whatever we do will always be a creation of Parliament.

With those few remarks, I beg to support.

Mr. Sambu: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to give my views on this Speech.

Mr. Kingi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not know whether you realise that from 4 o'clock you have only dwelt on the Front Benches and have not gone to the Back Benches.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Kahindi! You are totally wrong and that is out of order. If you continue like that, you will get the wrath of the Chair. You are wrong; I have been sitting here for nearly an hour and I know what I have been doing. So, you are out of order!

Continue, Mr. Sambu!

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, I will go straight to my point.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Chair in order to call Mr. Kingi, "Mr. Kahindi"?

The Temporary Deputy Speaker (Mr. Khamasi): It was a slip of the tongue.

Order! This is a timed debate and I do not think we should be frivolous. Could we give Mr. Sambu time to debate?

Mr. Sambu: The Temporary Deputy Speaker is a human being!

Mr. Kingi: Mr. Temporary Deputy Speaker, Sir, I wish to remind you that---

The Temporary Deputy Speaker (Mr. Khamasi): Order! You have not been given opportunity to speak.

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, people do not debate with the Chair because it is against the Standing Orders.

If we have to uplift the economy of the rural people--- I guess every hon. Member knows their areas. I want to say that many parts of Nandi, North Rift including some areas of Western Province have been allowed to plant tea after the amendment of the Tea Act. For many years during the colonial days, in fact up to 1999 when we amended the Tea Act, these areas were not allowed to plant tea but are now being allowed to do so. I want to ask the Government in this new agricultural strategy which, I do not know is costing how many billions of shillings, to set aside money to facilitate the planting of tea by small scale farmers. This is because the Kenya Tea Development Authority (KTDA) no longer plays that role. Even if we use the Constituency Development Fund (CDF), it will not be enough. So, I would like to urge the Government to use this new strategy and facilitate farmers to grow tea in the newly opened up tea areas. Tea is a labour intensive crop and it creates employment for many people.

Mr. Temporary Deputy Speaker, Sir, turning to education, in my district; that is, North Nandi, very few pupils after Standard Eight join secondary schools. For example, in every 100 pupils, only 20 manage to join secondary schools because the fee charged in secondary schools is very high and many parents cannot afford it. It is sad that the Minister for Education, Science and Technology is not here. I want to ask the Government to direct all headmasters in boarding secondary schools to open up day streams. This is because those schools were built by the local community and there is no reason whatsoever to force them to pay for their children to board in those schools. They should be able to admit children from the locality whose parents cannot afford the exorbitant fees for their children to board. They can afford to pay Kshs9,000 only. I also urge the Government to control the fee being charged in schools. Most headmasters, particularly in boarding schools, charge excessive fees.

I have two issues to speak about on health. As long as we continue to attend seminars on the HIV/AIDS scourge in hotels, we will never help. Let us spend all our Constituency AIDS Control Committee funds on purchasing Anti-Retroviral drugs. Let us spend our money in facilitating the Voluntary Counselling and Testing Centres. Let us facilitate our health centres so that our people get treatment. We have had enough of seminars on the HIV/AIDS pandemic. Let us supply our health centres with the Anti-Retroviral drugs. In my constituency, there is highland malaria. During the rainy season, the highland malaria will affect many of our people. Since the Leader of Government Business is here, I hope he will relay this message to the Minister for Health, we want the anti-malarial drugs to be sent to district hospitals and health centres in advance. We do not want a situation where they will respond when our people would have been affected by the highland malaria.

Mr. Temporary Deputy Speaker, Sir, there is a very serious issue that I want to thank the President for. I hope it will be followed up. Speaking in Nyeri, it was reported that he said that landless people would be settled. I come from an area which has big forests. However, what is going on in those forests in the North Rift region is a total disaster. There are two companies; that is Pan African Paper Mills Limited and the Rai Plywoods Limited, which have been given the green light to clear trees. Pan African Paper Mills clears 20 to 30 hectares of trees a day. On Saturday, I paid someone to count lorries ferrying logs from morning to afternoon. He counted over 25 lorries. Pan African Paper Mills purports to plant trees, but it does not. It has a nursery at Kaptagat which is used as a show-case whenever a senior Government official goes there. The Indians are exploiting this nation by cutting our trees. I am not ashamed to say this. If they want they can challenge me in Eldoret Town and I will tell them a piece of my mind. Pan African Paper Mills Limited declares losses of Kshs300 million every year. Why does this company declare a loss of Kshs300 million,

and yet it is guaranteed by the Government? Secondly, the Government guaranteed the IC loan by buying shares. Why does the Government allow this company to make a loss of Kshs300 million, and yet it cuts down all the trees? Rai Plywoods Company is doing the same. One is called "Indian" and the other one "Bilal Group" in India.

Hon. Members: What are the others?

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, the hon. Members are in the Government and know who owns those companies. They can read their names in the PIC reports. I named them when I was a Member of the PIC. I do not hide their names. These people are building factories in India and Canada. What the Asians do, and which the Government is not aware of is that, they apply for a licence to invest in this country, they borrow money and after that they make their companies collapse, take that money and invest it in Canada and Australia. In Eldoret, I know not less than five companies which have done this. Where is Amushia of Ragol Social Company? It is in Australia. Where is Yogi? The owner of this company borrowed money from the local banks, which are now crying. Yogi is in Australia. Why does the Government not allow local investors to get access to these low interest rate loans?

(Applause)

The interest rates are low but even people with security cannot borrow money to invest.

Mr. Temporary Deputy Speaker, Sir, on the forests, if we want to increase the forest cover, we have to resort--- I wish Dr. Kulundu or Prof. Maathai was here. The residents who live around forests should be allocated the *shamba* to plant maize and vegetables but be controlled by the Government. What do forest officers do right now? For example, there is a forest in North Nandi, which measures 17,000 hectares, and yet it has only 12 forest officers. Will 12 forest officers even manage to go round the 17,000 hectares which are nearly 40,000 acres? Let us allow the people who are now suffering to carry out farming activities in our forests in a controlled manner because they have no food and are unemployed. The Government should control these people so that they can plant their crops and at the same time plant trees. The trees which Pan Paper and Rai Plywoods companies cut right now were planted using that system during the colonial days. Why are colonialists better than us?

Finally, on the forests, there are selected individuals who are allowed and licensed by DCs besides the Rai Plywoods and Pan Paper Companies. I am saying that one of this days, and the Government should be prepared, we will chuck out Pan Paper and Rai Plywood Companies. I dare say!

The Temporary Deputy Speaker (Mr. Khamasi): Order, hon. Members! We still have got less than seven minutes before I call upon the Leader of Government Business to reply. I want to give the remaining seven minutes to a Back-bencher, Mr. Wamwere.

Mr. Wamwere: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this small chance to say something. I would like to say that *hata mkia ni nyama*.

I just want to add to what Mr. Sambu has said about forests because the President's Address said that it wants to restore our forest cover. This is the case, and yet, as I speak here, 500,000 non-residential cultivators are being evicted from our forests. This is not a tragedy waiting to happen but it has already happened. The Government no longer seems to know the enemies of our forests and their friends. I would like to say that the enemies of our forests are the same people who are allowed to harvest trees in our forests even as I speak here now. They are Rai Plywoods, Pan Paper and Timsales. The shame of all that is in my constituency. I have been asked many times to ask Dr. Kulundu to come and talk to non-residential cultivators who are being driven out, and who believe

they have done a good job of planting trees. They have asked him to come and see their work but he has refused! But he had time to go and visit Timsales at Elburgon. There is no way those companies can be more important than our people! When a Minister is asked by the people to go and see them, he should put them first.

Mr. Temporary Deputy Speaker, Sir, the friends of our forests are the former forest workers who were evicted from the forests in 1988 and 1989, and are now non-residential cultivators. In my area, non-residential cultivators have planted up to 6 million trees. They are waiting to plant another 4 million. But, that will not happen this year because they have been evicted.

I believe that the Government is shooting itself not just in the foot, but in the head! That policy is misguided and should be withdrawn! They claim that it is going to help the Government to restore forest cover. Instead of increasing that forest cover, I believe that policy will increase hunger, unemployment, prostitution, HIV/AIDS, crime and insecurity in the country.

Mr. Temporary Deputy Speaker, Sir, I want to talk about another chapter that I think should be closed. Six months ago, I brought a Motion here, asking the Government to re-settle clash victims. The Government supported that Motion but, up to this day, nothing has been done to implement that Motion. I know that because today, I had a meeting with the Minister for Lands and Settlement, Mr. Kimunya. He promised me that something is going to be done. But, it has to be done soon. A duration of 12 years is a long time for anybody to wait for resettlement, when one had his or her own land and their homes were destroyed. On top of that, the Government promised to deal with that problem. They should deal with that problem without dilly-dallying. In my own constituency, we have about 3,833 people who are waiting to be re-settled. That must happen, or the Government should hand-over those internally displaced persons to the United Nations (UN) for support. That is because they are refugees in their own country. If the Government cannot support its own refugees--- It is hypocritical for the Government to be helping refugees from other countries, when it is unable to help its own.

Mr. Temporary Deputy Speaker, Sir, I also urge that, that chapter be closed because human rights commissions are minting money from the plight of those poor people by going to donors, saying that they are going to solve the problem and getting millions of shillings, when they know that they do not have a chance of settling that problem.

I would also like to state that this Government is a Government of change. It was elected on a platform of change and upon promises of solving our problems. But, sometimes, when I look at our Ministers, I wonder what the difference is between NARC and KANU Ministers. I say that because we, as Members of Parliament, continue to beg Ministers to solve peoples' problems, as if it is not their duty to do so. For problems in this country to be solved, Ministers must start by visiting every constituency and seeing for themselves what problems the people have. Each Minister must, at least, put up a project in every constituency for people to know that there is a difference between NARC Ministers and KANU Ministers.

Mr. Temporary Deputy Speaker, Sir, our Ministers have not striven to make themselves more accessible to Members of Parliament than the KANU Ministers. It is still a favour and a privilege to be seen by a Minister.

The Temporary Deputy Speaker (Mr. Khamasi): Order! Your time is up, Mr. Wamwere!

Mr. Wamwere: It is very far! But I support the Motion.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Awori, please, proceed!

The Vice-President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Temporary Deputy Speaker, Sir. I want to thank all the contributors who have contributed to this debate since the beginning for the last seven days. I will refrain from mentioning individual contributors and speak on issues because almost all contributors had something in common and

there were various issues. Most of the issues revolved around the economy, security, corruption, HIV/AIDS, education and the environment. These topics are inter-linked and you cannot deal with one successfully in isolation without touching on the other. If there was a time for collective responsibility then it is now. Collective responsibility is not just for the Cabinet but also of legislators. That is legislators from both sides of the House both from the Government and the Opposition.

Mr. Temporary Deputy Spekaer, Sir, as I mentioned, we will deal with issues. Let us look at what has been discussed in this House on the economy. Let us divide the economy in various sectors. If we take the service industry, starting with banking which is the most important service industry, I do believe that this Government since it came into inception has done quite a lot to try and moderate the banking industry. Banks are now more customer-friendly in opposition to what it used to be before. The interest rates have been lowered. Of course, we would like them to be lowered even more. We would like to see that the banks do not load other customers and that they are giving a service to all customers equally.

Mr. Temporary Deputy Speaker, Sir, the other service industry is the insurance sector. Again, we have seen the lowering of premiums and extending the cover. This is essential in developing industries. We have the tourism industry. We have seen the Minister for Tourism and Information look at different projects. For instance, if we look, it is not just the question of just holiday makers. It is not the question of just going to the beaches and looking at the wildlife. This Government is now encouraging cultural tourism, research tourism and conference tourism. These are new products that this Government is introducing and it is working hard to do that.

At the same time, the tourism that we have now is looking at new markets. We know that there is now saturation from the European market. We know that the European market with their travel advisories is dwindling and the Ministry is doing its best to look to the East. That is where tourists are that can spend money in this country.

Mr. Temporary Deputy Speaker, Sir, the manufacturing sector is a sector that is doing quite well and trying to add value on various products and trying to reduce imports. If we look at the food side, there are quite a number of oil manufacturing companies, toiletry and various others. We have also the steel industry which has been introduced and it is expanding fairly rapidly.

Mr. Temporary Deputy Speaker, Sir, if we move on to agriculture, we know that agriculture is the mainstay of our economy. We have seen stability now in the tea industry where prices have improved. At the moment, it is one of the highest income generating sectors of foreign exchange. We are reviving the coffee industry and it is only last weekend that His Excellency the President was commending people and urging farmers to continue to revive the coffee industry; that is to bring it back to what it was. We want to see quality coffee.

Mr. Temporary Deputy Speaker, Sir, with regard to the dairy industry, we have seen the revival of Kenya Co-operative Creameries (KCC). Only recently a litre of milk was going for Kshs8. The price has now increased to Kshs17. This money is in the pockets of small-scale farmers. Even the price of maize, which is our staple food, has moved up to Kshs1,000 for a sack from Kshs460. This, to me, is a great step in the right direction. We are trying very hard to see that the prices of farm inputs are reduced. I am quite conscious of the fact that the price of fertiliser rose rapidly, but in the last two or three weeks the same prices have come down although they did not reach the level we all required. However, the Government is working towards that end.

Mr. Temporary Deputy Speaker, Sir, with regard to the sugar belt, we have started to pay farmers although the money is not adequate. Funds are being looked for in order to pay sugar-cane farmers.

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

The Temporary Deputy Speaker (Mr. Khamasi): What is it Mr. Sambu?

Mr. Sambu: Mr. Temporary Deputy Speaker, Sir, is the Leader of Government Business in order to mislead Kenyans to say that the price of fertilisers has come down when I as the people's representative and a farmer as well, came from Eldoret yesterday, and the price of fertiliser which stood at Kshs1,600 when the President opened the Agricultural Show in Eldoret, but has now gone up to Kshs2,000?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, I wish my hon. colleague could listen carefully. I said that the price of fertiliser in the last three months has rapidly increased. I also said that in the last three days the price has come down. I mentioned that the price has, however, not reached the level we want it to be.

Mr. Temporary Deputy Speaker, Sir, we are introducing seasonal credit. We know that a farmer cannot survive without having access to credit. They require this seasonal credit. We are strengthening the Agriculture Finance Corporation (AFC) to ensure that it serves farmers properly.

We are encouraging farmers to start growing high value crops. For a very long time, farmers have been satisfied just by growing maize or wheat. Today, there are other crops which are of high value. We want to see farmers grow flowers, green beans and other high value crops so that the farmer can be adequately compensated for his sweat. We are reviving the cotton industry and we are conscious of the fact that the Africa Growth and Opportunity Act (AGOA) will not be there forever. We want to see every large area that was used to grow cotton being utilised again. This will enable us to strengthen the textile industry in this country. Our people at EPZ will then be able to use home-grown cotton to produce textiles that will fetch us a good market in USA.

Mr. Temporary Deputy Speaker, Sir, we are also looking at flood control measures. I heard hon. Eng. Nyamunga talk about the area around River Nyando. I also know that my neighbours in Budalang'i are suffering. However, we are trying very hard to see that we control flooding so that we can convert more land to use. This is very important. We are upgrading the system of tilling land. Land is a commodity that does not increase. It remains static. We have to utilise it properly by abandoning primitive methods that we have been using from generation to generation. That way, we will stop destroying land.

In as far as investment is concerned, I heard quite clearly a number of hon. Members asking where the new investments were. We know that the Minister of Planning and National Development and the Minister for Trade and Industry have joined hands with the Minister of Foreign Affairs in trying to attract new investment. We know, for instance, that somebody inquired of the whereabouts of new investments. As far as I know, one of the new investments is in agro-business where a company called Diamond has brought in new investment and is putting quite a lot of land under rice production.

We are also looking at the entire infrastructure. We will try to expand the railway network. We know that the railway is one of the cheapest ways of conveying goods. I am sure that there are plans for that. I know that hon. Michuki has been discussing the issue with new investors to see the possibility of adding a second railway to the existing railway line and opening new markets.

Mr. Temporary Deputy Speaker, Sir, on the rural electrification programme, we know that some money has come into the country. It is only a month ago when I went with the Minister of Energy to start a new rural electrification programme in the whole of Siaya, Busia and parts of Bungoma. This programme is increasingly extending all over the country. As regards the question of Information Communication Technology (ICT), of course, you know what the plans are. First of all, we are expecting to have a second landline telephone provider, which will help to encourage the industry in ICT.

Mr. Temporary Deputy Speaker, Sir, to achieve all these goals, we have got to do a lot of

things. That is why I said that all these things are interlinked. We have to continue fighting corruption, and the fight against corruption continues. It is not going to subside. There will be no sacred cow. Let us not hear about people mentioning or saying that this Government has got Ministers who are already corrupt. That is idle talk! If you have got any evidence, bring it up and let whoever is actually implicated be taken to a court of law. There are no sacred cows! When we engage in idle talk like that, we send wrong signals. When we fight against corruption, it is not simply because we want to get new investments or in order to please development partners. We want to fight and eradicate corruption for ourselves so that we have a country that can pride itself of having, perhaps, not zero corruption, but very limited corruption.

Mr. Temporary Deputy Speaker, Sir, we are working on the question of improving the infrastructure, especially the roads. There are many roads which are now being prepared for tarmacking. Unlike before, the plans for these roads are on a national level so that every area of the country will receive its share of tarmacked roads. The Minister for Transport and Communications has brought sanity on our roads by controlling the *matatu* industry so that there is a bit of discipline. But it is not only the *matatu* industry which has brought infamy on our roads. There are other people as well. We actually want discipline to permeate throughout the country. There has been a lot of recklessness as regards the environment. The previous speakers have talked about this issue. This is brought about by greed from various people. I do not think one can pinpoint one community which is notorious for that vice. There are even people who were in the previous Government and who "raped" our forests. We want to try and see that this does not happen again. About three months ago, the Minister arranged for a seminar for Members of Parliament in Mombasa in which he encouraged Members to take the first step to show how they can carry out re-afforestation.

Mr. Temporary Deputy Speaker, Sir, the youth, women and the vulnerable groups have all received attention from the Government. There are policies being formulated to take care of the needs of the youth as hon. Balala mentioned. Also, we know that women will be taken care of in the new Constitution. As far as the disabled persons are concerned, we passed a law here that protects them.

With regard to HIV/AIDS, there is now new management at the National AIDS Control Council (NACC) and soon, money will be disbursed to the constituencies to purchase anti-retrovirals. This will reduce the number of HIV/AIDS deaths. It has been stated that statistics show that deaths have now reduced from about 700 people per day to a lesser figure. If HIV/AIDS death rate is 650 persons per day, it is still a good number.

Mr. Temporary Deputy Speaker, Sir, security is the key to everything. We have to fight and bring about security in our country. Insecurity is a problem not only for the Government, but for everybody. We have to join forces to ensure that there is security. The Minister of State, Office of the President, in charge of internal security outlined what he is doing. We are improving the welfare of the police officers. Their salaries have been increased and we want to see that they have better housing. We are making sure that there is good training and re-training, so that they will then give a good service to us.

There is a misconception in this country about prisons. Nobody is born a criminal, and not everybody who is in prison is a criminal. We are trying to bring a human face in prison. You would have to ask Mr. Wamwere, Prof. Anyang'-Nyong'o and Mr. Mwandawiro to tell you what prisons are like. Just to be locked up alone is enough punishment. We want to try and treat prisoners like human beings. We have stopped dehumanising prisoners because as I said, not everybody who is in prison is guilty of any crime. Prison should be a place for rehabilitation. Why do we have to begrudge a prisoner watching a television? Why do we have to begrudge a prisoner for listening to the radio? That prisoner could be your brother and he may be innocent. This is all we are doing. In

there, we do not ask the reasons. We are the custodians of the prisoners. The misconception that when prisoners are released they break into houses is a mere misconception.

Let me give you examples. We only release prisoners, and this has been happening over the years, three times a year, namely, on Madaraka Day on 1st June, on Kenyatta day, 20th October and on Jamhuri Day on 12th December. In 2001, the Government released 30,000 prisoners and in 2002, it released 25,000 prisoners. If you look at the period during which people are demonising us, we only released 18,000 prisoners. Let us try and be human.

Mr. Temporary Deputy Speaker, Sir, with regard to the constitution review, we need a good Constitution.

The Temporary Deputy Speaker (Mr. Khamasi): Wind up, Mr. Vice-President and Minister for Home Affairs!

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, finally, I want to say that we should be proud of this country and we must accept our responsibilities. At no time should anyone believe that he has a monopoly for being upright. All of us have let this country down. As far as the constitutional review is concerned, we abdicated our responsibilities and looked at the Constitution in individual eyes. We did not look at the Constitution for generations to come.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Vice-President and Minister for Home Affairs! Time is up!

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday, 14th April, 2004, at 9.00 a.m.

The House rose at 6.30 p.m.