

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 27th July, 2000

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:

The Annual Report and Accounts of the Kenya Dairy Board for the year ended 30th June, 1996 and the Certificate thereon by the Auditor-General (Corporations).

The Annual Report and Accounts of the Kenya Sugar Authority for the year ended 30th June, 1998 and the Certificate thereon by the Auditor-General (Corporations).

*(By The Assistant Minister for Agriculture, Livestock
and Rural Development (Mr. J. D.M. Lotodo) on
behalf of the Minister for Agriculture)*

The Annual Report and Accounts of the Kerio Valley Development Authority for the year ended 30th June, 1997 and the Certificate thereon by the Auditor-General (Corporations).

*(By The Assistant Minister for Agriculture, Livestock
and Rural Development (Mr. J. D.M. Lotodo) on
behalf of the Minister for Rural Development)*

The Annual Report and Accounts of the Kenya Posts and Telecommunications Corporation for the year ended 30th June, 1998 and the certificate thereon by the Auditor-General (Corporations).

*(By The Assistant Minister for Agriculture, Livestock
and Rural Development (Mr. J. D.M. Lotodo) on behalf of the Minister for Transport and Communication)*

The Annual Report and Accounts of the Kenya Tourist Board for the year ended 30th June, 1998 and the Certificate thereon by the Auditor-General (Corporations).

The Annual Report and Accounts of the Kenya Tourist Board for the year ended 30th June, 1999 and the Certificate thereof by the Auditor-General (Corporations).

*(By The Assistant Minister Agriculture, Livestock
and Rural Development (Mr. J. D.M. Lotodo) on
behalf of the Minister for Tourism and Industry)*

ORAL ANSWERS TO QUESTIONS

Question No.336

REHABILITATION OF ROADS IN KIPIPIRI

Mr. Githiomi asked the Minister of State, Office of the President how much money he has set aside from the *El Nino* Emergency Fund, for repair of roads in Kipipiri Constituency.

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

No money has been set aside from *El Nino* Emergency Fund for repair of roads in Kipipiri Constituency, since the constituency falls in the districts which were not gazetted as disaster districts by the Government after the 1997 *El Nino* rains. However, the Government has continued to source for funds from willing donors to include more districts in the *El Nino* Project. Towards this end, negotiations are at an advanced stage to secure more funds from the French Government. This funding will cover Central Province districts *vide* Murang'a, Nyeri, Maragua and Nyandarua. Since Kipipiri falls in Nyandarua District, it may benefit from the expected funding.

Mr. Githiomi: Mr. Speaker, Sir, could the Assistant Minister tell the House the criteria the Government used to gazette districts which were considered qualified for *El Nino* funding?

Mr. Kochale: Mr. Speaker, Sir, the *El Nino* rains affected so many roads in the country. There is a District Disaster Committee in every district which sits in every district and sends recommendations to our office so that they can be considered.

Mr. Keriri: Mr. Speaker, Sir, I remember there was a similar Question in this House and I think the same Assistant Minister said there are disaster committees which recommended their own districts to be gazetted. At that time, we asked the Assistant Minister to tell us how those committees were set, but he did not tell us. He is now telling us that these were the committees which recommended the gazetting of their own districts. Could the Assistant Minister tell us how a district disaster committee in a particular district chooses not to recommend its own district? As far as I am concerned, I do not think the Assistant Minister has satisfied us that there were committees of that nature.

Mr. Kochale: Mr. Speaker, Sir, as far as we are concerned, we know that those committees exist in every district. They decide and forward the needs of their own districts.

Mr. Keriri: On a point of order, Mr. Speaker, Sir. We have on several occasions asked this Assistant Minister to tell us under what instructions those committees were set. Last time we asked him to do it, but he has not done it. He is insisting that there are those committees.

Mr. Speaker: Mr. Kochale, do you have that committee in your own district?

Mr. Kochale: Mr. Speaker, Sir, in my district there is the District Development Committee which does the same job.

Mr. Kamau: Mr. Speaker, Sir, the fact of the matter is that we do not have district disaster committees. However, now that the Government is negotiating with the French Government for funding, could the Assistant Minister tell us how much they are negotiating for, how much Nyandarua District is going to be allocated and which roads are going to benefit from that money?

Mr. Kochale: Mr. Speaker, Sir, the *El Nino* Emergency Programme is funded by the Kenya Government, the World Bank and the African Development Bank. The programme covers the following districts: Lamu, Mombasa, Wajir, Meru North, Keiyo, Bungoma, Kisumu, Nairobi, Malindi, Makueni, Moyale, Meru South, Marakwet, Busia, Migori, Tana River, Mwingi, Marsabit, Baringo, Vihiga, Rachuonyo, Kilifi, Garissa, Isiolo, Embu, Samburu, Teso, Homa Bay, Taita Taveta, Mandera, Meru Central, Mbeere, Mount Elgon and Suba.

The Government also secured further funding from the French Government which will cover Murang'a, Maragua, Nyeri, Nyandarua, Koibatek, Buret, Kericho, Kisii and Nyamira districts.

Mr. Kamau: On a point of order, Mr. Speaker, Sir. The Assistant Minister has not answered my question. I asked him how much they are negotiating for from the French Government and which roads are going to benefit from that money.

Mr. Kochale: Mr. Speaker, Sir, I have read out the names of the districts which are being rehabilitated under the *El Nino* Emergency Programme. I do not have the exact figure for the funding, but I know the work will be done.

Mr. Muite: Mr. Speaker, Sir, could the Assistant Minister tell the House why Kiambu District is being discriminated against. He talked about districts in Central Province when he mentioned the money being negotiated from the French Government and Kiambu is in Central Province. Is it a deliberate policy to discriminate against Kiambu?

Mr. Kochale: Mr. Speaker, Sir, there are other districts which have also not been mentioned. So, there is no discrimination.

Mr. Ngure: Mr. Speaker, Sir, now that the Assistant Minister has been told severally in this House that the *El Nino* rains affected the entire Republic of Kenya and other districts have not been considered, what measures is he going to take to include those districts?

Mr. Kochale: Mr. Speaker, Sir, the Government will continue to utilise its own resources through relevant Ministries to rehabilitate infrastructure facilities damaged by the 1997 *El Nino* rains countrywide.

Mr. Githiomi: Mr. Speaker, Sir, I still demand to be told why Nyandarua District was not gazetted. The

information I have is that Roads D388, C69 and D389 were recommended to the headquarters for funding through the *El Nino* Emergency Programme. Why was Nyandarua not gazetted?

Mr. Kochale: Mr. Speaker, Sir, Nyandarua District has not been forgotten. The Government is looking for funds and will consider Nyandarua District.

Mr. Speaker: Next Question!

Question No.408

POVERTY REDUCTION IN TANA RIVER DISTRICT

Mr. M.A. Galgalo is not in? We shall come back to that Question later. Next Question!

Question No.320

ALIGNMENT OF NYANDO/KISUMU BOUNDARY

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

(a) if he could inform the House why divisional officers in Kadipo Division of Nyando District report to Kisumu District headquarters instead of Nyando District headquarters;

(b) if he is further aware that as a result of "a" above, confusion reigns in Kadipo Division since the boundary places it in Nyando District; and,

(c) what action he is taking to rectify this anomaly.

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, I beg to reply.

(a) Kadipo Divisional officers are in Kisumu District and have never been in Nyando District. That is why it is answerable to Kisumu District.

(b) There is no confusion in Kadipo Division since the people themselves chose to remain in Kisumu which is closer than Awasi in Nyando.

(c) Arising from my answers in parts "a" and "b", part "c" of the Question does not arise.

Mr. Otita: Mr. Speaker, Sir, it is surprising to hear the Minister saying that Kadipo Division is not in Nyando and has never been in Nyando. Kadipo Division was gazetted in Nyando in July, 1999 as a result of hiving Kadipo Division from Kisumu District to Nyando District. There is separation of political boundaries and administrative activities. The PC of the area decided that Kadipo be taken back to Kisumu administratively. Could the Minister tell this House why Kadipo Division is administered from Kisumu District while it is in Nyando District politically?

Maj. Madoka: Mr. Speaker, Sir, a leaders meeting held on 30th January, 1999, at Rabuor Market resolved that Kadibo Division be administered from Kisumu District. I think the reason is that the people of Kadibo are about 11 kilometres from Kisumu Town while they are about 36 Kilometres to Awasi.

Dr. Oburu: Mr. Speaker, Sir, the Minister has said that the people of Kadibo decided to be in Kisumu District. We know that several districts have been created in the last few years. Could the Minister tell us when they started using this method of calling leaders to decide where certain administrative units will be administered from? It is the Government which creates the districts and once they are gazetted, that is it. I have not heard of a situation where leaders are called upon to decide. The Minister has not answered what hon. Otita asked him; why Kadibo is under the Nyando County Council while it is under Kisumu District administratively. How does it work?

Maj. Madoka: Mr. Speaker, Sir, I do appreciate that there is a problem in this particular area. I would suggest that I go there myself to discuss it with the local leaders.

Mr. Speaker: Order, hon. Members! I think the Minister is seeing the logic of what has been said by Mr. Otita and Dr. Oburu and he is asking the Chair to defer this Question so that he re-looks at it and comes back to this House. I do not think we can have a better way out than that.

Mr. Kajwang': Mr. Speaker, Sir, the Minister knows very well that districts are created vide a gazette notice. If there is any variation of boundaries, it is gazetted to cancel the earlier gazette notice. So, he cannot come here and tell us that there is confusion. He must lay the gazette notice which created it and another gazette notice which hived off Kadibo to go to Kisumu District. Is it in order for him to pamper us that he is going to check when he knows that he has created a confusion in this House?

Mr. Speaker: He is perfectly in order to look at this issue and correct the anomaly, if any.

Dr. Ochuodho: Mr. Speaker, Sir, I would like to extend a request that when the Minister goes to Nyanza--- The problem in Nyanza Province is that the Provincial Commissioner (PC) usually calls the people. In Homa Bay

District, they have taken away a chief's camp by virtue of decrees from the PC. Could he also look into the chief's camp in Kochia West so that he can know the wishes of the people and take it back to where it used to be?

Maj. Madoka: Mr. Speaker, Sir, I will certainly do that.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir, as you can see, the PC Nyanza is causing a lot of confusion all over the province. Could the Minister transfer him from there to a place where he cannot cause confusion?

Mr. Speaker: Order, Mr. Angwenyi! Please know when you want to raise a point of order. You just stood there to make a statement. Please, do not misuse the House.

Mr. Otita: Mr. Speaker, Sir, the Minister has said he is going to investigate this matter, but I am sure that when he will be visiting Nyanza Province, the first person he will talk to will be the PC. The PC has an interest in dividing these people because he comes from Kadibo. I would like the Minister to assure this House that he is going to order the PC to take the Kadibo people back to Nyando District for administrative purposes and avoid bringing confusion into the area.

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

Mr. Otita: Let the Minister answer my question first.

Mr. Ojode: He will respond to your question as well as my point of order.

Mr. Speaker: Order, Mr. Ojode! I am the one chairing the meeting. When you rise on a point [**Mr. Speaker**] of order, it is not even the duty of the Minister to respond. It is the duty of the Speaker to respond to a point of order, but not another Member of Parliament. I do not think it is really right.

Mr. Ojode: Mr. Speaker, Sir, while the Minister will be visiting Kadibo and Homa Bay District, I would like to extend an invitation to the Minister to come to Ndhiwa Constituency because Ruma National Park has been annexed to Suba District. As I am talking here now, I have got a problem with the hon. Kajwang' from Mbita Constituency because of this boundary?

(Laughter)

Mr. Speaker: What is happening?

Mr. Kajwang': On a point of order, Mr. Speaker, Sir. How can I be ambushed by my brother here about some war over Ruma National Park which does not exist. He did not give me a warning that he was coming to name me here so that I could be prepared for it!

Mr. Speaker: Order, hon. Kajwang'! I declare a cease fire between the two of you.

Mr. Wanjala: On a point of order, Mr. Speaker, Sir. This issue of political administrative boundaries within the newly created districts should not be taken lightly---

Mr. Speaker: Order, Mr. Wanjala! You are now making a speech. A point of order should remain a point of order. If you cannot frame yourself to be within a point of order, I am afraid that you cannot, by guise of a point of order stand there to make a statement! There is time for everything in this House!

Mr. Wanjala: Mr. Speaker, Sir, I was seeking your guidance on this matter. These newly created districts are creating tension amongst our people. Today, we are beset with problems related to these administrative boundaries. We have such problems in Busia, Kadibo, Suba, Teso, Mt. Elgon and so on. This seems to be extending to the House where Members of Parliament can now tear each other! Could the Minister degazette some of these controversial and politically created districts?

Mr. Speaker: I will not give you guidance. You are out of order, but you have made your point.

Mr. arap Kimeto: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: To who?

Mr. arap Kimeto: To the Minister!

Mr. Speaker: Overruled. Next Question, Mr. Muturi!

(Question deferred)

Question No.354

BENEFICIARIES OF JUA KALI TRAINING PROGRAMME

Mr. Muturi asked the Minister for Vocational Training:-

- (a) where the training providers under the Jua Kali Programme in Mbeere District are located; and,
 (b) how many people were trained under the above programme in the district during the year 1998/99 and if he could table a list of all the beneficiaries including their identity card numbers, their market centres and the crafts trained in.

The Minister for Vocational Training (Mr. Ruto): Mr. Speaker, Sir, I beg to reply.

Mr. Orengo: On a point of order, Mr. Speaker, Sir. Is the gentleman standing over there a Minister?

Mr. Speaker: Order, Mr. Orengo! Please, give your colleagues respect. If you need to be respected, respect others.

The Minister for Vocational Training (Mr. Ruto): Mr. Speaker, Sir, I am going to ignore the cheeky interventions by the hon. Member. However, I beg to reply.

(a) The training provider in Mbeere District is located in Ishiara Market.

(b) A total of 13 people were trained in Mbeere District during 1998/99 Financial Year. I wish to table the list of these beneficiaries, including the relevant details.

(Mr. Ruto laid the list on the Table)

Mr. Muturi: Mr. Speaker, Sir, arising from the answer given by the Minister, I would like to know whether he differentiates between allocating agencies under the *Jua Kali* Training Programme and training providers. The people at Ishiara Market which serves as the divisional headquarters are the allocating agents, but not training providers. I would also like to know from the Minister if he is aware that the so-called training providers for that district are based outside the district and that all that they do is to collect names and identification cards of people and present them to the Ministry headquarters to claim payment on the basis of 90 per cent per individual?

Mr. Ruto: Mr. Speaker, Sir, the training provider in Mbeere District is called Mr. Anthony Fred Kiboi. But the allocating agents are different. They are, the Ishiara *Jua Kali* Association, Siakago *Jua Kali* Association and Makutano *Jua Kali* Association. I do not wish to enter into any major argument with the hon. Member about the collection of identification cards. We have done headcounts and, attempted to identify where these people are and we reasonably believe that these particular people who had been trained do exist. But I am willing to take any new evidence from the hon. Member and any other hon. Member if there is anybody collecting identity cards with the aim of defrauding the Government on this fund.

Mr. Wamae: Mr. Speaker, Sir, could the hon. Minister confirm that funds for *Jua Kali* training are still available in the country? The Government had requested that each district provides five acres of land for a *Jua Kali* Training Centre. Is the fund still available for this programme?

Mr. Ruto: Mr. Speaker, Sir, money for training under this programme is available. The land which was asked for was not meant for the training of the *Jua Kali* artisans, but for their use, so that they can construct shades and so on. But certainly, it was not meant to create any training centre.

Mr. Muturi: Mr. Speaker, Sir, in respect of the name of the training provider given by the Minister, it is clear that this is a person who is running a training institute. Is the Minister aware that there is no training institute where people can be trained in dressmaking, entrepreneurship, tie and dye, briefcase making in Ishiara Market and indeed, in the entire Mbeere District? For somebody to argue that he is a training provider in that district and has trained people in this field is a misnomer? Could the Minister consider visiting these areas and the rest of the country to ascertain that there is no training going on under this programme?

Mr. Ruto: Mr. Speaker, Sir, for one to be a training provider, he does not have to have a training institute as such. There is a designed programme which can be arranged and such persons can be trained elsewhere, provided that the designed programme is undertaken. However, I am not ruling out some of the claims that the hon. Member is making and I am willing to investigate and actually take action if, indeed, there is fraudulent action going on in that sector.

Mr. Speaker: Next Question, Mrs. Kittony!

Question No.368

MEASURES TO CURB ENVIRONMENTAL POLLUTION

Mrs. Kittony is not here? We will leave this Question until the end. Next Question, Dr. Kulundu!

Question No.335

INTRODUCTION OF DNA TESTS
IN HEALTH INSTITUTIONS

Mr. Speaker: Hon. Members, Dr. Kulundu has requested that due to his inability to ask the Question at this time, the Question be deferred until later. Therefore, the Question is accordingly deferred.

(Question deferred)

Next Question, Dr. Murungaru!

Question No.422

PAYMENT OF DUES TO MR. KABUE

Mr. Speaker: Dr. Murungaru is not here? We will leave the Question until the end. Next Question, Mr. Ojode!

Question No.141

REPAIR OF ROADS IN RIANA DIVISION

Mr. Ojode asked the Minister for Roads and Public Works:-

- (a) if he is aware that all roads within Riana Division have become impassable since they have not been maintained or repaired for the last three years;
- (b) if he is further aware that Migori-Magina-Pala Road (E109) is impassable during rainy seasons; and,
- (c) what urgent plans he has to ensure that Road E109 is gravelled.

The Assistant Minister for Roads and Public Works (Eng. Rotich): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that most of the roads in Riana Division are difficult to pass through particularly during the rainy season and require some rehabilitation or repairs.

(b) Yes, I am aware that Migori-Magina-Pala Road (E109) is almost impassable during the rainy seasons.

(c) My Ministry does not have immediate plans to have the Road E109 gravelled.

Mr. Ojode: Mr. Speaker, Sir, part "b" of the Question, should read "Mirogi" and not "Migori" because the latter falls under hon. Achola's constituency. However, regarding this Road E109, last year when I asked a similar question, the Assistant Minister promised to allocate funds for its rehabilitation. These two roads are impassable particularly during rainy seasons. Could the Assistant Minister inform the House when exactly he is going to give the money for the District Roads Committees (DRCs) to take over the maintenance and rehabilitation work? When are you going to fund the DRCs so that we can do the roads without necessarily referring to you?

Eng. Rotich: Mr. Speaker, Sir, I think from 1st July, Class "B" and "E" roads will be under the DRCs and the first batch of money will be released to DRCs at the end of the first quarter of this financial year.

Mr. Otula: Mr. Speaker, Sir, the Assistant Minister has said that these roads were not done during this particular period. Could he tell this House why money was not allocated to grade these particular roads in this particular division?

Eng. Rotich: Mr. Speaker, Sir, the money was not allocated because we did not have enough money. However, the money was allocated to the district and not the division as our unit is a district and not a division.

Mr. Ojode: Mr. Speaker, Sir, the Assistant Minister's very last answer to part "c" of my Question, stipulates that he will definitely give some funds for routine maintenance. How much money is he going to allocate for maintenance purposes?

Eng. Rotich: Mr. Speaker, Sir, I think the figure is very clear. We are giving 16 per cent of our allocation to the constituency and 24 per cent to the district. It is up to the DRC to plan their own priorities.

Mr. Speaker: Very Well. Next Question, Eng. Toro!

Question No.455

OPERATIONS OF ZONE HOLDINGS CREDIT
INVESTMENTS IN KANDARA

Eng. Toro asked the Attorney-General:-

(a) if he is aware that Zone Holdings and Credit Investments Company Limited has been operating in Kandara Constituency and has swindled large sums of money from unsuspecting wananchi, promising loans double the amounts deposited; and,

(b) what action he is taking to ensure that the victims are refunded their deposits.

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) Following the concerns raised in this National Assembly and by members of the public, I directed the Deputy Director of Criminal Investigations to carry out investigations into the activities of the company which appears to operate throughout the country. The investigations are on-going, but so far the officials have been charged with the offence of obtaining money by false pretences contrary to Section 313 of the Penal Code before courts in Nairobi, Mwingi, Kitale, Bomet, Kericho and Nyamira. I have further requested the Registrar of Companies to look into the issue with a view of de-registering the company. The Attorney-General has constitutional powers over criminal matters, but he has no powers over civil matters. The depositors are, therefore, advised to initiate civil action to recover their deposits.

Eng. Toro: Mr. Speaker, Sir, the answer the Attorney-General has given is far from being satisfactory. This company, Zone Holdings has swindled unsuspecting people a lot of money amounting to millions and it is operating almost countrywide. I have a few examples of the swindled people and the amounts of money taken from them illegally. Just to mention a few, I have a Mr. Edward Kamande who was swindled Kshs406,000; Mr. Francis Gakacha Kimani, Kshs56,000; Duncan Mwaura, Kshs113,000; Francis Gachago, Kshs80,000; Mary Njeri Mwangi, Kshs30,000. These are just a few of the names that I have.

Mr. Speaker, Sir, can the Attorney-General tell us who are the directors of this company? He has said that officials have been arrested and prosecuted. Who are these officials and specifically who are the directors? The headquarters of this company is situated in Webuye and the Attorney-General should be able to find out because that is his home area.

(Laughter)

Who are these directors? And when the Attorney-General says---

Mr. Speaker: Order, Eng. Toro. The Attorney-General will answer your question. By the way, the Attorney-General has no home area. He is the Attorney-General of the Republic of Kenya. Proceed!

Mr. Wako: I am the Attorney-General for the Republic of Kenya which includes Kandara Constituency which I also regard as my home area and I think I will be very welcome if I came there. Hon. Member of Parliament, do you not agree? Now, it is true as you rightly say that this company is operating all over the country. That, I have admitted. I have also stated that investigations are being carried out countrywide and that the various officials have appeared before the various courts countrywide and the investigations are on-going.

Now, as to the officials, this is one of the difficult issues for me to answer because even as of 1997 when a similar question was first asked here, the relevant file in the companies registry was missing. However, the people who were actually charged are those who have been found actually operating in the various offices countrywide. I can mention some of them. For example, in Mwingi District, Messrs. Hezron Makio Kimoli and Mr. Joseph Kigita have been charged. In Kitale, Messrs. Jackson Makori, Joshua Morongo, Joseph Kiberenge, Kelly Ochieng' and Njanga have been charged, although Njanga is now deceased. In Kitale, also in another case, Mrs. Purity Kagendo Muthuri, Messrs. Hezron Kimori Makio and Zakari Mzee Mwakio have been charged. In Bomet District, I do not have the names, but five persons have been charged in connection with this fraud. In Kericho District, Mr. William Ouma Oyuso has been charged. In Nyamira District, Messrs. Henry Tinega Nyabuto, Evans Matara Omwanwa, William Ouma Oyuso and Japheth Arandi have been charged.

Mr. Ndicho: Mr. Speaker, Sir, we have been with you in this House since 1993 and we know that this is the fourth Question about the same matter. The last one was asked by hon. Michuki before the Seventh Parliament was dissolved. The Attorney-General is giving the same answer that he gave in 1993. Could he tell us whether the people behind this company are enjoying protection and cannot be arrested? This is because he is admitting the company file is missing and he is giving us names of company's officials who have been prosecuted. Could he admit here that he is unable to prosecute these people and he does not know the owners of this company, so that we can look for other ways

and means of arresting the situation?

Mr. Wako: Mr. Speaker, Sir, first of all, the Questions that were asked about this company on the previous occasion was slightly different and the answer was very different from the answer I have given today. The answer I have given today, now takes into account what I promised in this House at that time; that, I were to direct investigations to be carried out. The answer I have given today at least, shows that the instructions I gave to the Commissioner of Police have resulted in some persons being charged before the various courts in the country. As far as the criminal aspects are concerned, I think we are on course. But as far as the civil aspects are concerned, the Attorney-General has no constitutional powers over them. They can file suit to recover the amounts.

Mr. Sambu: Mr. Speaker, Sir, in answering one of the Questions, the Attorney-General confirmed that the file of this particular company cannot be found. Could he assure the House that, he is going to sort out the Registrar of Companies registry and get the file? This is because for the last two years, that registry is in a total mess and no file can be traced. Could he assure the House that he is going to sort out the registry and make the file available to the members of public?

Mr. Wako: Mr. Speaker, Sir, I can assure this House that, that is going to happen. What has happened, if I may explain and the Solicitor-General has issued statements from time to time, it is efforts by my office to computerise the Registrar of Companies registry, to minimise loss of files. We are now renovating rooms where computers will be put in place. I admit that for a few months, things have not been rosy at the registry. That is now over because the computers are in place. I think when it is fully computerised, instances of files missing, will be considerably reduced.

Mr. Muithia: Mr. Speaker, Sir, we are talking about millions of shillings which have been swindled from certain families and people who want to buy farms. As far back as 1999, in my constituency, I have a list of people who have been swindled. Could the Attorney-General take immediate steps because he has returns in his office from that company and arrest all those persons involved and make sure that the money reverts to the owners? I have names of Mr. Samuel Njenga Maitha who was swindled Kshs180,000, Mr. John Kuria Waiharo swindled Kshs202,000, among others, who have been swindled money to the tune of more than Kshs200,000. This is very serious. Could the Attorney-General liaise with the relevant authorities and stop this with immediate effect?

Mr. Wako: Mr. Speaker, Sir, I agree this is very serious. Please, let each and every person report at the Director of Criminal Investigation's office. I will ensure that investigations are carried out and particular persons responsible for that are prosecuted. I can see Kiambu District is not one of the places where I have cases about this company.

Mr. O.K. Mwangi: Mr. Speaker, Sir, the Attorney-General has admitted that he knows the problem that has been going around in the country. You realise that this is not the only company that is swindling Kenyans millions of shillings. Why is this company allowed to go on, even when the Attorney-General has found out and confirmed that it is involved in fraud? Why has it not been deregistered so far?

Mr. Wako: Mr. Speaker, Sir, as I have stated in my reply, I have already requested the Registrar of Companies to look into the issue of deregistration. This is because under the Companies Act, the power to do that lies with the Registrar of Companies. I have so requested him. As to whether he will have enough grounds, I do not know. Our laws appear to be a bit weak in that regard. I am also raising the issue with the Central Bank, although it is not strictly speaking, a bank or financial institution, but there must be a way in which we can deal with these types of companies which are defrauding the public and which are not really financial institutions registered under the financial institutions registered under the Central Bank of Kenya Act. So, the issue is being addressed.

Mr. Speaker: I can see and I am sure the Attorney-General is observing and I think this is a company that has conned many Kenyans. It does look to me by looking at the mood in the House generally, that it is very concerned. Let have Mr. Katuku. I cannot accommodate all of you.

Mr. Katuku: Mr. Speaker, Sir, this company has also swindled people in my area. Here are a number of receipts I want to lay on the Table for the Attorney-General to take the necessary action. In view of the developments taking place in this House, will it be in order to defer this Question for the Attorney-General to go down and get these people? We know that they are politically well connected individuals in this Government. Could he go back and get us who are these people swindling our people. I beg to lay all these documents for him to peruse.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Hon. Katuku has failed to say exactly what he is laying on the Table. These are temporary field receipts valid for seven days only. So, will I be in order to enjoin hon. Katuku in laying this document on the Table.

(Mr. Katuku laid documents on the Table)

Mr. Wako: Mr. Speaker, Sir, let me say that this company is not enjoying any protection whatsoever. If the

hon. Member knows the persons behind this company, he should disclose them to me. I undertake to carry out the necessary investigations against those persons. It is obvious that a number of hon. Members have complaints emanating from their areas as far as the operations of this company are concerned. We already have over 10 cases in court. I would urge them to report to the director of CID and I will ensure they are investigated. What they are trying to do, is to ensure that any agent, employee or person who is connected with the company is rounded up and faces the process of law.

Mr. Katuku: On a point of order, Mr. Speaker, Sir. Is it in order for the Attorney-General to ask me to find out who are the directors while he knows there are people in office? Why can he not arrest those people to show him the directors?

Mr. Wako: Mr. Speaker, Sir, is it in order for the hon. Member to say that he knows that the people who are behind that company are well-connected and at the same time, he does not appear to be in possession of their names, so that he can help us to get on with it? Is it in order?

Mr. Speaker: Order! Order! As I had earlier said, I think this is a serious matter and from what I can see, Kenyans have been swindled of millions of shillings. I am sure it will not be difficult for the police to find out the directors from the people they have already arrested and charged. Would you like a little more time?

Hon. Members: Yes!

Mr. Wako: Mr. Speaker, Sir, as I said, investigations are going on and we already have over 12 cases in court. It appears hon. Members have even further examples from their own areas. If we have to move forward, we have to deal with the complaints in the proper due process of law which they have in their possession. That can be done if they lodged their complaints through the Director of Criminal Investigations. I will follow it up and we shall ensure that whoever is connected with this company is rounded up. In the meantime, the Registrar General is looking into the matter of deregistration.

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

Mr. Speaker: Order! Order, Mr. Nderitu! I think it is about time Members respected the Chair. I cannot be fair by giving one Question 20 minutes. In any case, it is not your business to tell me to be fair. Please, be fair to the Chair by being respectful.

Eng. Toro: Mr. Speaker, Sir, I am appealing to you to ask the Attorney-General to come again and give a satisfactory answer. The key issue here is that of the directors and there is no point of arresting junior employees. It is the characteristic of this Government to go for small-timers, when the big fish go scot-free. Unless the Attorney-General identifies the directors and takes them to court, he is not doing any job. The issue of the money that has been swindled is a criminal offence. It is not fair for the Attorney-General to ask the people to institute civil cases to recover their money, whereas in the criminal court; the directors can be asked to repay the money they have swindled. I am appealing to you to ask the Attorney-General to come again and give a satisfactory answer. If the matter ends here, nothing will be heard about the Zone Holding and Credit Investments Company Limited.

Mr. Speaker: Mr. Attorney-General, I will defer this Question for the purpose of you finding the file and getting the directors.

(Applause)

(Question deferred)

Next Question!

Mr. Kibicho: On a point of order, Mr. Speaker, Sir. Is it in order for the Attorney-General to say that he is investigating or prosecuting, when all the cases which have gone to court have been terminated?

An hon. Member: Except Goldenberg!

Mr. Wako: Mr. Speaker, Sir, that is not true. For the case in Mwingi, seven witnesses have testified and there is a further hearing on 28th and 29th September, 2000. For the case in Kitale, two witnesses have given evidence. There is a further hearing on 30th June, 2000. Those cases have not been terminated. I can go on and on. The fact of the matter is that we are prosecuting and we shall be successful. All I require from hon. Members is to ensure that those complainants make reports to the police, so that we can investigate and prosecute them. The criminal court cannot---

Mr. Katuku: On a point of order, Mr. Speaker, Sir. He has not answered my question.

Mr. Speaker: Order! Order, Mr. Attorney-General! The Question has been deferred. In all honesty, I think it requires a lot of attention because millions of shillings are being swindled. I thought the law was an enemy of comen? I am sure the Attorney-General is the friend of the law and therefore an enemy of comen. Therefore, he is going to take action. I have no doubt in my mind, the Attorney-General will do that. **Mr. Wako:** Mr. Speaker, Sir, I am a friend

of the court, Parliament and everybody. I was not challenging your ruling about deferring this Question, but I was saying that in the meantime, hon. Members can assist us if they did what I am asking them to do; that is, the complaints they are laying on the Table from their areas and so on, should be reported to the Director of Criminal Investigations, so that we can undertake proper investigations. We can round up any person who is connected with that company.

Mr. Speaker: For the second time, Mr. M.A. Galgalo!

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

Mr. Speaker: Sit down, Mr. Muchiri.

For the second time, Mr. M.A. Galgalo!

Question No.408

POVERTY REDUCTION IN TANA RIVER DISTRICT

Mr. Speaker: Is Mr. M.A. Galgalo not here? The Question has been dropped.

(Question dropped)

For the second time, Mrs. Kittony's Question!

Mrs. Kittony: Thank you, Mr. Speaker, Sir. I do apologise for coming late. I was attending a very important meeting of my constituency.

Hon. Members: Which constituency?

Mrs. Kittony: The women constituency, Mr. Speaker, Sir. I have a big constituency of women.

(Laughter)

Mr. Speaker: Order! Order!

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Is the hon. Kittony---Can you sit down?

(Mrs. Kittony stood up in her place)

Mr. Speaker: Order!

Mr. Ndicho: Is the hon. Mrs. Kittony in order to allege that she had more important business than this House, when the business of this House is paramount over other businesses? In any case, she does not represent any constituency. What constituency does she represent?

Hon. Members: Maendeleo ya wanawake!

Mrs. Kittony: Mr. Speaker, Sir, I want hon. Ndicho to know that I have a big constituency of the women of this country.

Hon. Members: Thank you very much.

Question No.368

MEASURES TO CURB ENVIRONMENTAL POLLUTION

Mrs. Kittony asked the Minister for Environment what the Ministry is doing to minimize environmental pollution from the unco-ordinated wastage or disposal of plastic waste.

The Minister for Environment (Mr. Nyenze): Mr. Speaker, Sir, I beg to reply.

My Ministry is aware of the environmental problems caused by plastics, particularly the low density plastics like polythene carrier bags and is doing the following:-

First, there is the formulation of policies and action plans aimed at promoting environmental friendly waste management options such as the reduction, re-use, recycling and production of more durable plastic products. Secondly, we are preparing for the implementation of Environmental Management and co-ordination Act which recommends the establishment of an environmental trust fund that will be used to facilitate the research intended for further requirements of environment management. Thirdly, it also recommends waiver of duty on equipment for the prevention of or abatement of the environmental degradation. Fourthly, it encourages and promotes the setting up plastic recycling plants. Such plants have been set up and are adequately recycling high density plastics. Lastly, it

promotes public awareness on environmental management which includes waste disposal.

Thank you.

Mrs. Kittony: Mr. Speaker, Sir, the issue of plastics is very serious, indeed. I do not agree with the reply, because it seems there is nothing in place. It is encouraging that the Ministry is still formulating policies and the issue of plastics, as I said, is very serious matter, indeed. It not only kills people or children, but it also kills cows, goats and sheep. When you slaughter a sheep, you find all those plastics in the stomach. This matter should be treated with the urgency it deserves because it is a killer problem in the society. While they are still trying to get policies in place, children are dying. There is also a problem of trying to put up a condom factory in this country. That is another issue of plastics and children will be affected by that. I would like the Minister to give this House a more satisfactory answer than this one.

Mr. Nyenze: Mr. Speaker, Sir, I do not know whether the hon. Member's supplementary question is about condoms or plastic bags, but the original Question was about the harmful effects of plastic materials, especially low density materials. I have said that the Ministry has been carrying out public awareness meetings all over the country to educate people on the dangers posed by these materials. The Ministry has also been trying to encourage manufactures to recycle plastic waste, so that the harmful effects they cause to the environment can be minimal.

An hon. Member: Are also recycling condoms?

Mr. Nyenze: No, we are not recycling condoms. In fact, plastic industries in this country have not even started manufacturing condoms.

So, I would like the hon. Member to accept the fact that we are doing our part in dealing with this problem. We would like hon. Members to also help us to sort out this problem.

Mr. Gatabaki: Mr. Speaker, Sir, the Gracious Lady has put a very important Question to this Ministry. A casual walk through urban centres in this country will confirm her fears. If there is a Ministry that should be abolished today or tomorrow is the Ministry of Environment. Could the Minister tell us whether they understand what the Questioner is asking about and explain what is in place to take care of the garbage problem? When it comes to environmental degradation, this Ministry has done more damage than any other. So, could the Minister be sincere and answer the gracious lady's Question? This lady represents the President here.

Mr. Nyenze: Mr. Speaker, Sir, I do not know whether hon. Gatabaki got me right. What I said is that it is not only the Ministry that is responsible for garbage clearance in this country's towns. Unfortunately, or fortunately, most of the urban centres that have been littered with garbage and plastic bags, which the hon. Member is complaining about, are under the management of municipal councils. So, our Ministry's duty is to formulate policies, encourage safe garbage disposal and teach the public on the hazards of garbage dumping. For example, in Nairobi, the responsibility of safe garbage disposal lies with the Nairobi City Council, which is under the control of the Opposition. So, I do not know why my colleagues on the Opposition side are making a fuss of this issue. Regarding the gracious lady's question, as I said earlier, we are trying to encourage recycling of plastic waste materials. Already, there are plastic recycling industry, which are operational. However, it is very difficult to recycle low density plastic materials as one has to gather a lot of waste materials in order to recycle them effectively. That is why such plastic materials are not being collected so often. I would like to repeat that it the responsibility of us all to get rid our urban centres of plastic materials.

Mr. Ndwiga: Mr. Speaker, Sir, this is a serious Question. I think we need some more seriousness from this Minister. The Minister has said that they are encouraging recycling of plastic wastes. The questions is: What law is the Minister effecting to stop disposal of plastic waste materials, considering the environmental dangers that such materials pose? He should tell us what he is doing about this problem, in accordance with the law, and he should not give us stories about other things.

Mr. Nyenze: Mr. Speaker, Sir, there is the Environmental Management Co-ordination Act, 1999, in place. Once that Act is operational, this problem will be addressed.

Mr. Speaker: Do you mean that the Act is not operational?

Mr. Nyenze: Mr. Speaker, Sir, it is being put into operation; it is not yet in operation.

Mr. Mwenje: Mr. Speaker, Sir, the Minister must have read in the Press some time back that even babies were thrown into dumping sites in Dandora Constituency while wrapped in polythene bags. This shows how dangerous it is to have polythene bags at dumping sites. What is the Minister doing to ensure that the particular dumping site, to which he has been, and which is within Dandora residential areas, is relocated to places far away from residential areas?

Mr. Nyenze: Mr. Speaker, Sir, if hon. Mwenje is honest, he will acknowledge that we have been to that dumping site and that we are in the process of translocating that site elsewhere. On the question of plastic materials, we, as a Ministry, are very concerned about it. We know all the dangers plastic waste paper pose to life. We know that

they affect both domestic and wild animals. As the hon. Questioner said, when plastic materials are swallowed by animals, they pose a great danger to them. We are also aware that plastic waste paper chokes the sewerage systems in urban centres. We know all the dangers plastic waste paper poses. As a Ministry, we have put in place environmental laws through this Parliament. Once these laws become fully operational, we will take legal action against those who break them.

Dr. Ali: Mr. Speaker, Sir, the Minister said that his Ministry is informing the public on dangers of dumping plastic waste paper haphazardly. Could he tell this House where he has done that and through which media? The Minister should appreciate that even the smallest village in this country is experiencing the problem of plastic waste materials. So, where does the Ministry carry out its public campaign against this problem, and who does it target? We have not heard of that campaign anywhere in this country?

Mr. Nyenze: Mr. Speaker, Sir, if the hon. Member listens to radio, he should have heard that we have gone on air on this issue. We have articulated this issue at public *barazas*. More importantly, we are encouraging manufacturers of plastic paper to recycle the used plastic materials. That is why even in the Budget, we recommended this.

Dr. Ochuodho: On a point of order, Mr. Speaker, Sir. You have heard the Minister say that his Ministry has been carrying out the campaign against dumping of waste plastic paper through public *barazas*. Is he in order to mislead this House? I know very well that the Ministry has not done this in even one single district or constituency. The Ministry has even failed to provide bins to the public in which plastic waste paper can be dumped.

Mr. Speaker: Order! Order! Mr. Minister, I think you can appreciate the sentiments that have been raised by Dr. Ochuodho. Actually, plastic waste paper has made Kenya one huge garbage dump.

(Applause)

I think hon. Members are perfectly in order to ask the Minister for Environment: "What are you doing about this problem?" So, could you hear them?

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

Mr. Speaker: Would you like to be informed, Mr. Minister?

Mr. Nyenze: Mr. Speaker, Sir, I really appreciate because I can see that so many hon. Members are concerned about the issue of plastics, but I can promise this: Besides what I have said we are doing, we will also review ways of either trying to abolish and discourage their production and encourage their re-use.

Regarding holding of *barazas*, even in hon. Mwenje's constituency, you are my witness---

Hon. Members: No!

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

Mr. Speaker: Mr. Minister, do you want to be informed?

Mr. Nyenze: Mr. Speaker, Sir, there is no problem; I can be informed.

(Messrs Ndicho and Gitonga stood in their places)

Mr. Speaker: Let us begin with my age; Mr. Gitonga.

Mr. Gitonga: Mr. Speaker, Sir, my concern in this particular Question is this: I am wondering what will happen to this country in a 100 years to come. Is he aware that even if one tries to dispose of the plastic papers through burning, they only form a mound, and where they are burnt, they form a hill? What is likely to happen to this country in a 100 years to come?

Mr. Nyenze: Mr. Speaker, Sir, I do appreciate what the hon. Member is saying. The plastic bags are non-degradable; they do not decompose, and they form those mounds, and that has been my concern, and various legislators have talked to me about them. That is why I am saying that, from now onwards, everybody will be informed about that, and they seem to know what should be done. We will look into that with a very positive mind and take action.

Mr. Speaker: The last point of information from hon. Ndicho.

Mr. Ndicho: Mr. Speaker, Sir, I would like to inform the Minister, this House and the whole country that those plastics are by-products from factories in India, and they cannot be recycled in India because if they are recycled there, the product is a plastic bag, which is not disposable at the very end. So, in view of that, can he make sure that there will not be any imports of those by-products of

[Mr. Ndicho]

plastics from India now and henceforth, because the Indians are protecting themselves from what we are experiencing

now in Kenya? Can he make sure that we do not have them in Kenya?

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. What happens in the event that an hon. Member purports to inform and then he or she misguides the House?

(Laughter)

Mr. Speaker: If he or she does that, then, the hon. Member who is supposed to be informed should declare the information null and void.

Mr. Ndicho: Mr. Speaker, Sir, what I have said here is not new; we have seen it in this country, and in fact, it is the former Minister who admitted that what we get here is by-products of plastic works from Indian factories. I remember that in this House, trying to urge the Government---

Mr. Speaker: Order! Now, we are debating! Mr. Minister, do you really accept that information?

Mr. Nyenze: Mr. Speaker, Sir, I disown that information, although we are co-operating with hon. Ndicho.

(Applause)

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. It is very well known that hon. Nyenze and myself were in Ford-Asili in 1992, and then he defected to KANU, and I defected to SDP. Now, I am His Excellency the Vice-President of the SDP, while he is in KANU is very well known that there is no co-operation between the SDP and KANU. He should not make a mistake of the co-operation that exists between the NDPK and KANU.

Mr. Speaker: Order! I honestly do not understand what is going on between the two of you. How far is his constituency from yours?

Mr. Ndicho: Very near!

Mr. Speaker: So, please keep peace.

Mrs. Kittony: Mr. Speaker, Sir, I would like to thank the hon. Members who have contributed, but still, we are not satisfied with the answers that are being given because I said that the issue of plastics is, indeed, serious, because they kill children when they play with them and they suffocate. In fact, it is not only the children; they also kill animals, and the plastics do not die, and even if you remove them from a dead animal, they are still dangerous. So, the Ministry should take that matter seriously in order to save the lives of our animals and children. When I talked of---

Mr. Speaker: Order! That is a very good speech; now put the question!

Mrs. Kittony: Mr. Speaker, Sir, how long will the Ministry take to put that issue to a stop because it has also made Kenya "a country of plastics," and they do not rot? So, a policy should be put in place so that the plastics are eradicated once and for all in this country.

Mr. Nyenze: Mr. Speaker, Sir, I would not just give a definite answer as to how long that will take place, because that is a complicated matter. For one, plastic bags are very cheap to produce and very convenient, but they pose other problems that we have talked about. I have said that I will look into that matter with an open mind and with concern because they affect us, and we will sort it out in due course.

Mr. Wamae: Mr. Speaker, Sir, is it in order for the Minister to say it is a very complicated problem, when it has been solved by other countries? Is it in order for us to ask him to go and get a legislation from India, Britain and America on the plastics' matter and bring it to this House quickly?

Mr. Nyenze: Mr. Speaker, Sir, that is not an Indian problem; it is a global problem, and we need some global answers, but as a country, we will look into it with a clear mind, and we will sort it out.

Mr. Speaker: Next Question for the second time, Dr. Murungaru.

Question No.422

PAYMENT OF DUES TO MR. KABUE

Dr. Murungaru asked the Minister for Lands and Settlement:-

(a) whether he is aware that Mr. King'ori Kabue was an employee of the Settlement Department from 24th April, 1964, payroll number 0-8-9-2;

(b) whether he is further aware that from November, 1974, Mr. King'ori ceased to receive his dues from his employer and even after exchange of many letters between Labour Officers, Director of Settlement and Office of the President, Mr. King'ori never received his dues; and,

(c) what steps he will take to ensure that he is paid his dues.

Mr. Speaker, Sir, I would like to make apologies for coming late.

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

(a) I am not aware that Mr. King'ori Kabue was an employee of my Ministry from 24th April, 1964, since his name cannot be traced in the records of the Ministry.

(b) I will investigate the case once I get copies of the relevant correspondence and see how best the Ministry can assist Mr. Kingori to be paid his dues.

(c) I would, therefore, appreciate to be given the copies of the letters between the labour officers, my Ministry, and the OP concerning the case of Mr. King'ori Kabue to enable me take necessary action.

Dr. Murungaru: Mr. Speaker, Sir, the truth of the matter is that the gentleman who is now an elderly poor man living in a village in my constituency is a squatter and has got a whole bundle of correspondence between various officers of the Ministry of Lands and Settlement, the Office of the President (OP) and even the office of the Attorney-General. So, it is amazing that the Assistant Minister to say that he has no records whatsoever in his Ministry as to the employment of Mr. Kabue. Nevertheless, I will make the documents available, and I would like to ask the Minister: How long will it take, after I give him the documents, to process Mr. Kabue's terminal dues?

Mr. Tarar: Mr. Speaker, Sir, as soon as we get those documents, we will be able to process immediately.

Mr. Speaker: Final question, Dr. Murungaru.

Dr. Murungaru: Mr. Speaker, Sir, Mr. Kabue is not only one among many former employees of the Ministry of Lands and Settlement, and indeed, the entire Government who are languishing in poverty because of not being paid their dues, benefits and other emoluments. As an Assistant Minister of the Government, he is under the principle of collective responsibility, what measures are you taking to ensure that these questions do not keep recurring in the House, and that they are resolved before they get to Parliament so that time is not wasted in asking Questions on such little matters?

Mr. Tarar: Mr. Speaker, Sir, I think Mr. Kabue is not appearing in any of our records as I have already said. So, we ask the people who have some problems with my Ministry to forward all the letters to my Ministry, and then, we will be able to assist them immediately.

QUESTIONS BY PRIVATE NOTICE WATER SHORTAGE IN COFFEE FACTORIES

Mr. Mwiraria: Mr. Speaker, Sir, I beg to ask the Minister for Water Development the following Question by Private Notice.

(a) Is the Minister aware that Nchoroiboro, Tutua, Tigiji and Mituntu coffee factories have been unable to process and clean about 100,000 kilograms of cherry coffee weekly due to acute water shortage?

(b) Is he further aware that the farmers are losing millions of shillings at a time when they are threatened with serious famine?

(c) What steps is the Minister taking to have the Ngare Naro Water Project intake repaired as a matter of urgency?

The Assistant Minister for Water Development (Mr. Kofa): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware. However, I am aware that due to the prevailing serious drought in the country most of the river flows have drastically reduced. On several occasions, I have issued Ministerial Statements calling for the use of available water sparingly. On the 18th of July, 2000, I met with the major irrigation permit holders from the five drainage areas in order to dialogue on the use of the available water in our streams.

(b) I am not aware.

(c) The Government, through the El Nino Emergency Programme, has taken immediate steps and awarded the re-construction and rehabilitation of Ngare Naro Water Project intake to Oriental Construction Company and these works are expected to start on 1st August, 2000.

Mr. Mwiraria: Mr. Speaker, Sir, may I with respect say that I think it is becoming clear that the Government of KANU is deliberately being sabotaged by civil servants. I cannot see how anybody living in Meru could give the reply I am getting from the Assistant Minister. I have asked this Question every year, perhaps, in different forms because this water is shared by three locations, but the location upstream always destroys the water intake. I am glad the Assistant Minister is admitting that the intake has been destroyed and that they have issued a tender to repair it. It is completely inhuman for people to destroy other peoples' livelihood and for the Assistant Minister to come here and say that, that is not happening. Be that as it may, how soon will the intake which was destroyed be repaired and put back into operation?

Mr. Kofa: Mr. Speaker, Sir, in my answer to part "c" of the Question I said that the Government, through the

El Nino Emergency Programme, has taken immediate steps and awarded the reconstruction and rehabilitation of Ngare Naro Water Project intake to Oriental Construction Company and that these works will begin on 1st August, this year.

Mr. Mwiraria: Mr. Speaker, Sir, the Assistant Minister has once again refused to answer the Question. I want to know how soon will the intake be back in operation. Although it is being repaired under the *El Nino* Emergency Programme this intake was destroyed by selfish people who want to use the water all alone; it is not an *El Nino* matter.

Mr. Kofa: Mr. Speaker, Sir, the Ministry was not aware that this was a man-made problem. Therefore, we shall go down and investigate the matter. I do not know how soon it will be over, but we shall look into the matter seriously.

Mr. Speaker: Next Question! I am afraid, gentlemen, we have spent a lot of time on Questions and therefore, we have very little time. I apologise to you.

Mr. Mwiraria: This is a matter of life and death to my people!

Mr. Speaker: If it is a matter of life and death I will give you one more chance.

Mr. Mwiraria: Mr. Speaker, Sir, let me address this Question to the Government in general. What action will the KANU Government take to ensure that civil servants give Ministers the right answers because the country is being penalised by officials who do not tell the Ministers the truth? We used to have Administration Policemen looking after the water intake, but they were withdrawn. When the water intake is destroyed the Assistant Minister comes here and says he is not aware. He is not aware of what?

Mr. Kofa: Mr. Speaker, Sir, is that a question, if I may ask?

Mr. Speaker: Yes. He is asking you: What will you do about the civil servants who mislead you?

Mr. Kofa: Mr. Speaker, Sir, I cannot answer that for the Government. I would answer if it was directed to my Ministry.

Mr. Speaker: Next Question!

RETIREMENT OF MAKUENI COUNTY COUNCIL WORKERS

Mr. Munyao: Mr. Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that 112 members of staff of Makueni County Council are being retired irregularly through a circular letter MCC1/P/291(39) dated 28th July, 2000?

(b) Is he further aware that a full council meeting to make that decision was held on 13th July, 2000.

(c) Could the Minister urgently rescind this decision and order that proper guidelines for retirement be established?

The Assistant Minister for Local Government (Mr. Hashim): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that 110 members of staff of Makueni County Council have been given notice of intended termination of service under the retrenchment programme adopted by the council to improve its service delivery to the residents.

(b) Yes, I am aware.

(c) Given the reply to "a" and "b" above, the question of rescinding the decision by the council does not arise. The Ministry will, however, ensure that service is carried out on merit and those targeted are compensated appropriately.

Mr. Munyao: Mr. Speaker, Sir, I was just about to remind the Chair that you have allowed a stranger to answer Questions because I have never seen him here. However, I am surprised that the Assistant Minister is talking about 110 members of staff because they are 112. The letters are dated 28th July, which is not yet even due. Is it correct to anticipate a matter because the letters of retrenchment to all the members are dated 28th July, 1998?

Mr. Hashim: Thank you, Mr. Speaker, Sir. I am surprised that this hon. Member does not know me whereas, I have served in this Ministry for the last one and a half years, and I served as a Back-bencher for the last one year. I just wonder why he is bringing that question up. Maybe he is a stranger himself. Anyway---

Mr. Speaker: Order! I know you very well. Proceed!

(Laughter)

Mr. Hashim: Maybe, it is because he is a Nominated Member, anyway. The Question he has asked is about the Ministry rescinding its decision and not the question of how many employees will be retrenched.

Mr. Wambua: On a point of order, Mr. Speaker, Sir. In spite of the fact that you know the Assistant

Minister, we do not know him. Can you tell us who he is?

(Laughter)

Mr. Speaker: Order! Mr. Wambua, part of my job description is not to tell you who your colleagues are. Find out yourself.

Proceed!

Mr. Munyao: Mr. Speaker, Sir, he has not even answered. I talked about the letters dated 28th July. No wonder he has been an Assistant Minister for one and a half year which is too short to make a difference. These letters are dated 28th July, 2000. How do you anticipate retrenchment?

Mr. Hashim: Mr. Speaker, Sir, the decision to retrench 110 members of staff was reached at by the council's Finance and Staff General Purpose Committee. The meeting was held on 12th June, 2000, so this is a typing error.

Mr. Katuku: Mr. Speaker, Sir, I know these workers who are being retrenched have not been paid their salaries for the last one and a half years. Can the Assistant Minister tell us what he is doing about the payment of those arrears and where he will get the money to pay these officers?

Mr. Hashim: Mr. Speaker, Sir, let me assure this House that all the outstanding salaries and arrears will be paid. There is a programme for the Makueni Country Council to dispose of some of the assets so that it can get some money to pay the workers.

Mr. Munyao: Mr. Speaker, Sir, the property which is to be sold to pay the workers at Emali has created a lot of problems. The Council has even sent to each employee an un-dated letter. Please allow me to read one paragraph. It reads:-

"On payment of your final dues, could you kindly furnish us with your contact address to enable us to remit your final dues in form of cheques before--- As a result of your good service, we are going to compensate your services with an allocation of one plot of 50 by 100 feet at Emali Town."

This is the kind of trading excess which is going on at Makueni. Will the Assistant Minister allow this kind of thing to happen to the citizens of this country?

(Mr. Munyao laid the letter on the Table)

The Assistant Minister for Energy (Mr. Sasura): On a point of order, Mr. Speaker, Sir. You must have realised that earlier on, hon. Munyao tabled a post-dated letter! Now, he has read an un-dated letter. Is it in order for us to table those two letters?

Mr. Hashim: Mr. Speaker, Sir, the Ministry will pay the workers their outstanding salaries. I am not aware of the un-dated letter!

UNAUTHORIZED WITHDRAWAL OF CESS MONEY

Mr. Osundwa: Mr. Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that Kshs3.5 million has been withdrawn from cess account of the Mumias/Butere County Council without proper authorization?

(b) Is he further aware that Mumias Sugar Company has stopped remitting money to the said account?

(c) What action has the Minister taken to recover this money?

The Assistant Minister for Local Government (Mr. Sirma): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware of the withdrawal of the money and that, the money was not properly utilised.

(b) Yes, I am aware.

(c) The matter is already being investigated by the Criminal Investigation Department (CID), and those found to have misappropriated the funds will be prosecuted.

Mr. Osundwa: Mr. Speaker, Sir, I am happy with the answer given by my friend hon. Sirma. I want to give the following information to the Assistant Minister so that he can very quickly conclude the investigations and arrest the culprits. The Kshs3.5 million meant for roads improvement was used like this: A total of Kshs950,000 was used to purchase an old Land Rover which was bought from Mumias Sugar Company at a cost of Kshs30,000! The Council used Kshs150,000 to repair the same Land Rover, while the rest of the money was shared by the Council Chairman Mr. Timothy Makhokha, the Council Treasurer and some senior Government officials in the district, whom I do not want to name!

Now, using that information, could the Assistant Minister allow Mumias Sugar Company to retain any future cess contributions to this account, and allow the company itself to repair the roads? The Council has proved that it cannot repair the roads! It is only interested in squandering the money! Could he allow Mumias Sugar Company to retain the money?

Mr. Sirma: Mr. Speaker, Sir, there is a District Crop Cess Committee which made its recommendations, following the complaints from Mumias Sugar Company that the money had not been utilised properly. Since the investigations are going on, I would like to request the hon. Member to take his good information to the CID officers in Butere/Mumias District, so that appropriate action can be taken.

Mr. O.K. Mwangi: Mr. Speaker, Sir, the question of money being misappropriated by the Local Authorities is very rampant in this country. The Assistant Minister has already accepted that the money was misused. It is not good for him to tell the hon. Member to take the information to the CID. Cess money is misused now and then and the Ministry does not do anything! Could he tell this House what action he will take to recover public money? Will he prosecute the culprits?

Mr. Sirma: Mr. Speaker, Sir, what the hon. Member has brought up is theft cases within the Council. Those are prosecutable in law.

MEASURES TO PROTECT THE SOVEREIGNTY OF KENYA

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I beg to ask the Attorney-General the following Question by Private Notice.

Could the Attorney-General explain what steps the Government is taking to protect the sovereignty of the Republic of Kenya in a case filed at the International Centre for Settlement of Investments Disputes in Washington, regarding the World Duty Free Company and its claim of restitution for a purported breach of contract by the Kenya Government?

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to reply.

The International Centre for Settlement of Investments Disputes has registered the request for arbitration, submitted by the World Duty Free Company Limited on the dispute it has with the Government of Kenya; ICSID Case No.ARB/00/7. The Government of Kenya will strenuously and vigorously defend the case against the World Duty Free Company Limited's risk as to costs.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, this Question is very important as it involves a case by World Duty Free Company, against the Kenya Government, requesting for a restitution of arbitration procedures at the said Centre for Settlement of Investments Disputes.

Mr. Speaker, Sir, the Attorney-General will recall that the World Duty Free Company signed a contract with the Kenyan Government in April, 1989, running for ten years, giving the World Duty Free Company---

Mr. Speaker: Why do you not go to the questions?

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I am putting the questions. Just give me a moment. It is a very serious Question!

Mr. Speaker: Order! Even if it is serious, follow the rules, especially time!

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, is the Attorney-General aware that, in this dispute filed in Washington, the said World Duty Free Company is purporting that senior Government officials, including the President of the Republic of Kenya, the Vice-President, a former Governor of the Central Bank, Mr. Eric Kotut, hon. Biwott, a Mr. Kulei - that is a battery of high Government officials - will be required to go to Washington to testify in this case?

At the same time, is the Attorney-General aware that the Government of Kenya will be held at ransom in Washington without a Head of State managing the affairs of the State?

In the event that the Kenya Government loses the case, it will be compelled to pay a compensation of US\$500 million, which will wipe out the whole of the International Monetary Fund (IMF)/World Bank concessionary loan, just about to be given to the Government?

Is the Attorney-General aware of all this? How will he strenuously and vigorously defend the interests of the sovereign Republic of Kenya held at ransom in Washington, because of breaching a contract with the World Duty Free Company?

Mr. Wako: Mr. Speaker, Sir, those are the issues in dispute, which will be tried before the tribunal appointed at that centre. The Government of Kenya will strenuously and vigorously defend that suit, because it is a serious case as he rightly says.

Mr. Murungi: Mr. Speaker, Sir, it is very amusing to hear the Attorney-General saying that this case is going

to be vigorously and strenuously defended, when as a matter of fact, as we stand here, he has not filed any defence in this particular suit. As Prof. Anyang'-Nyong'o says, this country is likely to lose US\$500 million because of the negligence of the Attorney-General. What steps is the Attorney-General taking to ensure that our President will not be embarrassed through rigorous cross-examination in Washington, as we say in case of President Clinton in the Monica Lewinsky affair?

Mr. Wako: Mr. Speaker, Sir, I am sorry that the Shadow Attorney-General is exposing total ignorance on the procedures of international commercial arbitration. We have not yet come to the stage of filing the defence; we have not even come to the stage of even the claimant filing his statement of claim; we have not yet even come to the stage of appointing a tribunal and we have not yet even come to the stage of appointing arbitrators.

Hon. Members: Where are we?

Mr. Wako: Mr. Speaker, Sir, we are now at the very initial stages where a request has been made by the claimant on the method of appointing arbitrators and the town or city where the arbitration has to take place, and the Government has until 9th September to respond to that. So, we are at a very initial stage, because the international commercial arbitration has many stages, and a few Kenyans really know what they are all about, and the Attorney-General is one of them.

Mr. Speaker: I will recognise Dr. Kituyi and finish with Mrs. Ngilu.

Dr. Kituyi: Mr. Speaker, Sir, the contentious issue on the basis of which Ibrahim Nassir Ali has sued some senior individuals including the President and the Government of Kenya is that he rejected being party to the Goldenberg, as I can read from his plea in the case:

"Without his knowledge or consent, his company was shown on most of the false documentation as the consignee of non-existence gold and diamond exports."

Why does the Attorney-General gleefully embrace the challenge to put in a defence? Is he acknowledging that he is defending those who are crucifying the consignee of Goldenberg?

Mr. Wako: Mr. Speaker, Sir, let me correct the hon. Member that no individual is a party to this case. This case is between the World Duty Free Company Limited versus the Government of Kenya, which is the only party to this case. As far as the issues arising out of the arbitrations are concerned, this Parliament cannot be the court to adjudicate on those matters. It is only the tribunal appointed under the Centre that can adjudicate on those matters. When that time comes, we shall vigorously and strenuously restrain the case on behalf of the Government of the Republic of Kenya.

Mrs. Ngilu: Mr. Speaker, Sir, during the World Economic Forum in Geneva, all the Kenyans who were there were trying to defend this country, in addition to some of us calling upon investors to come back to the country. This is when we got those papers put on our faces and people asked us how we can encourage investors into the country when a case like this has already been filed in Washington, and how we can ensure that this kind of a thing does not take place where investors have been denied their right to do their legal businesses, and their property has just been taken, as the case has been with Mr. Ali.

Mr. Wako: Mr. Speaker, Sir, I am surprised about two things. First, even before the case has been heard, some people are coming with conclusions. Secondly, somebody took it upon himself to circulate this case in the world forum meeting. That is one of the issues that the Government of Kenya will take up when the arbitration proceedings are being heard.

Mr. Wamalwa: Mr. Speaker, Sir, given that it is the Government of Kenya which is going to be impleaded in this arbitration, can the Attorney-General estimate the quantum of damage to this country in terms of reputation, confidence and reliability as a result of this case?

Mr. Wako: Mr. Speaker, Sir, the quantum of damage will be assessed when the time comes. That is when we will receive the statement of claim by the plaintiff and the matter has been adjudicated. That is when we shall assess the quantum, if any. We are saying that there is no quantum of damage payable.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, arising from the answer that the Attorney-General has given to supplementary questions regarding who the respondent is in this case, and the Attorney-General going further to argue that the case is between the World Duty Free Company and the Kenyan Government, is he aware that in the plea presented to the centre in Washington, they do in actual fact aver that the President of the Republic of Kenya will have to respond because he exercised his powers as the President on behalf of the Republic of Kenya and, therefore, he has to be personally and officially enjoined in the case?

Mr. Wako: Mr. Speaker, Sir, I am aware, but that remains an averment and nothing more. This will be challenged at the right time.

MINISTERIAL STATEMENTS

MEMBERSHIP OF HOUSE COMMITTEES

The Minister for Information, Transport and Communications (Mr. Mudavadi): Mr. Speaker, Sir, I just wish to stand and make the following Ministerial Statement on the issue of the membership of the various House Committees. I want to read out the names of those who have been nominated to serve in these Committees and assure the House that appropriate consultations have been done amongst the various parties.

Those who are in the Public Accounts Committee (PAC) are:

Hon. Mwai Kibaki, M.P.,
Hon. S. Poghiso, M.P.,
Hon. E. Morogo, M.P.,
Hon. R. Kitur, M.P.,
Hon. Col. R. Kiluta, M.P.,
Hon. M. Nooru, M.P.,
Cpt. E.M.M. Ntwiga, M.P.,
Hon. D. Mwiraria, M.P.,
Hon. J. Ojode, M.P.,
Hon. R. Wanjala, M.P.,
and Hon. B. Mugo, M.P.

Those in the Public Investments Committee (PIC) are:

Hon. M. Githioni, M.P.,
Hon. A.M.A. Badawy, M.P.,
Hon. D.M. Musila, M.P.,
Hon. S.M. Amin, M.P.,
Hon. D. Kombe, M.P.,
Hon. A.I. Shaaban, M.P.,
Hon. P.K. Sang, M.P.,
Hon. G.M. Parpai, M.P.,
Hon. Ochilo-Ayacko, M.P.,
Hon. W. Wamunyinyi, M.P.,
and Hon. J. Katuku, M.P.

Those in the Speaker's Committee are:

Hon. F.K. Kaparo (Chairman),
Hon. C. Okemo, M.P.,
Hon. J. Sunkuli, M.P.,
Hon. N. Ngala, M.P.,
Hon. W. Morogo, M.P.,
Hon. G. Ndambuki, M.P.,
Hon. Prof. S.K. Ongeru, M.P.,
Hon. I.K. Ruto, M.P.,
Hon. G.M. Anyona, M.P.,
Hon. M. Keriri, M.P.,
Hon. E. Sungu, M.P.,
Hon. G. Imanyara, M.P.,
Hon. M. Muya, M.P. and
Hon. Dr. C. Murungaru, M.P.,

Those in the Standing Orders Committee are:

Hon. F.K. Kaparo (Chairman),
Hon. J.H. Omino,
Hon. Dr. B. Godana,
Hon. S. Musyoka,
Hon. M. Mohammed,
Hon. Dr. A. Anangwe,
Hon. M. Keah,
Hon. O.K. Kiangoi,
Hon. C.G. Mokku,

Hon. M. Muhika,
 Hon. P. Kaindi,
 Hon. M. Kiunjuri.

The Catering Committee

Hon. (Ms) Mariam M. Matano, MP
 Hon. Eric. T. Morogo, MP
 Hon. David N. Kombe, MP
 Hon. Mohammed M. Galgalo, MP
 Hon. Zaphania Nyangwara, MP
 Hon. Kamau Thirikwa, MP
 Hon. Francis ole Kaparo, MP
 Hon. Maina Kamanda, MP
 Mr. Samuel Ndindiri and Mr. Michael Kirusua are members from the Clerk of the National Assembly's office.

The Privileges Committee

Hon. Francis ole Kaparo, MP
 Hon. Amos Wako, MP
 Hon. Mathias B. Keah, MP
 Hon. Moody Awori, MP
 Hon. Marere Mwachai, MP
 Hon. George Anyona, MP
 Hon. Wanyiri Kihoro, MP
 Hon. Orwa Otita, MP
 Hon. Musikari Kombo, MP
 Hon. Prof. Anyang'-Nyong'o, MP

Library Committee

Hon. Job. Omino, MP
 Hon. Muhammed A. Affey, MP
 Hon. John K. Marrirmoi, MP
 Hon. Antony W. Ndilinge, MP
 Hon. Ekwee Ethuro, MP
 Hon. Tom Onyango, MP
 Hon. Kamande Mwangi, MP
 Hon. Alfred Nderitu, MP
 Hon. Wafula Wamunyinyi, MP
 Hon. Josephine A. Sinyo, MP

Mr. Speaker, Sir, the Business Committee was appointed on 29th March, 2000, and so I do not have to repeat that particular list.

Mr. Orenge: On a point of order, Mr. Speaker, Sir. I was wondering whether the Speaker cannot use his discretion in the appointment of Committee Members. It is obvious that some serving hon. Members of Parliament do not belong to any Committee, and all the parties may have different positions. But the long arm of the Speaker can be used to ensure that, at least, all hon. Members of Parliament, irrespective of the position they take on the Floor of the House, get a chance to participate in committees. If discrimination is practised in the House, how bad will it be outside there?

Mr. Speaker: Well, I am sorry, the hands of the Speaker are only long on procedures. When it comes to politics, I have no hand. This is a political decision by political parties, and a matter that I am totally unsuited to arbitrate on. But I appeal to Party heads to really take care of their colleagues. Again, that is a political statement that I should not make. I sympathise, but I have nothing to do with it.

We must now go on to business. This afternoon, when Papers were being laid on the Table, Mr. Githiomi was consulting me and, therefore, we passed that stage before he had laid his documents before the House. I will then use my "long arm" to fetch Mr. Githiomi to come and table the documents and proceed and go and sit down.

PAPER LAID

The following Paper was laid on the Table

The Ninth Report of the Public Investments Committee on the Accounts of State Corporations, Volumes I and II, 2000

(By Mr. Githiomi)

MINISTERIAL STATEMENT**CIRCUMSTANCES LEADING TO THE DEATH
OF PC STEPHEN NG'ANG'A NJURI**

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, before I make my Ministerial Statement, I wish to apologise to hon. Onesmus Mwangi for taking quite some time to make this statement, but there were very good reasons why I took a long time.

Following hon. O.K. Mwangi's request for a Ministerial Statement regarding the circumstances leading to the death of Mr. Stephen Njuri, the police officer attached to Hola Police Station, I would like to state the following:-

On 4th June, 2000, the late Police Constable Stephen Ng'ang'a Njuri was notified to appear before the Deputy Officer Commanding Station (DOCS), Hola Police Station, on 6th June, 2000, to explain the circumstances under which the stores of Kenya Commercial Bank, Hola Branch, were broken into on the night of 30th May, 2000, when he and Police Constable Bernard Thiong'o were deployed there on night guard duty. The two police officers could not give a satisfactory explanation and were charged in orderly room proceedings for being idle and negligent in the performance of their duties. The officers pleaded not guilty to the charges and the full orderly room proceedings were scheduled for 6th June, 2000, at 8.30 a.m., with Inspector Joseph Kamangu, DOCS, Hola Police Station, being the presiding officer.

The late PC Stephen Ng'ang'a Njuri left the presiding officer's office on 5th June, 2000, at 8.30 a.m. for his house. Later, at about 10.30 a.m., gun shots were heard coming from the late police officer's house. When fellow police officers rushed to the scene, they found PC Stephen Ng'ang'a Njuri lying dead on his bed with his G3 rifle next to his body, and there were three spent cartridges which were recovered. The body of the deceased was immediately taken to Hola District Hospital mortuary and was later transferred to Thika District Hospital mortuary because of its proximity to the deceased's home, and also because there were no refrigeration services in Hola and Garissa Hospitals.

Mr. Speaker, Sir, it is not true that the Government was not involved in the funeral arrangements for the deceased. On the contrary, the Government actually provided the coffin, bought linen, paid mortuary fees and provided transport to ferry the body from the mortuary to his home for burial. In the meantime, an inquest file has been opened to facilitate further investigations into the death of the late Police Constable, and it is still pending under investigation.

Mr. Speaker: Mr. O.K. Mwangi, just make one clarification because time is running out.

Mr. O.K. Mwangi: Mr. Speaker, Sir, I appreciate the limited time that we have, but this is a very grievous matter. First, I have photographs here which indicate that the deceased was shot both from the front and the rear sides of his body. First, I wonder how somebody shooting himself using a G3 rifle, would shoot himself from the back. Secondly, the Minister has not even talked about the investigations that were carried out. Nobody went to the scene of crime because I do not believe that this could have been suicide. At the same time, knowing where Hola is, it is ridiculous that somebody could have collected this body, loaded it onto a lorry and driven all the way to Thika, to home of the deceased's brother. This means that these police officers had an ulterior motive and I believe they must have committed the offence. Why was the body not even taken to the nearest mortuary? This was an officer who had served the Government since 1986.

Mr. Speaker: Order, Mr. O.K. Mwangi! I am now pressed for time.

Mr. O.K. Mwangi: Mr. Speaker, Sir, the Minister has talked about having opened an inquest file. Could he conduct an inquiry? There seems to be a crime that was committed by the police officers, which they are trying to cover up. I want to table these photographs of the body of the late police officer before the House.

*(Mr. O.K. Mwangi laid the photographs
on the Table)*

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, one of the reasons why the body was moved from Hola to Thika District Hospital mortuary was because there were no refrigeration facilities at Hola District Hospital mortuary. For the body to be preserved, they took it to Thika District Hospital mortuary.

Mr. Speaker, Sir, the reason why it has taken me some time to make this statement is because I am not personally satisfied. I have really made this statement while not quite satisfied about this matter. I can still give further report after investigations.

Mr. Speaker: Will you come back to the House?

The Minister of State, Office of the President (Maj. Madoka): Yes, I will, Mr. Speaker, Sir.

POINT OF ORDER

INSECURITY IN BONDO CONSTITUENCY

Dr. Oburu: On a point of order, Mr. Speaker, Sir. I rise to seek a Ministerial Statement from the Office of the President regarding the security situation in Bondo Constituency.

In the last one month, three big incidents have occurred in Bondo Constituency. First, the Chief of South West Sakwa, Mr. Akuto, was attacked at night by thugs in his house and the thugs collected the chief's properties, set them ablaze and threw his children into the fire. They also burnt his pick-up.

Mr. Speaker, Sir, at Majiwa Health Centre, again the thugs took the matron and frog-marched her into the nurses' houses, placed the nurses on the floor and forced the matron to put condoms in their organs so that they could rape the nurses in that particular health centre.

The councillor for West Bar-Kowino was also attacked by the thugs and when the culprits were arrested and taken before court last week, one of them said that he had bribed the Criminal Investigations Officer in Bondo to charge him with a lesser offence than a capital offence, and he said that he had paid him Kshs30,000. This man was lamenting to the court as to why he was being charged with capital offence. He asked the indulgence of the court to refund him the Kshs30,000. The Criminal Investigations Officer is still in Bondo.

So, these are just but a few incidents. There is rampant insecurity in my constituency and I seek a Ministerial Statement from the Office of the President.

Mr. Speaker: Are you ready, Maj. Madoka?

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, I am aware of the incidents in question but I am not aware of all the other details which the Member is giving. So, I will only be able to give that in a Ministerial Statement.

Mr. Speaker: Very well. Next Order.

MOTION

APPROVAL OF INCREASE OF TOTAL EXTERNAL INDEBTEDNESS

THAT, pursuant to Section 6(1) of the External Loans and Credit Act (Chapter 422 of the Laws of Kenya), this House approves the increase of total indebtedness for the time being outstanding in respect of principal amount of money borrowed or credit under Section 2 of the Act from an equivalent of Kenya Shillings three hundred and twenty billion to Shillings five hundred billion.

(The Minister for Finance on 26.7.2000)

*(Resumption of Debate interrupted
on 26.7.2000)*

Mr. Speaker: Who was on the Floor?

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I was on the Floor yesterday when the House adjourned. So, I am continuing!

Mr. Speaker: Order! You finished! Well, I understand you were speaking on the amendment and that issue was disposed of.

Prof. Anyang'-Nyong'o: But it is the same Motion and I have to finish my time!

Mr. Speaker: Order! It is somebody else! Mr. Mwenje, the Floor is yours.

Mr. Mwenje: Thank you, Mr. Speaker, Sir, for giving me this opportunity to say a few words about this Motion.

Mr. Speaker, Sir, the question of how much money a country, or even an individual, can borrow is a matter that each and every individual should consider before he enters into that kind of transaction. Being a banker, I know that sometimes one is tempted to borrow money, and once you have borrowed money and it is in your pocket, so many needs arise just because you have the money. This applies not only to individuals but also to a country, an institution or even a company. The figure that we are being asked to authorize is much higher than the existing figure that the Government is currently authorized to borrow.

One of the most important things that the Minister for Finance should be doing is to tabulate the figures and table them and tell us what he wants to borrow this money for. What project does the Minister want to borrow this money for? This is because immediately this money is borrowed--- We have had very bad experiences where money is borrowed and misappropriated and all that kind of thing, and this was the subject of the recent Motion which became stormy in this House. Are we borrowing money and giving the Government this ceiling so that they can have more money to plunge this country into the same situation we are in? Are we being asked to increase the ceiling just because the Government is expecting to be given money by IMF and the World Bank? If that is the reason, I do not think it is necessary to increase the ceiling.

The current borrowing ceiling for this Government is to the tune of Kshs346 billion. If the current ceiling allowed is Kshs320 billion, the Minister for Finance needs to tell us how he arrived at Kshs346 billion. With whose authority did he exceed the current figure? How did it happen? We may be told it is the interest, the fluctuation of rates to the dollar, *et cetera*. Those are the possible reasons that we may be given, but any good financier, or any good money manager, should be able to take into consideration the fluctuations of rates of the dollar or the pound to the shilling before he borrows the money.

As at the moment, we have exceeded the amount that we are authorized to borrow. I also agree that this time round, we are lucky to have a good Minister for Finance. Yes, we have no doubt about that, but the Minister must tell us who this person is who exceeded the amount currently being authorized, so that we are tempted to ask for a bigger ceiling of Kshs500 billion.

Mr. Speaker, Sir, what we are doing is mortgaging our children, the children of our children and, maybe, our great grandchildren. We are mortgaging them! Every Kenyan is currently mortgaged. If you calculate the amount of indebtedness that this country has and you divide it with the current population of 28 million Kenyans--- If you divide Kshs500 billion by 28 million people, you will find how big is the loan that each Kenyan gets from that amount.

Mr. Speaker, Sir, we are slaves! We have been mortgaged! I will not be surprised when I see hon. Murathe being carried away as a slave with his children and wife or wives because he is already heavily mortgaged and he cannot see his money. The situation is grave and the Minister for Finance must tell us, given the fact that we are giving him the ceiling, how he intends to control and make sure that we do not just borrow money which will be taken by some people, that we do not just borrow money which will be misused by some people like we have seen in earlier cases. I want to appeal to the Minister to make sure that this facility is not misused at all, and that it is not just used to enrich a few people instead of assisting Kenyans.

Mr. Speaker, Sir, if we ask the Minister about the Kshs346 billion, which is currently the indebtedness that Kenya has, compared to the development projects that are carried out in the country today, I doubt if he can convince us that, that amount was used well for development purposes. An hon. Member asked yesterday: "If it is 3 per cent of Kshs346 billion that is actually used, then how much money is that?" It means the amount that has been used well must be very little. We have to pay back the rest of the amount and yet it did not benefit us. The situation is very bad because we just continue borrowing for the benefit of a few people, and then the same amount will be paid by the whole country; this is a very sad situation. It is very sad that all of us have to join in paying it but not all of us join in enjoying the borrowed money. That situation is the true position. It is similar to what happens to individuals; that is, when somebody borrows money, he or she is tempted to misuse some of it. I remember when I was working in the bank and some people used to borrow money to pay school fees, but at the end of the day, the money ended up in drinking places, marrying more wives and all these kinds of situations. However, finally, you have to pay the loan. That is why a lot of our people are in situations where they are not even able to pay what they have borrowed.

Mr. Speaker, Sir, therefore, Kenyans would like to know why the Minister for Finance wants the ceiling increased to Kshs500 billion. I was of the opinion that increasing the ceiling by another Kshs100 billion would do, but since the Government and the Minister insist on Kshs500 billion, we will be willing to allow that. I would say, on the onset, that I support, and will support, this Motion, but the Minister must tell us the projects that he intends to start with the amount that he intends to have increased in this ceiling. We need to know what they are in advance because if there are no projections, then the Minister should wait until the projections are done, and then he can come here with a

Sessional Paper and ask this Parliament to approve it. If that is the case, we will be approving something that we already know, or something visible that we are being requested to carry out. However, at the moment, we are being asked to give a complete blank cheque of Kshs200 billion by the Ministry of Finance.

It is very risky when you sign a cheque one day and you leave it even to a trustworthy friend or a bishop. If you give a blank cheque, even to an archbishop, you are not sure how he is going to use that cheque. This is precisely what this Parliament is being asked to do; that we issue a blank cheque to the Ministry of Finance and then they will come to us telling us the projects that they want to implement with that borrowed money. Are we really safe; that we authorise a blank cheque without knowing its intended purpose? If that money is misused, we are liable and we will be told that you authorised it. Yes, we committed Kenyans. I will have committed all the 500,000 residents of Embakasi. I would have allowed them to be mortgaged by allowing this kind of situation because they will eventually pay the money.

Mr. Speaker, Sir, this applies to every Member of Parliament who is in this House because the moment we authorise it, then it means the Minister can use that facility to borrow. He will use that facility because he has the authority from this House. One day, somebody could ask us: "Did you ask the purpose for which the money was being borrowed?" Then, we will say: "We did not ask, or know its intended purpose." If that is the case, somebody will think that we must be people with very low intelligence quotient (IQ) just to authorise money that is a blank cheque, without knowing how the money is going to be spent. Kabete people will ask hon. Muite: "How did you authorise a blank cheque and now we have to pay for the money?" He will be crucified. That is why it is important for the Minister to tell us what he intends to do with the Kshs200 billion shillings that he wants us to increase for him. If it is only for the purpose of pleasing the World Bank so that we have the money tomorrow, we can as well do without it. This is because we do not need just to please somebody, commit ourselves severely and then regret it tomorrow. If it was a grant, we would go for it but this is not a grant. Even for the amount of money we are asking the World Bank, there are loans at different rates. So, if that was the purpose, I would ask the Minister to withdraw the Motion and remain with the Kshs320 billion which he already has authority to borrow. However, if he can tell us why and how we will be able to pay, and how it will benefit Kenyans, then we will be willing to consider that, but not until we know what we are borrowing the money for, how the amount of Kshs320 billion we had authorised was used, and who authorised the increment from Kshs320 billion to Kshs346 billion, because that is the current position that we are in.

Mr. Speaker, Sir, we are sometimes put in an awkward situation where we are not even able to pay the local debts that the Government borrows from the Central Bank and from individuals through Treasury Bonds and Treasury Bills. Currently, we are in a situation where we are not able to pay the amount that is borrowed locally, and that is why the Ministry of Finance has been trying to externalise these loans. It has been difficult to even externalise these loans. Nobody has been willing to lend us these loans, not because we are not credit worthy, but just because we are not trustworthy. We are not trustworthy because we borrow money for particular purposes, but we do not use it for those intended purposes.

Mr. E. Morogo: On a point of order, Mr. Speaker, Sir. In view of the fact that this Motion has been exhaustively debated, would the Mover be now called upon to reply?

Mr. Speaker: I will put the Question and you will decide.

(Question, that the Mover be now called upon to reply, put and agreed to)

The Minister for Finance (Mr. Okemo): Mr. Speaker, Sir, I beg to respond. I listened carefully to the contributions of the hon. Members. I think they have been very useful contributions and I have taken note of them. However, I would like to clarify some of the issues which have been raised by the various hon. Members. When this House last time made a resolution to increase the external debts from Kshs140 billion to Kshs320 billion, the debt stock then was Kshs264 billion or US\$4.1 billion at the exchange rate of Kshs64.2 to the US dollar prevailing then. The debt stock stands now at US\$4.6 billion or Kshs348.6 billion at the current rate. The main causes of this growth from Kshs264 billion to Kshs348 billion are new borrowing and the exchange rate movements over the time.

Mr. Speaker, Sir, it is not really accurate to say that this House has no idea as to what concessionary loans or otherwise, were raised, or grants and project loans, because that is contained in the report of the Controller and Auditor-General. The only problem is that the office of the Controller and Auditor-General is not up to date. In fact, if you take the trouble to look at the latest report which covers the Financial Year 1996/97, you will have a whole list of the loans that have been borrowed, from which source, for what purpose, how much and at what rate of interest. All that is contained here. So, if the hon. Members do not wish to read the report, it is unfortunate that I cannot do anything about that.

Mr. Speaker, Sir, we have, through the Medium Term Expenditure Framework (MTEF), identified priority

projects and activities that need to be undertaken over the next three years. These projects and activities are detailed in the Interim Poverty Reduction Strategy Paper (IPRSP) which I have already laid on the Table. So, again, if you take the trouble, and if you really care to read, you will find that we have given details of how that money is going to be utilised.

Mr. Speaker, Sir, the funds are particularly targeted to poverty-related programmes in the various sectors. To be able to execute these projects, we will need to borrow externally as internal resources are not sufficient. We have already had discussions with the multilateral and bilateral lenders, and we have tentatively agreed on the projects and activities that are going to be funded. They are only waiting for formal approval by the IMF later today. But the main sources of these credits are going to be the World Bank, the African Development Bank, the Arab Bank for Development, IFAD, OPEC and some G8 countries like Italy, Japan, France and Germany, among others.

Mr. Speaker, Sir, the Motion before the House today is asking the House to pass a resolution to increase the debt ceiling from Kshs320 to Kshs500 billion. Of this increase of Kshs180 billion, Kshs30 billion is actually to regularise the overshooting of the ceiling which was caused by the shilling depreciation against the dollar. And Kshs100 billion is an estimate of the new external loans we are likely to borrow in the next three years to carry out the projects already described. And Kshs50 billion is to cater for possible foreign exchange currency fluctuations, so that we avoid having to come here again. The new borrowing will be phased over the next three years. So, Kshs100 billion is not for one year, but it is covering the MTEF period of three years. So, the new borrowing will be phased over the next three years with this particular financial year accounting for Kshs30 billion from the sources I have already identified. And the situation will be evaluated as the years move on, depending on the recovery of the economy and the ability to repay. In arriving at these amounts, the country's economic recovery needs, measures and ability to repay have been carefully weighed. This review will continue over the Medium Term Expenditure Framework period to ensure that these factors are kept in balance.

Mr. Speaker, Sir, our ability to access additional credit to carry out the projects and activities as described in IPRSP and the annual Budget recently presented will be hampered if this ceiling is not adjusted. I, therefore, urge all hon. Members to consider this important Motion and pass the resolution to increase the ceiling.

The issues about investment and mobilising domestic savings in order to cater for growth, I think, have been adequately covered in my Budget speech and also in IPRSP; I really do not think I want to go into those details. Maybe, as we debate the various Votes, some of these points will come out. I wish to assure hon. Members that in the near future, I will be preparing a Sessional Paper to be debated in this House, on the whole issue of public debts, which will cover both the external and domestic debts. The necessary amendments to the existing Act will also be brought to the House for debate and subsequent enactment in the near future.

With these few remarks, Mr. Speaker, Sir, I beg to move.

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

MOTION FOR ADJOURNMENT

Mr. Speaker: Hon. Members, I will call upon the Leader of Government Business to move a Motion of Adjournment of the House. According to the Resolution of this House, that Motion will proceed for three hours. So, as long as there will be hon. Members speaking, we will proceed for three hours. But if there will not be any hon. Member speaking, we will leave now if the Motion is passed. The Resolution passed by this House on Wednesday 29th March, 2000 reads as follows:-

"That the debate on any Motion for the adjournment of the House to a day other than the next normal sitting day shall be limited to a maximum of three hours with not more than five minutes for each Member speaking." That is the procedure.

MOTION FOR ADJOURNMENT

ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT SITTING DAY

The Minister for Information, Transport and Communications (Mr. Mudavadi): Mr. Speaker, Sir, I beg to move that this House do adjourn until Tuesday, 3rd October, 2000. Just taking a cue from what you have said, it is hoped that although we have the three hours, maybe, Members may think otherwise, but that is up to them. But I wish

to plead that we take the period that is going to be ahead, to take stock of the events in the country and to have an opportunity for Members to renew their contact on various issues of major importance with their constituents. As we know, it is usually, sometimes, extremely difficult when the House is in session for Members of Parliament to interact appropriately with their constituents because they have to attend to parliamentary matters.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, it is also important to note that it is during this particular period of adjournment that the key watchdog committees of the House; that is, the Public Accounts Committee (PAC) and the Public Investments Committee (PIC), start their job in terms of reviewing the accounts as presented by the Controller Auditor-General, and then they do, subsequently, submit their reports. So, indeed, it is not a break merely for the sake of it, but it is a break that we hope enables other businesses of the House to be undertaken.

Mr. Temporary Deputy Speaker, Sir, while moving this Motion, I think it is important for us to also have an opportunity to go and cool off because, I think, the last three weeks of debate in this House have been extremely acrimonious. If it was not for the fact that there was a Dispatch Box right at the centre of this House, there is a possibility that we could have seen more than just an acrimonious debate. So, I think this will also give us a very good opportunity to go and pour some cold water over our emotions and anger, so that we can pursue some of the issues that are on the Table, or the ones that do need attention, with a more composed atmosphere.

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

[Mr. Speaker resumed the Chair]

Mr. Speaker, Sir, it will also give an opportunity in that some of the key problems facing the country will be addressed, and these relate to poverty, power rationing, water shortages, the levels of unemployment and crime in our society. All these are very, very important issues. We need to come up with new approaches to deal with, and provide lasting solutions to, them, so that they do not recur. It is so clear that the level of growth that we anticipate is going to be extremely difficult to attain because a lot of key issues that are important for production in this country are not performing as they should have been. These are very serious matters that require a fresh impetus from the country and, particularly, from those who are charged with the responsibility of planning and putting in place strategies that can help us overcome those problems in the future. There is a lot that has to be said for us going through the difficulties that we are going through here. I do not want to repeat all those issues here, but it is quite clear that in certain aspects, a lot more efforts need to be put in; a lot more priority needs to be placed on the areas that will provide sufficient injections, or momentum, for the economy to grow. These are all aspects that are of extreme importance.

Mr. Speaker, Sir, there is also the aspect that relates to the constitutional review process. This House has, indeed, gone through the Bill of amending the law that had previously been put in place with regard to the constitutional review process. I think this will also be a good time for consultations to take place amongst the various stakeholders and Kenyans in general, so that when we do resume, we should be in a position to say that we now have a constitutional review process that is all embracing, and that will be able to yield the appropriate results at a later date for Kenyans to be able to, perhaps, legislate and approve a new constitutional dispensation, which will be more broadly acceptable than the process that we had embarked on earlier. We also believe that with that support and encouragement, the solution can be found. This Parliament can provide a point of convergence from all corners. It can provide that neutral vehicle in ensuring that the necessary steps are taken to ensure that we have a Commission that is broadly acceptable; a Commission that has sufficient stature; a Commission that is composed of reputable personalities, both men and women, who are also independent minded from every angle, so that they can undertake the process of the constitutional review and gathering of all sorts of views from Kenyans without any difficulty.

I believe that this House deserves to take a short break because two months is not a long time. It will also give us time to consult on many issues.

With those few remarks, I beg to move.

The Minister for Home Affairs, Heritage and Sports (Mr. Ngala): Mr. Speaker, Sir, I rise to second this Motion on adjournment. I would like to concur with what the Deputy Leader of Government Business has said. I would like to add that Members in this House have contributed to issues that touch on Kenyans. They have contributed

knowing fully well that they have a duty to make sure that they look into the affairs of Kenyans. Therefore, the atmosphere has been very, very cordial to some extent. There has been unanimity in a lot of issues that we have tried to debate, to try and see which way we should go. I would like to encourage this spirit because without it, it is really difficult to conduct business in this House.

Mr. Speaker, Sir, I support that we go on recess because we have been going to our constituencies, but not really covering enough within the time that we have been going. The days that we have been going have been few, but I believe, with this kind of recess, we will also be able to have more time to articulate issues with our constituents. We will be able to plan programmes and do a lot more with them.

Mr. Speaker, Sir, I know there is the job that we have to do of setting up the AIDS constituency committees. I think this is one area that we are going to be really involved in as Members of Parliament, to set up these community-based AIDS committees, so that we can continue to sensitize people about the dangers of AIDS, because it is real. Therefore, all of us are going to be involved to make sure that we form those committees to sensitize, protect and educate our people. We can be able to use the money that is available to try and come up with programmes in our constituencies on AIDS.

Mr. Speaker, Sir, it is also during this time that the Minister for Roads and Public Works did launch the District Roads Boards which, I am sure, are supposed to do a lot of work in trying to address the conditions of roads in the constituencies. So, I am sure this recess is going to give us sufficient time to form the committees, to deliberate the best way of how to look into the road status in our country. I guess this is very important.

Mr. Speaker, Sir, as we go on recess, one thing we should never forget is that this country continues to believe in the principles of peace. I think it is our duty that we do everything possible across the political divide, to make sure that we continue to preach peace to our people because it is vital for a lot of things that this country requires to do. I hope we will be able to articulate those messages to our people, so that they can be able to live in harmony as one people in this country. It is important that we do so.

Mr. Speaker, Sir, I believe the areas of problems that have been mentioned are really problems which are affecting us; that is, power rationing, poverty, water shortages and so forth. We need to be very understanding about these situations and to explain to our people the efforts that the Government is making. It is true the situation is difficult, but without explaining these things properly and trying to tell our people to be patient and assist in the management of what is being done at this particular moment, they may be disillusioned and may create unnecessary problems. So, I hope that when we go on recess, we will put more effort in telling our people to support us in these efforts by trying to understand what is going on, so that we can continue to benefit from the Government's efforts in the long run.

Mr. Speaker, Sir, what we have heard the Minister for Finance say is very encouraging. He said that he was very positive that the International Monetary Fund (IMF) and the World Bank will give this country the financial aid that we have been looking for. I am sure that such support from the two Bretton Wood Institutions will help to improve this country's economy.

Since this is a Motion for this House to go on recess, I beg to second it.

(Question proposed)

Mr. Orenge: Ahsante sana, Bw. Spika. Ninaomba kuunga mkono Hoja hii. Nikiunga mkono Hoja hii, ningependa kusema machache.

Jambo la kwanza ni kwamba Naibu wa Kiongozi wa Shughuli za Serikali katika Bunge ameeleza kwamba Wakenya tunakumbwa na shida nyinga kama vile ukosefu wa nafasi za kazi, ukosefu wa chakula cha kutosha kwa jamii, ukosefu wa umeme na maji, na kadhalika. Hata hivyo, ninaamini ya kwamba Wakenya wana motisha, uwezo, nia na sababu ambazo zitawafanya wapambane na shida hizi.

Ningependa kuwaeleza ndugu zetu waliopata jukumu la kuiongoza Serikali ya nchi hii kwa wakati huu kwamba ni kosa kubwa sana kwamba katika nchi hii, wengi wa watoto wetu waliopata elimu ya chuo kikuu humu nchini na katika nchi za nje bado hawajaajiriwa. Ninafahamu vijana wengi ambao wana madigrii na ambao bado hawajaajiriwa. Vijana wale wanaishi maisha mabaya sana; mtu anaweza kusema ya kwamba muda waliotumia katika shule na vyuo vikuu ni kana kwamba umepotea bure.

[Mr. Speaker left the Chair]

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

Bw. Naibu Spika wa Muda, huku tukisherehekea matumaini ya kusaidiwa na Shirika la Fedha Duniani na Benki ya Dunia, ni lazima Serikali ifahamu ya kwamba, taasisi hizo zilikatiza msaada wa kifedha kwa nchi hii kwa sababu ya mwongozo mbaya wa Serikali, ufisadi, na sababu nyingine ambazo taasisi hizo zilielezea Serikali. Na sisi, kama wapinzani, mara kwa mara, tumeeleza ya kwamba nchi hii ina mali na watu waliosoma, lakini kwa sababu ya ufisadi na mambo mengine, tumekuwa na shida. Sasa, wafanyi biashara wanahamia nchi zilizoko kusini mwa bara hili, kama vile Afrika Kusini, Zimbabwe na Namibia kwa sababu wameona ya kwamba mambo katika nchi hii yako kombo. Kama tulivyosoma katika magazeti ya leo, kampuni ya Lonrho (East Africa) ina matatizo ya kiuchumi. Lakini kampuni mshiriki wake ya Lohrho (Liverpool) imekataa kuipa Lonrho (East Africa) usaidizi. Hii ni kwa sababu kampuni ya Lonrho (Liverpool) na wenye raslimali wengineo wameona ya kwamba hii Serikali yetu bado haijakuwa na miongozo inayoweza kuiletea nchi hii maendeleo. Kwa hivyo, jambo muhimu ambalo Serikali inapaswa kufanya kwa sasa ni kuwatoa Serikalini wale walioshtakiwa kwa tuhuma za ufisadi kabla Bunge hili kufunguliwa, ndio tukirudi hapa Oktoba, tuwe na Serikali yenye sura nzuri.

(Applause)

Ukitaka kuijua sura ya Serikali ya Kenya, angalia zile barabara mbaya kule nje. Zile barabara, wale Wakenya wanaolala njaa na wale viongozi wa Serikali walioshtakiwa kwa tuhuma za ufisadi ndio sura ya Serikali ya Moi. Ili tuweze kupata mwongozo mpya, ni lazima tuwe pamoja.

Bw. Naibu Spika wa Muda, kuhusu shughuli za kurekebisha Katiba ya nchi hii, ningependa kuwaambia wenzangu katika upande wa Serikali hivi: Hata mtumie mbinu gani ili Bunge hili liweze kusimamia shughuli ya kuiandika upya Katiba ya nchi hii, hamtapata suluhisho kwa mzozo huu. Serikali ya Afrika Kusini ilijaribu kuiandika upya katiba ya nchi ile mara sita bila ya kufanikiwa kwa sababu haikuwajumuisha wananchi wote katika shughuli ile. Kwa hivyo, hata nyinyi mtakuwa na taabu kama ile, mkifikiri ya kwamba, kwa ujanja, mtaiandika Katiba ya nchi hii upya na Wakenya wote waikubali. Hamtafanikiwa kufanya hivyo.

Ni lazima turudi kwa wananchi pamoja ili tuweze kupata Katiba ambayo itakubaliwa na Wakenya wote. Tukifanya hivyo, tutakubaliana juu ya uongozi unaofaa katika nchi hii. Ule ujanja ambao Serikali ilileta kati ya miaka ya 1992 na 1997 hautaisaidia nchi hii. Wakati wa ujanja huo umekwisha. Wakati sasa umefika wa Wakenya kupata Katiba wanayoitaka.

Ahsante, Bw. Naibu Spika wa Muda.

Mr. Mbela: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this debate in support of this Motion of Adjournment. The Motion has come at a crucial time. The recess period will enable us to launch our respective District Roads Committees as well as the anti-AIDS campaign committees at the constituency level.

Mr. Temporary Deputy Speaker, Sir, as you know, this House's Departmental Committee on Energy, Communications and Public Works came up with the noble idea of ensuring that money meant for roads rehabilitation benefits every corner of this country. I think this is the way forward as far as future management of this country's resources is concerned. To continue giving excuses to the effect that having this country's resources controlled centrally will ensure that they are not misused would be misleading ourselves. Money that is controlled centrally is "eaten" by just a few individuals. If this country's money must be "eaten", then it should be spread all over the country, so that it can be "eaten" at a bigger scale in the rural areas.

On a more positive note, having experimented with the new concept of equitable distribution of this country's resources by having money meant for roads rehabilitation allocated to the various constituencies, there is need for money meant for other services apportioned in the same manner. I have in mind money meant for water development, and also, money meant for rural electrification as some of the resources that are grossly misused. Such monies are allocated on the basis of who-knows-who among the authorities. If you do not know those who allocate monies for such projects, you do not get any attention. Also, too much attention has been given to only certain areas as far as rural electrification is concerned. I am saying this because I believe that there is room for corrections to be done. I hope that the Minister for Energy will find a way of sharing out money meant for rural electrification, so that some action takes place in each constituency. If he does not come up with that proposal, we, ourselves, the Committee on Energy, Communications and Public Works, would like to give him certain proposals which we feel can be able to assist this country. I also feel that it is important that when it comes to the communications sector, privatisation and competition is the way forward, and it is important that, at all times, we should seek to achieve efficiency out of the parastatals that are in business, and ensure that there is competition so that they can become more efficient. That is why we, as the Committee, are coming up with an objection against the monopoly being given to the Telkom Kenya Limited because, so far their services are very unsatisfactory, and again, to give them a monopoly for another five years is an additional cost to the consumers.

Mr. Temporary Deputy Speaker, Sir, I will now go to another crucial subject affecting Taita-Taveta District, where more than half the population is affected by famine. In the last three years, we have not had any reasonable harvest, and Kenyans are very badly affected by lack of food. There should be a proper assessment of that situation because what the Government is doing now; that is, giving the people only 2,000 bags of maize, is very unfair. How can you be able to feed families without any means of subsistence with only 2,000 bags of maize? The people have wiped out the wild fruits that were available and are now short of accessing for survival in the national parks, in order to get livelihood. We would love it if we are given the chance to be able to go into the national parks and slaughter one or two elephants every day. That will keep the people in nice and healthy condition but, maybe, the easier alternative will be for the Government to make sure that people get, at least, 10,000 bags of maize, and to also realise that a hungry person cannot survive on maize alone. They should be given beans and other commodities like cooking fat.

I beg to support the Motion.

Mrs. Mugo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. We will be going to a very hostile Kenyan community out there because of the very difficult times that they are in at the moment; that is, power rationing and lack of water and food. More recently, when we had given Kenyans hope that something was happening in Parliament with the writing of the Anti-Corruption Select Committee Report, this Parliament helped to remove the names of the alleged perpetrators of corruption, and the people out there are thinking that Parliament is encouraging corruption in order to make their lives even more difficult. This is because they know that there is lack of power, not because of the weather as many would like us to believe, but because of mismanagement and misuse of public funds, which would have been used to improve the power and water provision in this country.

We welcome the move to go and see our constituents, but some of us are lacking what we will tell them. I think it is time that the Government starts sending some hopeful messages to the people. One of those messages is for the President to consider showing that he is not also condoning corruption like this House seemed to show recently by, first of all, expelling those Ministers implicated in corruption from his Cabinet, especially those facing criminal cases in court because of stealing public funds, which should go a long way in helping the people in this country. We must have something to go and tell the people. I think we should send the right message to the people. A lot of people are saying that even the case in court right now against a certain Minister is just a mere public relations move so that the IMF and the World Bank can release aid to the country. Otherwise, the Minister in question should have been dismissed by now, even if he is reinstated to the Cabinet later. We seem to delight in borrowing money from foreign donors and forgetting that we are even mortgaging our great grandchildren. It is very good to borrow money, especially when it is put into proper use. So, we would like to urge that now that the Motion to increase the ceiling of Kenya's indebtedness has been passed, it will, and should, make a difference in the lifestyles of Kenyans who are under very difficult circumstances now.

We have borrowed a lot, but we have gone deeper into poverty. Why? This is because that money is never used for the public of Kenya, and we would like to urge the Minister that he also does not follow suit and that, the money borrowed goes into making the lives of Kenyans better. I hope that the Minister will put more emphasis on attracting investments as opposed to borrowing. Investments will create employment opportunities and wealth, but borrowing just sinks us deeper into debt. The Government has also resorted into competing with the business people in borrowing locally. No wonder the interest rates have gone so high, and employment opportunities and businesses have come to a standstill in this country, ruling out any hope for the creation of wealth in either way. The Nairobian, especially those in Jua Kali businesses, are going through a very difficult situation; they have literally closed their businesses. I would urge the Minister for Energy to consider extending power to areas of Jua Kali businesses so that the people of Nairobi, at least, can be able to carry out their informal sector businesses. There are also those other people in areas which provide medical services. No medical services should be affected by the rationing of power because that means loss of lives.

The people of Nairobi are very hard-hit; they have no water, power, and even food, and they are often forgotten when the rationing of power is going on, and farming is not going on in the rural areas--

I beg to support.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I am in support of this Motion. After these very difficult few days of serious debate, we are now going to do our other duties as hon. Members of Parliament. If I may touch on a topic of a lighter kind, when we go to recess, at least, two hon. Members will be leaving for Poland as hon. Members of the World Scout Parliamentary Association; that is an organisation that we belong to as the Kenyan Parliament, which holds its meetings once a year in one of the capitals of the world. So, this time, hon. Munyasia and myself will go to Poland to represent the Kenyan Parliament. At the same time, because the majority of the people we represent are young people, Kenya will be hosting a big conference for the young people - The Scouts' Jamboree - which will start in a couple of weeks' time. I want to urge hon. Members to

support as many of their young people to come to that jamboree as possible.

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Speaker, Sir, is it in order for the hon. Minister to represent young people in the scouts team when he has recently been accused of violating their rights?

(Laughter)

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, while we are at that, we are now no longer talking about the process of constitutional change; we are now discussing about constitutional change itself. We are, luckily, now beyond the clouds as far as the process itself is concerned. Now, Parliament has passed the law that is going to show us the direction on how the Constitution is going to be. I think this is the right time; the soonest the Commission has been formed, that we begin to engage in an exercise of civic education so that people in Kenya can now discuss the substance of how they would like their country to be in the future. It has taken us a long time of negotiations and counter-negotiations, arguments and counter-arguments, and now the people of Kenya are seized with the legal process in which they can change their Constitution.

I think it is better that we start focusing on the issues themselves and that we avoid a lot of acrimony on these issues of how Kenya will be governed. Members of Parliament, through this session, must be congratulated for having made a shot for democracy. After a lot of talk about non-parliamentary methods of changing the Constitution and going to Ufungamano, which has always been a house of prayer and not of laws, now the Members of Parliament have said that those are not methods for changing our Constitution. I think that now---

Mr. Gatabaki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Minister to confuse Kenyans that the vote by KANU and NDP is representative of this House when they are a minority, misled and evil-minded?

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, my hon. friend from Githunguri knows, of course, that it is his responsibility not to confuse Kenyans. The truth is that democracy says the majority does win. We happen to be the majority, both in the House and in this country, and the majority has spoken. I hope that, that group called Ufungamano, to which the hon. Member is very close, should now weed itself out because it was a weed in the first instance.

Mr. Kihoro: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is very well aware that there is a big difference in this country about the Constitution. Talking about Ufungamano folding up is refusal to appreciate what is happening in respect of this Constitution and---

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Kihoro!

The Minister for State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I think that if the Ufungamano group will have any roles, it is just two roles; one is to pray for a peaceful constitutional process, and the other one is to contribute to the Commission its own ideas, if it has any, so that it can be taken into account. It can never be a substitute for this National Assembly to which hon. Kihoro is a proud Member.

I beg to support.

Mr. Donde: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me time to contribute to this adjournment debate. I have no quarrel with the adjournment because it has been quite a difficult period for Members. I would urge the Government to understand that as we go for this two-month recess, we have left a number of questions unresolved, about which we will have problems explaining to the people on the ground. For example, we are going for recess when the country is faced with power rationing. I would urge the Government to try and address these issues the same way they have been trying to do when the session was on. I understand that in parts of my constituency, in Gem, we have no power for the whole afternoon until at night. Most of the posho mills use electricity and people are not able to grind their maize into flour. Electricity comes back very late at night, and women get attacked when they go to use these posho mills at night. These are small things which irritate a lot of our people in the countryside, and they keep on asking us what should be done about it. I would urge Minister Lotodo to look into how electricity can be supplied to the countryside, at least, for two or three hours in the afternoon so that some of these people can use those posho mills during those times.

We are also going for recess when Nairobi is being faced by water shortage. We have seen how our brothers who live in very difficult places face the problem of walking for miles to look for water. It is our responsibility and that of the Government to find a solution to the problem which people are facing in the estates in Nairobi. I know of the state of poverty in this City. People are living in very bad conditions. If you look at how our brothers and sisters are living in some of these estates, you will not believe it. We should be ashamed in this country that we can let our own people live in such state of poverty. I find it very difficult that we now have the poverty reduction strategy paper, but it is not addressing the problem which the people face in these inner-city estates. It is really difficult for them. As we go for recess, we should make the Government aware that they should continue to try and address this problem during

recess, even if we are not here to remind you.

We are also going on recess when the country is faced with famine. I brought a question to this House and urged that people in some parts of my constituency, particularly the southern part of Gem, are having one meal per day because the crops have withered. Up to now, the Minister has not taken any action. It is not fair that we should use this House as a talking shop. If a Member comes with a problem like that, the Minister should take action straightaway. If you see a child of three years having one meal a day at the moment, within another two months, you will see that child losing weight, and within another six months we will be reporting deaths. We do not want to wait for that situation to get to that level for the Government to act.

I was very surprised when the Minister gave me an answer that the situation in Gem is not alarming. He wants people to start dying so that he can act. We are responsible citizens of this country. We should try and help these people before the situation gets worse. I urge the Government to try and attend to these problems early. I plead with them to distribute food to my constituency, especially in the southern part, before it is too late. You really do not want to put me in a situation where people will be dying and they will be wondering what I was doing and whether or not I told the Government. I have done it. This is the third time I am saying it in this House. I would ask the Government to really attend to some of the things we speak about in this House.

As we go for recess, we have two months. I would urge the Minister for Public Works and **[Mr. Donde]** Housing to try and allocate some money to the District Roads Committees so that we can put them in motion when we are on recess.

I beg to support.

Mr. Badawy: Bw. Naibu Spika wa Muda, ninasimama kuunga mkono Hoja hii. Kuna haja sana turudi nyumbani kwa sababu kuna shughuli tofauti; hata katika sehemu ambazo hazina njaa, zilibarikiwa na Mwenyezi Mungu kupata mvua na zikawa na chakula kwa sababu wananchi wetu wana matatizo kadha wa kadha. Nimefurahi sana leo kumsikia Mhe. Orenge akiongea Kiswahili. Ninaona tumeanza kutoka katika ile kasumba ambayo wasomi hufikiria kuzungumza Kiswahili ni uduni na udufu. Natazimia siku ambayo Mawaziri wetu wengi wasomi kutoka pande zote mbili hizi wataanza kukithamini Kiswahili. Ukweli ni kwamba watakuwa wanathamini yale tunayopitisha katika Nyumba hii; moja ikiwa ni hile Hoja iliyosema kuwa kuwe na halmashauri ya taasisi ya lugha. Hii pia ni kutilia mkazo kwamba kuna haja zile Hoja za Wabunge zinazopitishwa siku za Jumatano hapa ziangaliwe na kutekelezwa.

Moja katika mambo ambayo ni muhimu kutekelezwa pia ni kutafsiriwa Katiba kwa Kiswahili; hii Katiba ambayo inaleta mzoano kiasi cha kwamba ukweli ni milki mpaka sasa ya Nyumba hii na lile jumba la Ufungamano. Mpaka sasa, wale tunaajitambua kama viongozi na kutambua kwamba tuna wajibu kwa wale waliotuchagua na kwa wananchi kwa jumla, tumeifanya Katiba hii na majadiliano juu ya Katiba kuwa kama milki yetu sisi tu, ya kutufanya tuendele kuzozana. Umefika wakati kupatikane watu wa msimamo wa kati. Umefika wakati kupatikane watu wa msimamo wa kufikiria taifa hili zaidi, kuliko kufikiria ubingwa wa kuzungumza, kushawishi wafadhili, kutanguliza misimamo ya vyama vyao na kadhalika, na zaidi, kuangalia natija zao wenyewe za siku za usoni katika kulitawala na kuliendeleza taifa hili.

Bw. Naibu Spika wa Muda, Bunge hili lilipokata shauri mwaka wa 1995 kuwa na Kamati ya IPPG, utashangaa kusikia kwamba fikra hiyo ilitoka kwa Wabunge wachache wanaokaa viti vya nyuma. Lakini, ilileta faida na kuliokoa taifa hili kutokana na mizozo ambayo ingepatikana kutokana na vita kwamba, lazima kuwe na mageuzo ya Katiba. Ni masikitiko kwamba wale waliokuwa wakipiga kelele - na mpaka sasa sote bado tunatarajia mageuzo ya Katiba - ni aibu iwapo mpaka leo hatujapata suluhisho. Imebaki tu kuzozana na kila moja kusema: "Ni yule ndiye anayesababisha kutopatikana maafikiano." Kwa hivyo, ni muhimu kupatikane msimamo wa kati. Msimamo huo utapatikana kwa kila mmoja kuthamini na kutambua ya kwamba, kiongozi mwenye mawazo na fikra si yeye peke yake; wala si watu wenye kiwango fulani cha elimu; wala si watu ambao wana ngazi za kufika mahali fulani. Kuna haja sana ya kufikiria na kugeuza Katiba. Kila siku, tunaona haki za raia zikikosekana.

Ni masikitiko makubwa kuona kwamba Malindi, hivi leo ninavyozungumza; raia wa Malindi, haswa Waislamu, wanapata shida sana kupata vitambulisho vya kitaifa. Kila siku, kunakuja sheria na kanuni mpya ambazo, badala ya kumsaidia mwananchi kupata kitambulisho cha kitaifa, zinamtia shida zaidi. Umefika wakati tunaambiwa ya kwamba, mtu hapati kitambulisho mpaka awe na hati ya kuzaliwa. Kumetokea hati mpya za kuzaliwa zinazosema kwamba stakabadhi za kuzaliwa si thibitisho kwamba mwenye kitambulisho ni raia wa Kenya. Halafu, kwa hiyo, hiyo karatasi, raia anaambiwa aitoe ili apate kitambulisho. Anaulizwa hati ya kuzaliwa ya babake na hata babu zake ambao wamo makaburini! Kumewekwa kamati ya vetting ambayo haina maana wala thamani! Haisikilizwi mapendekezo yanayofanya kwa kutambua kuwa fulani ni raia, mtoto wa fulani, au ni mzaliwa wa sehemu fulani. Mambo hayo hayatambuliwi kabisa na hayana maana kiasi cha kwamba, hata ile misako inayoendelea, kitu cha kwanza kuulizwa ni kitambulisho! Inamchukua mtoto wa miaka 18 miaka mingi kupata kitambulisho, au kukosa kabisa. Sasa, ataweza kujitambulisha namna gani? Kwa hivyo, naomba Waziri anayehusika, ambaye alikuja Malindi tukamweleza matatizo yetu, aangalie mambo hayo.

Bw. Naibu Spika wa Muda, twazungumzia mambo ya kukomesha ukimwi. Ni hatua kubwa sana kuanzishwa kamati za sehemu za uwakilishi Bungeni, ili kupambana na ukimwi. Lakini National AIDS Control Council lazima iwe na mwongozo wa kuhakikisha ya kwamba, kuna mawasiliano, maridhiano na maafikiano baina ya harakati mbali mbali za kupambana na ukimwi. Ni wiki mbili zilizopita wakati tulianzisha rasmi kamati ya ukimwi katika sehemu zetu. Siku hiyo, Maendeleo ya Wanawake pia walikuwa na mkutano wao wa ukimwi.

Kwa hayo machache, naunga mkono.

Mr. Mwiraria: Bw. Naibu Spika wa Muda, nakushukuru kwa kunipa nafasi hii, niunge Hoja hii mkono. Nina hakika ya kwamba muda huu ambao tumepata, utatupa sote nafasi ya kufikiria kazi zetu. Hata sisi tukiwa Wabunge, utatupa nafasi ya kurudi nyumbani tukae pamoja na wale waliotuteua, tuone ni kazi gani tutawafanyia kwa bidii zaidi.

Hii leo, nataka kumwomba Waziri wa Kawi; nataka kumwambia ya kwamba ukweli, kama angetaka kutuambia, ni kwamba hakuna maji katika mabwawa huko Mto Tana. Maji yamekwisha. Hatutarajii tutaendelea kwa wiki mbili tukipata kawi yoyote kutoka Mto Tana. Kwa hivyo, itambidi yeye mwenyewe na Wizara yake kututafutia kawi kutoka mahali pengine. Tumesikia ya kwamba wanafanya mpango wa kuleta mashine za kutoa kawi kiasi kama 105KW mwezi wa Septemba. Katikati ya sasa na Septemba, tutakuwa tukitumia nini? Inafaa mjiulize mkiwa Wizara, ni hasara gani Kenya kama nchi, inaingia kila siku kutokana na ukosefu wa kawi. Kwa hivyo, hata kama ni kurusha vyombo hivyo kwa ndege, mfanye jitihada mfanye hivyo. Muda huu, tutapata nafasi ya kufikiria kama Wakenya, na siyo wana-KANU, wana-DP au wana-NDP, ni kitu gani tutafanya ili tugeuze uongozi wa nchi hii, ili tulete mageuzo katika uongozi wa uchumi wa nchi, ili tulete mageuzi kwa njia tunayotumia ya kutengeneza Katiba mpya. Tukiendelea na mashidano ya vyama, nchi yetu Kenya itaendelea kuumia. Kwa hivyo, ni ombi langu kwetu sote Wakenya, tukienda nyumbani, tujiulize kama taifa, ni wapi tulikosea. Itatubidi kufikiria ni kitu gani tutafanya ili tuokoe nchi yetu.

Kufikia hapo, Bw. Naibu Spika wa Muda, sasa nataka kufikiria tu mambo ya Imenti Kaskasini, mahali ambapo ngamia, ambao hatujawaona tangu tuwe watoto, wanakula mimea katika mashamba ya watu. Ng'ombe wa watu wengine wanaruhusiwa kuingia msituni lakini wetu wakiingia, wenye ng'ombe wanashikwa na Serikali. Nitasema leo kwamba: mimi naenda kuhakikisha ya kwamba zile haki ambazo Wakenya wengine wanapata kuingia msituni huko Mlima Kenya, Wameru ninaochunga nao watazipata! Kama Serikali haitazitoa bila mapigano, wananchi watajua watafanya nini! Sitasema hayo hapa!

Mwisho, nataka kuomba ya kwamba, kuna watu wengi sana walio na njaa. Nikienda nyumbani, taabu kubwa ninayoipata ni watu wengi wanaokuja kwangu wakiwa na watoto wasioweza kuwalea. Shule nyingi hazina watoto kwa sababu hakuna chakula. Naomba Serikali ikitoa msaada wa chakula, itoe bila kusema eti huko kwa kawaida, ni matajiri. Wakati wa utajiri umekwisha. Wote tuna taabu ya njaa. Ningeomba msaada wa chakula kwa watu wangu wa Imenti Kaskazini.

Kwa hayo machache, naomba kuunga mkono.

The Minister of State, Office of the President (Maj. Madoka): Ahsante sana, Bw. Naibu Spika wa Muda. Ninasimama hapa kuunga mkono Hoja hii. Ninafikiri kwamba tutakubaliana sote kwamba Bunge hili la Nane, na hasa Kikao hiki cha Nne kimekuwa cha manufaa sana. Kuna wakati Wabunge wa Upinzani waliofaulu na sisi katika upande wa Serikali pia tukafaulu, na sina shaka kwamba tutazidi kufaulu.

Kitu ambacho kinasikitisha ni kwamba mara nyingi tunaendelea kuangalia yale mambo ambayo yamepita, badala ya kukaa na kujiuliza: "Je, ni kitu gani ambacho tunaweza kufanya ili tuweze kusaidia nchi hii?" Kuna picha moja ambayo inauzwa barabarani na mara nyingi nimeiona kwa maofisi au nyumba za watu wengine. Picha hiyo ni ya mwanakondoo. Maandishi yaliyoko juu ya picha hiyo yanasema: "Ukizidi kuangalia nyuma, hutajua uendapo." Huo ndio msimamo wangu. Ninafikiri ni vyema sisi kama Wabunge tusiwe tunafikiria makosa yaliyotokea hapo awali kila mara. Ni heri tuanze kuuliza ni kitu gani ambacho tutafanya ili tujenge taifa letu. Kuna Wabunge wengine, hasa wale wa Upinzani, ambao watasimama kila wakati na kuilaumu Serikali. Watateta kwamba Serikali haijafanya jambo hili na lile, lakini nikiwaita kando na kuwauliza: "Je, kama unasema kwamba Serikali haijafanya hili na lile, hebu nieleze tutafanya nini?", mara nyinyi watasema kwamba hilo ni jambo la Serikali na hawajui kama kuna jawabu kwa swali hilo. Kama unafikiri hakuna jawabu kwa swali hilo, kwa nini unasimama hapa na kuishambulia Serikali? Unadanganya wananchi! Ni lazima tuwe waaminifu na tuseme ukweli.

Bw. Naibu Spika wa Muda, katika kikao hiki, kitu ambacho kinanisikitisha ni lugha ambayo Wabunge wengine wamekuwa wakiitumia hapa; lugha ya matusi ambayo inafanya Bunge hili lidharauliwe. Hili ni Bunge la heshima na inafaa tuendeleo kutumia lugha ambayo inadumisha heshima yake. Ninawaomba Wabunge wenzangu waombe kuwe na amani na umoja katika nchi yetu wakati wa mapumziko. Tusiende na kuongea mambo ambayo yatafanya Wakenya waanze kupigana, wachukue hatua au vitendo ambavyo vitaharibu amani na usalama wa nchi hii.

Jambo lingine ambalo tumekuwa tukiongea juu yake ni Katiba, na inasikitisha sana kuona kwamba Wabunge wengine watawambia wananchi kwamba Bunge hili litachukuwa mamlaka yote ya kurekebisha Katiba. Ningependa

kusema kwamba wananchi wanafahamu kwamba huo ni uwongo kwa sababu ni wazi kwamba kama wamefuata majadiliano ya kubadilisha Katiba, watafahamu kwamba Kamati itachaguliwa ili kukusanya maoni ya wananchi katika kila sehemu ya nchi hii. Ningependa kusema kwamba baadhi ya Wabunge watazunguka na kudanganya wananchi kwamba tumepitisha kwamba ni Bunge pekee ambalo litabadilisha Katiba. Ninawasihi Wabunge waende huko nje na waongee ukweli kwa sababu, ni ukweli ambao utasimamisha nchi hii ili tuweze kuendelea mbele na umoja.

Bw. Naibu Spika wa Muda, kwa hayo machache, ninaunga Hoja hii mkono.

Mr. Ojode: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute on the Adjournment Motion. First of all, I would like to say that we would like to know what is happening within Nairobi City. I am asking this as the Shadow Minister for Local Government. Since the Provincial Commissioner of Nairobi "died" last year, up to now, there are no services which are being rendered to the Nairobi residents. The Provincial Commissioner "died" because we have not heard of him since that time.

We are now talking about street children. I would like to inform this House that the children are disposing of raw sewage within the streets and Nairobi City is stinking. We wonder whether we are in Uganda, Tanzania or Nairobi, which is the Capital City of Kenya.

The Assistant Minister, Office of the President (Mr. Gumo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to attack the Provincial Commissioner as if he is the one who runs the services of Nairobi City, when it is well known that the services of Nairobi are run by the Nairobi City Council (NCC) which is led by the DP?

Mr. Wanjala: And then NDP!

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I do not want to have partisan politics. I am very serious while contributing to this Motion because even hon. Gumo knows that Nairobi is stinking. We are not provided with services in Nairobi. When we had the former PC, Mr. Kaguthi, some services were being provided in Nairobi as opposed to now. We need to know what is happening in Nairobi.

On security, I would like to inform this House that you cannot walk in Nairobi at night. Forget about the rationing of power and water; we want to know what is happening. If it is the DP Mayor who is not rendering any service to Nairobians, let him go and choose another person who can render the services. Let them have Mr. Aketch, if possible.

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

Mr. Wanjala: Now, what is your point of order?

Mr. Mwenje: We must defend ourselves!

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Mwenje! You should stand there and then I give you a chance to speak. You should not just walk to the microphone. Would you sit down?

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

Mr. Ojode: Mr. Mwenje, please, I am having only two minutes!

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order, knowing very well that there is no DP Government in this country--- It is the KANU Government that is running City Hall through their Town Clerk!

Mr. Ojode: Thank you, "Councillor". I wanted to mention---

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

The Temporary Deputy Speaker (Mr. Musila): Order, hon. Members!

Mr. Ojode: You are taking my time, you, hon. Members!

The Temporary Deputy Speaker (Mr. Musila): Order, hon. Members. I would like to appeal to hon. Members to stick to the Motion. I want to caution that the Chair will be very firm, so that we end this Session in an orderly manner.

Mr. Ojode: Thank you, Mr. Temporary Deputy Speaker, Sir. I wanted to talk about the Kenya Airways. Recently, we were told that the company purchased two Flamingo aircraft. We were told that the aircraft will take the place of Eagle which we used to have for the Kisumu route. When we checked the aircrafts which were brought, we found that they are second-hand aircraft of 12 years. I would like to inform this House that they spent more than US \$11 million on the second-hand aircraft. Kenya Airways disposed of the Fokker 50s because they were no longer being manufactured. I would like to inform this House that the firm which manufactured the aircraft which have already been acquired has stopped manufacturing them. So, why should we dispose of the Fokker-50s and go for the Saabs from Sweden, whose manufacturer has already ceased to manufacture them? Why should they do that? What is the use of doing that?

I would like to inform this House that they purchased these aircraft without any committee; it was done through single-sourcing. In fact, I would like the Minister, hon. Mudavadi, to come up and tell us why it was necessary

for the Kenya Airways to do single-sourcing in purchasing aircraft which do not have spare parts.

Mr. Kones: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the adjournment Motion.

I will go home after this, a very sad person because I will meet people who are languishing in poverty. The level of poverty in the countryside is enormous. It is so extensive that it is frightening. The situation has been made worse by the power rationing programme. All the jua kali artisans who used to operate small businesses have virtually closed down. They are now coming over to our homes and offices trying to get jobs, but there are no jobs. Something must be done about this. I cannot see a solution to this because even today, as we are talking, our forests continue to be destroyed. The Mau Forest that is adjacent to Bomet District is being destroyed in a huge way. But the unfortunate thing about it is that the small indigenous saw-millers have been discontinued and one saw-miller, who is not even an indigenous person, has been given the monopoly to cut down all the trees in that forest. We fail to understand why these saw millers were discontinued from milling and this one saw miller is harvesting almost 100 tonnes of timber per day, while the small-scale saw millers were probably harvesting about 40 tonnes per day.

This will not help our economy. It will not alleviate poverty. We are talking about poverty alleviation, but we are not doing it practically on the ground. Something must be done. This one saw-miller in the name of Ms Raiply, who is harvesting timber and destroying our forests, denying our indigenous saw-millers the opportunity to harvest timber and, at least, employ some few people, is not doing us any good. Somebody must be responsible for this and I think the Minister for Natural Resources should tell this House why he discontinued the work of other saw-millers and allowed only one person to continue harvesting timber.

Mr. Temporary Deputy Speaker, Sir, if we are really serious about reduction of poverty in this country, we should focus on the projects that assist the small farmers. The Kenya Tea Development Agency (KTDA) now has been streamlined and it is operating very well with the new appointment of the Board, and the new system where KTDA has been converted into an agency. The factories have been left to be run by the farmers themselves. There is the Pyrethrum Board of Kenya, which is as good as dead. The Minister responsible should think of bringing a Bill here to also do as we did to the KTDA, so that pyrethrum farmers will own the crop and will decide on the marketing strategies themselves, as opposed to the Board doing that because it is actually frustrating the farmers. If we do not do anything about the pyrethrum industry in this country, we will lose the crop. I think the production of this crop has reduced by nearly 80 per cent, yet this crop used to help farmers a lot. I urge the Minister responsible to come up with a Bill to this House so that we can repeal the existing Act and liberalise the Pyrethrum Board of Kenya.

Mr. Temporary Deputy Speaker, Sir, with regard to the constitutional review process, we are going home empty-handed and we do not know what to tell people about it. This is because certain people feel that they can muzzle everybody and change the Constitution the way they want. The Constitution of this country is a very important document. A few people cannot sit together and start thinking that they have won the day, just because they have a simple majority in the House. There is a big majority out there waiting. People can lie and cheat themselves around here, but the fact remains that the Constitution remains the property of Kenyans. It will not be an individual's matter. If we want to come out of this poverty in this country, one thing that must be looked into seriously is the Constitution. If we do not look at that and allow everybody to have a chance in it, we will land this country into a lot of chaos. It is not enough to say here that we have agreed; there is a majority and all that. We are aware that certain people have already drafted the Constitution. They just want to hand it over to Kenyans. We are aware that some things have happened. We should stop this manipulation.

Dr. Omamo: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I have got two points only to make.

First, I would like to appeal to the Ministry of Agriculture and Rural Development and the Ministry in charge of commerce to focus on what is happening in Muhoroni and Miwani Sugar Companies. These are companies where the Kenya Government has a lot at stake. In Muhoroni Sugar Factory, the Government holds more than 90 per cent of the shares, but this factory is crumbling because of the very old machinery that is being used there. Miwani Sugar Factory, where the Government owns, at least, 49 per cent of the shares, is in tatters. The nucleus estate is under-utilised and the factory itself is old and tottering. Now that the Government has the possibility of having additional funds, could some of this money be used to save Muhoroni and Miwani Sugar Factories in my constituency?

My last point is directed to the Minister for Environment and also the Minister for Roads and Public Works. As you travel from Nairobi to Kisumu or Eldoret, through Limuru and Mai Mahiu, whether you look right or left, you will see garbage of plastic used papers all over. It is garbage, garbage, until you get to Naivasha Town. As you approach Gilgil, it is garbage, garbage, garbage! From Gilgil, as you approach Nakuru Town, it is---

Hon. Members: Garbage, garbage, garbage!

Dr. Omamo: And as you pass Nakuru Town and approach Molo, it is---

Hon. Members: Garbage, garbage, garbage!

Dr. Omamo: Mr. Temporary Deputy Speaker, Sir, could we do something to clear this garbage? It is an eyesore to our visitors and to Kenyans who want decency.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Maundu: Asante, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nitoe maoni machache kuhusu wakati huu wa likizo ya kutuwezesha kuwa pamoja na wananchi wetu, kuzungumza nao na kuwaeleza vile tulikuwa tunajadiliana hapa, na vile watakvotupatia mtihani wa muda kuona tuko wapi katika siasa.

Bw. Naibu Spika wa Muda, nataka kusema kwamba kuna baadhi ya matatizo ambayo yanaikumba nchi hii ambayo, wakati huu wa likizo, ni lazima tuyafikirie na kuanza kuona ni mbinu gani tutakazotumia kuyatatua matatizo kama haya. Katika maendeleo ya nchi, kuna miradi kadha wa kadha ambayo ilikuwa imeanzishwa na Serikali ambayo imeachwa nusu, na mingine imeachwa ikiwa karibu kumalizika. Hakuna mwelekeo wowote kutoka kwa Serikali kuhusu jinsi hiyo miradi itakavyotekelezwa.

Bw. Naibu Spika wa Muda, katika Bajeti iliyosomwa na Waziri wa Fedha katika Bunge hili, hakuna mwelekeo wowote ambao ulitolewa na Serikali au Waziri wa Fedha kuonyesha kwamba kuna matumaini katika miradi hiyo, na jinsi zile pesa ambazo Serikali imetumia katika miradi hiyo zinaweza kuokolewa. Ni lazima Serikali ifikirie hatua itakazochukua kuona kwamba miradi hiyo imekamilishwa ama kupatiwa watu wanaoweza kuikamilisha au wafikirie ni njia gani wanaweza kutumia kuokoa pesa za umma ambazo zimetumika katika miradi ambayo imekwama kufikia sasa.

Bw. Naibu Spika wa Muda, tumepata kiangazi kikubwa sana na janga la njaa katika sehemu za Ukambani, Turkana, Kaskazini Mashariki na nchini kote. Ningependa kutoa shukrani kwa yale mashirika ambayo yanatupatia chakula na nisema kwamba, ule mtindo wa kutoa chakula sasa huenda ukapamba moto na kufanikiwa. Mtindo wa zamani wa machifu na maofisa wa utawala katika wilaya kugagwa chakula ulitatiza mpango wa kutoa chakula.

Maofisa wa World Food Programme, Mashirika Yasiokuwa ya Serikali na mashirika mengine yanayosaidia katika kazi hii, wakipata chakula cha kutosa, tuna hakika kwamba maisha ya wananchi wetu yataokolewa. Tunaomba kwamba mashirika ya kutoka nchi za nje ambayo yanatoa chakula yaongeze chakula hicho ili wananchi wengi waweze kukipata.

Bw. Naibu Spika wa Muda, jambo ambalo hatuwezi kusahau kulizungumzia wakati huu---Mswada kuhusu sheria ya kurekebisha Katiba umepitishwa, na hiyo ni kusema kwamba Katiba ambayo itatengenezwa katika nchi hii ni Katiba ya raia wa Kenya! Mtu ambaye atajidanganya mwenyewe kwamba sheria ikipitishwa hapa Bungeni, Katiba ya Kenya imetengenezwa, ameanza kuota mchana! Hakuna mwananchi wa Kenya ambaye atakubali Katiba ambayo imebadilishwa na wachache na kuendelea kuipamba katika mafikira ya raia katika vyombo vya habari! Tunapotoka hapa tunakubaliana kwamba tutatengeneza Katiba ambayo ni ya raia, Katiba ambayo inatilia maanani uwezo wa raia katika kusimamia maslahi yao, mambo yao na maendeleo yao.

Bw. Naibu Spika wa Muda, jambo lingine ambalo ni la maana ni kwamba, ikiwa kuna Bunge na Ufungamano, hao wote ni raia wa Kenya. Sote tutashiriki katika Katiba ambayo itasimamia maslahi yetu. Tunasema kwamba kusiwe na Katiba ya chama ama Katiba ya muungano wa vyama! Tuwe na Katiba wa muungano ya raia wa Kenya ilikuhakikisha kwamba matatizo ambayo yanatukumba wakati huu yameanza kutatuliwa kwa njia inayofaa.

Bw. Naibu Spika wa Muda, jambo la mwisho ni ule mtindo wa Waziri wa Elimu wa kuwahamisha walimu katika nchi yote, kama vile kutoka upande wa Makueni hadi Turkana, ambao utakuwa mgumu na utadhoofisha maisha ya walimu. Yafaa walimu wapatiwe uthabiti wa kutosha ili waweze kufanya kazi yao bila kudhulumwa. Mishahara ya walimu ni midogo. Haifai kuwahamisha walimu kila mahali. Yafaa tuwapatie imani ya kufanya kazi yao katika hali ya utulivu.

Kwa hayo machache, ninaunga Hoja hii mkono.

Dr. Kituyi: Ninakushukuru Bw. Naibu Spika wa Muda, kwa kunitunukia fursa ili ninene machache kupinga Hoja hii ya kutafuta likizo ya aibu. Ni kwa nini ninasema likizo ya aibu? Kwanza kabisa, huwa tunaenda likizo ikiwa tulikuwa tunafanya kazi. Ni kazi gani ambayo tumefanya katika awamu hii ambayo inatufanya tusitahili likizo?

Bw. Naibu Spika wa Muda, ni kazi mbili tu ambazo tumezifanya. Kwanza, tulipitisha kwamba tutawanyima wananchi fursa na jukumu la kukarabati Katiba yao, tuwapatie wachache ambao wemependekezwa na KANU. Pili, tumepiga kura kwamba hatutaki kumaliza ufisadi katika nchi yetu bali tunataka kuficha yale majina ya wale walanguzi na wezi!

Bw. Naibu Spika wa Muda, hiki kimekuwa kikao cha aibu. Hata kama tumejaribu vipi kudhuru heshima ya wananchi, mbiu ya mgambo imelia! Tumetangaza vita dhidi ya wala rushwa, wafanya magendo, walanguzi, wasiowajibika na wale wote wanaohujumu uchumi wa taifa letu. Vita hivi, hata hawa walaghai wafanye namna gani, tutavishinda! Kama Bunge litashindwa katika hivi vita, raia wa Kenya watavishinda!

An hon. Member: Ndio! Kweli!

Dr. Kituyi: Bw. Naibu Spika wa Muda, wakati tunaenda likizo, ninawaomba Wakenya waone kwamba kama tumepoteza heshima na kuaibika na yale tunayoyafanya, wazalendo wenyewe waanzishe vuguvugu la kujikomboa.

Yafaa likizo hii ilete uzinduzi wa lile vuguvugu la kuwakomboa wazalendo wa Kenya dhidi ya uongozi mbaya.

Bw. Naibu Spika wa Muda, wakati tunapoenda likizo, wengine wanasema kwamba tunapata fursa ya kwenda kukaa na watu nyumbani na kula nao matoholo na ndazi. Kwani huwa hawawatembelei wananchi wao wakati Bunge linapokaa? Tunafikiria kwamba kila wiki, kutoka Ijumaa hadi Jumatatu, tunaenda katika sehemu tunazowakilisha Bungeni.

An hon. Member: Na wanaitisha pesa za kwenda kuwatembelea wananchi!

Dr. Kituyi: Bw. Naibu Spika wa Muda, mbona tunasema sasa kwamba tufunge Bunge ili tuende likizo kwa sababu tumepitisha Mswada ulioletwa Bungeni na Kamati Teule ya Bunge iliyoongozwa na Raila? Tumeua "Orodha ya Aibu" ndio tuanze kwenda kuwaona wananchi? Tumekuwa tukiwaona akina nani wakati huo wote?

Bw. Naibu Spika wa Muda, kama uongozi wa kisiasa umekuwa na ufukara wa kimawazo; umekosa fikara endelevi, lazima wananchi waanze kutafuta mbinu nyingine za kujikomboa na kujihami dhidi ya uongozi ambao umepoteza mwelekeo. Pengine fursa imepatikana sasa ya kufurahia kwamba, baada ya muda mrefu, tumekubaliana na wafadhili wa kimataifa kutupatia misaada na mikopo. Ati haya ndiyo matunda ya uongozi wa kisiasa? Miaka mitatu baada ya kusema kwamba "kama mtu yeyote hataki kutupatia pesa, azipeleka mwezini!" Sasa tumelia na kuomba, na sasa misaada pamoja na mikopo iko karibu kurudi.

Bw. Naibu Spika wa Muda, leo hii katika Bunge hili, mhe. Prof. Anyang'-Nyong'o alileta thibitisho kwamba kuna ile kesi kule Marekani ambayo inaweza kutufanya tulipe kiwango kinacholingana na zile pesa ambazo tumeanza kusherehekea kwamba zinakuja. Jambo la muhimu ni kuwa na adabu. Kutumia wakati wa likizo kuanza kuongea kuhusu siasa potezi--- Kutusi watu kwa sababu ya makabila yao na kwa sababu ya kutokubaliana na siasa zao ni kuliaibisha Bunge la Kenya, cheo cha "mheshimiwa" na kuonyesha kwamba ufukara wetu umeenea sana. Wahenga walisema kwamba: "Kuenea kwa ukosefu wa adabu ni ishara ya kudidimia kwa ustaarabu". Na kama viongozi ambao wananza kuonyesha ukosefu wa adabu ndio wanaitwa "waheshimiwa", ustaarabu wa nchi umepotea. Tuna jukumu la kuonyesha kwamba tunajali ustaarabu wa Wakenya.

Bw. Naibu Spika wa Muda, wakati huu ambao tutakuwa kwenye likizo, mimea yetu itaanza kuwa tayari. Tunajua kwamba tuna ukame katika sehemu nyingine za Kenya, lakini katika sehemu nyingine, tumepanda maharagwe na mahindi.

Bw. Naibu Spika wa Muda, ninaomba Serikali yetu iwafikirie wakulima wetu ambao watafanikiwa kuwa na mavuno ya kutosha kila mwaka, kutokana na mvua wanayoipata kwa wakati huo. Haifai sisi kuagiza vyakula kutoka nje, ambavyo vitadhuru mazingara ya uuzaji na soko yetu ya mazao.

Kwa hayo machache, Bw. Naibu Spika wa Muda, napinga Hoja hii.

The Minister of State, Office of the President (Mr. Ntimama): Bw. Naibu Spika wa Muda, kwa kuunga mkono Hoja hii, nitasema mambo machache tu. Jambo la kwanza ni kuwa sote tunataka kupumzisha fikra zetu kwa sababu ya hekaheka, makelele na vurumai ambazo tumeshuhudia katika kikao hiki cha Bunge. Si lazima tupumuzike kwa muda fulani kwa sababu ya mambo ambayo yalitokea katika Bunge hili.

Bw. Naibu Spika wa Muda, nina furaha kwa sababu Kenya Roads Board Authority ilianzishwa rasmi na Waziri wa Barabara na Nyumba. Hii ni hatua moja ya maendeleo katika nchi hii na inaonyesha kuwa Serikali itafanya haki katika ujenzi wa barabara hapa nchini. Kuna sehemu zingine katika nchi hii ambazo zimesahauliwa kijiografia, hasa katika nyanja za maendeleo ya barabara. Miaka 10 iliyopita katika Bunge hili nimekuwa nikizungumza juu ya barabara kutoka Mau Narok hadi Nakuru. Nimekuwa nikiuliza Serikali kufikiri juu yake na kuweka lami barabara hiyo. Ni mapenzi yangu kuona barabara hiyo ikiwa na lami. Ni huzuni kuona ya kwamba barabara hiyo ni mbaya sana. Mwaka uliopita, malori yaliyokuwa yamebeba zehena za ngano yalikuwama barabarani hiyo. Wananchi wetu hawawezi kusafirisha mazao yao hadi mjini Nakuru kwa sababu barabara hiyo ni mbaya. Ni aibu kuwa ilitengenezwa kilomita 12 peke yake. Wakulima wetu wanauliza ni kwa sababu gani barabara hiyo haijawekwa lami kutoka Mau Narok hadi Nakuru. Ni matumaini yangu kuwa tume ya barabara itafanya haki kwa kila mwananchi katika nchi yetu. Tume hii katika kila wilaya, ni lazima ifanye ukarabati wa barabara ambazo zitawasaidia wakulima wetu kwa sababu uchumi wetu hutegemea kilimo. Tusipotilia maanani shughuli zetu za kilimo katika nchi hii, basi hatuwezi kukuza uchumi wetu. Wilaya ya Narok inakuza ngano kwa wingi. Kwa hivyo, ni vizuri tujaribu kuhitimu kutoka fikra za kupendelea wananchi fulani katika nchi hii, na tusawasishe maendeleo nchini. Ni lazima haki ionekane katika kila pembe ya taifa hili.

Bw. Naibu Spika wa Muda, ningependa kuzungumza juu ya mradi wa stima katika mashambani. Mimi sikatai wananchi wetu wapata stima. Lakini kuna stima kutoka Nakuru hadi Mauche ambayo haijasabazwa katika sehemu zingine ambazo zina maendeleo. Stima hiyo ilifika sehemu hiyo na inasalia kilomita 20 kufika katika sehemu hiyo yenye maendeleo. Katika sehemu hiyo, wananchi wa Narok District wamejenga nyumba za mawe na wana ng'ombe wa gredi. Je, ni kwa nini Serikali yetu haiwezi kuwafikiria na kuwapatia stima? Sikatai wananchi wa Mauche kupata stima, lakini kwa nini hawa wengine wenzao kule ng'ambo hawana stima?

Bw. Naibu Spika wa Muda, lami kutoka Naivasha imefika Kongoni, lakini haijafika sehemu ya Maasai. Pia

barabara ya lami kutoka Nakuru imefika Mwisho wa Lami; haijafika mji wa Narok District. Ni kwa nini tunawanyima wananchi wa Narok barabara ya lami? Wazungu walisema Wamasai walikuwa na historia, lakini hawakuwa na jiografia yo yote.

Bw. Naibu Spika wa Muda, ningependa kusema kwamba siasa za kupendelea na kugawanya lazima zikomeshe ili tutafute njia nzuri ya kuleta maendeleo katika maeneo hayo. A fair and just distribution of resources in this country should be done because without doing that, we will go on asking all the time: Why is that not done?

Kwa hayo machache, ninaunga mkono.

Mr. Murungi: Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support this Motion. But in doing so, I want to call upon all the people of Kenya to turn in great numbers and reject this rotten and corrupt KANU Government. As Dr. Omamo has clearly demonstrated, this Government deserves to be called a "garbage Government" and it should be thrown into the garbage dump. It has accumulated garbage everywhere, from Mombasa to Kisumu, from Nairobi to Meru. There is no positive aspect of this Government. KANU itself, as hon. Martin Shikuku said in 1975, is a dead party. He was detained for that. But it is a matter of fact KANU is dead. Just last week, I went with one of the senior Ministers--

The Minister for Medical Services (Dr. Anangwe): Nidhamu, Bw. Naibu Spika wa Muda. Mhe. Murungi anapotosha Bunge hili kwa kusema kwamba chama cha KANU kimekufa. Ukweli ni kwamba chama cha KANU ndicho kinatawala.

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, only last weekend, I went to my constituency with hon. Biwott and I told him: "Since President Moi will not stand up in the year 2002 and you are very powerful in this Government, why do you not stand as a presidential candidate? The man shied away. KANU has no presidential candidate for the year 2002. That is why they are urging President Moi to break the Constitution and stand for presidency, when the Constitution clearly says that President Moi cannot stand again. KANU is a bankrupt party and it has no presidential candidate for the next elections as we are talking here.

(Applause)

(Mr. Haji stood up in his place)

Is hon. Haji going to be the presidential candidate? Can he tell us whether he will be the presidential candidate?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Murungi!

The Assistant Minister, Office of the President (Mr. Haji): Ni nani alisema kwamba Rais Moi hawezi kusimama?

The Temporary Deputy Speaker (Mr. Musila): Order! Order! Bw. Haji, hilo ni swali unauliza.

The Assistant Minister, Office of the President (Mr. Haji): Nidhamu, Bw. Naibu Spika wa Muda. Ni haki kwa mhe. Mbunge kusema kwamba Rais Moi hawezi kusimama mwaka wa 2002?

Hon. Members: It is quite clear!

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, it is quite clear the material we are dealing with. Could Mr. Haji go and read the Constitution which shows clearly that President Moi cannot stand again? Just last week, on 18th July, we said it was a dark day for this country because powerful KANU forces mobilised to "kill" the "List of Shame". That was a great event because the "List of Shame" was foreseen by the prophets. I would urge KANU people to read Zachariah 5:1-4, which talks about the flying scroll. "The List of Shame" was the flying scroll which Prophet Zachariah was talking about. He said that it is the curse of thieves. We have two big Judases on the Opposition side; that is, Messrs. Anyona and Raila. These two Judases have caused Kenyans the greatest harm that has been done in this Century, both in terms of Constitutional Reform process and also in terms of the Anti-Corruption Report.

(Applause)

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Murungi, you a very experienced Member of this House and you know the rules. If you wish to discuss the conduct of any hon. Member adversely, you have to bring a substantive Motion. Those are the rules of this House; we have made them and I expect you to obey them.

Mr. Kihoro: But they are not complaining and they are here!

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, we are actually going to bring a Substantive Motion here and discuss the conduct of Messrs. Raila and Anyona.

The Temporary Deputy Speaker (Mr. Musila): Order! Order, Mr. Murungi! When you bring that Motion here, that will be the right time to discuss the conduct of the two hon. Members, but not now.

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, because my time is running out, all that I would urge Kenyans to do is that, from now onwards, they should take every opportunity to reject KANU, because KANU will never solve their problems. Hii ni Serikali ya njaa na UKIMWI; it is a garbage Government!

Mr. Murathe: Thank you, Mr. Temporary Deputy Speaker, Sir--

Mr. Wambua: But I am already on the Floor, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Musila): Never mind; I will give you a chance.

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, is the hon. Member implying that the Chair is blind or what? Could he sit down?

Temporary Deputy Speaker (Mr. Musila): Order! Order! Never mind; I will compensate you.

Mr. Wambua: Mr. Temporary Deputy Speaker, Sir, who is supposed to be on the Floor now?

The Temporary Deputy Speaker (Mr. Musila): I have given the Floor to Mr. Murathe. I know the difference between Mr. Wambua and Mr. Murathe.

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, I rise in support of this Motion of Adjournment, because something very good happened here today. If we had not proceeded on recess today, the Raila Team, which intended to come here and form the Constitutional Review Commission, would have led this country to total confusion. I am very glad that we are going on recess until October, so that the Raila Bill can remain a "still-born Bill". The recess will give us time to sobber up, reflect and consult on this issue. Probably, by then, Mr. Raila will have seen the light and consulted with those who are for the Ufungamano Constitutional Review Initiative.

Mr. Ngure: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could we have these nonentities - the "born-again Christians" who were sitting on the Government side of the House when people were being detained - to stop talking ill of Mr. Raila who leads a party? The hon. Member on the Floor leads nothing.

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, I have never sat on the Government side of this House before. You appreciate that the previous Government ran this country for 15 years. The subsequent Moi Government has now led this country for 22 years now. It was upon the Moi Governments to correct the mistakes that were done during the Kenyatta Government. Instead, the Moi regime has destroyed the little gains that were made during the first 15 years of this country's Independence!

(Applause)

Those who are playing mickey-mouse games here about succession, think that we have not realised this. We know one thing for certain: six million Kenyans voted for the Opposition in the last General Election. The Government side got two million votes, the rigged votes included. The real dynamics of the next political game will be based on the principle of one man, one vote.

The Assistant Minister for Environment and Natural Resources (Mr. Kimkung): (inaudible)

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, there will be no way Mr. Kimkung will come here with minority votes and run this Government again.

The Assistant Minister for Environment and Natural Resources (Mr. Kimkung): Mr. Temporary Deputy Speaker, Sir, I got 25,000 votes in the last General Election.

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Kimkung!

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, you witnessed for yourself what happened here during voting on the "List of Shame", people voted conveniently. Some KANU hon. Members voted with the Opposition, while other Opposition hon. Members voted with the Government side. When it is convenient to him, Ngure and some Social Democratic Party (SDP) hon. Members here would vote alongside the Government. There is no programme when it comes to voting on such important issues.

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

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, this man is wasting my time!

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Murathe! What is your point of order, Mr. Ngure?

Mr. Ngure: Mr. Temporary Deputy Speaker, Sir, is Mr. Murathe in order to refer to me as "Ngure"? I am hon. Ngure. In any case, I will always choose what to do, but I will never "choose to cut a *mugumo* tree with a razor blade!"

(Laughter)

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Ngure, always try to catch the Chair's eye, if you want to address the House.

Mr. Murathe: Mr. Temporary Deputy Speaker, you can see for yourself the Kikuyu bashing that has been engrained and internalised in some of these people's minds.

Hon. Members: Aah!

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, let me say one thing: Let us agree that when we go home today---

The Minister of State, Office of the President (Mr. Sunkuli): (inaudible)

Mr. Murathe: "Baba Denis", let us agree that by the time we come back here, we will have agreed---

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. To the best of my recollection, there no hon. Member here by the name of "Baba Denis". Can the hon. Member introduce strange names here and be allowed to get away with it?

(Laughter)

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, I do not know what hon. Ndicho is complaining about. Nobody has complained about being referred to by that name.

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Murathe, continue with your contribution.

Mr. Murathe: Mr. Temporary Deputy Speaker, Sir, let us have a vision for this country. Let us sobber up during the recess, so that when we come back, we can tackle the real issues being faced by this country. We have a huge challenge and the people of the entire country are looking upon us to provide hope and solutions to the myriad of problems that they are facing. Let us not conjure the image of a House of thieves, torturers, shame, and others; let this be a House of dignity.

Mr. Temporary Deputy Speaker, Sir, one final thing to the Government side: Please, deal with cases of insecurity in the country. Over the last three days, a chief, a watchman and a trader were killed in Gatanga---

The Temporary Deputy Speaker (Mr. Musila): Order, hon. Murathe! Your time is up!

The Assistant Minister, Office of the President (Mr. Gumo): Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi ili mimi pia niseme machache. Hii ni nafasi yetu ya kwenda kule nyumbani na kuongea mambo ambayo yanaweza kuleta watu pamoja, kwa maana inaonekana imekuwa tabia ya Wabunge wengine kutukana Wabunge wenzao hapa. Wakienda kule nje, wanasema mambo mabaya juu ya wenzao, na hicho ni kitu ambacho kinaweza kuleta taabu kwani kila Mbunge hapa ana watu wake; amepigiwa kura, na watu wake hawawezi kukubali eti Mbunge fulani atukane Wabunge wengine. Kila Mbunge alipigiwa kura, na kuingia katika Bunge hili, na watu wake. Hakuna "Yuda" kwenye Bunge hili, na hakuna muaji. Kuna Wabunge wengine wamezoea, kwa maana wanataka kujulikana, kuwawekelea watu wengine maneno. Mbunge yeyote anaweza kupiga kura pahali popote, na hiyo ni demokrasia, na anaweza kusema mambo ambayo anataka kusema; sio lazima ukiwa upande ule wa Upinzani na upigie kura upande wa Serikali, eti hiyo ni makosa, na uitwe majina. Hiyo itafanya watu "wanyoroshane" siku nyingine, kwa sababu hakuna mtu atakubali kuwa atukanwe na halafu nikienda nyumbani bibi yangu anilize: "Eti mhe. Murungi alikuwa anakutukana, na hiyo imekuwaje? Hiyo haiwezekani. Lazima tuheshimiane; kila mtu apane heshima kwa mwenzake, na kama kuna jambo anataka kusema, aseme sawasawa.

Mr. Wamunyinyi: Mr. Temporary Deputy Speaker, Sir, is the hon. "Leader of Jeshi la Mzee" in order to use threatening language in the House?

(Applause)

The Assistant Minister, Office of the President (Mr. Gumo): Bw. Naibu Spika wa Muda, unajua mambo kama haya--- Kama jana, mhe. Orenge alisema ya kwamba ati mhe. Biwott ndiye alimua Mr. Masinde Muliro. Mambo kama hayo ni mabaya, na inajulikana kuwa mhe. Biwott hakumua Mr. Muliro. Muda mfupi uliopita, mwingine alimwita mhe. Raila "Yuda," na mhe. Raila ni kiongozi wa chama cha NDP! Hata huko kwa Wajaluo, Kisumu, ukisema hivyo, utamalizwa!

(Laughter)

Huo ni ukweli na msije mkafiria ni jambo la kuchezea. Kwa hivyo, utaona watu wengine wakienda kwa mikutano na badala ya kusema maneno ya maendeleo, wanatukana Rais wa nchi hii, na watu wengine. Mambo kama

hayo ni mabaya na ni lazima tuwe "Waheshimiwa" na tuongee mambo ambayo yanaweza kutuleta pamoja, na sio mambo ya kutisha watu. Hicho ni kitu ambacho kitaleta balaa, na msije mkalia, kwa maana nyinyi ni wachache.

Jambo lingine---

Dr. Ochuodho: On a point of order, Mr. Temporary Deputy Speaker, Sir. The last time hon. George Kapten was threatened in this House, he never came back here again after recess. Is hon. Gumo in order to threaten Members of this House?

The Assistant Minister, Office of the President (Mr. Gumo): Bw. Naibu Spika wa Muda, Mhe. Ochuodho anafaa ayaulize hayo mambo kule Kisumu tuone kama atayaweza huko.

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

The Assistant Minister, Office of the President (Mr. Gumo): Wacha mambo! Wacha niendeleo!

Mr. Mwenje: Is it in order for the hon. "Jeshi la Mzee" to continue threatening people?

The Temporary Deputy Speaker (Mr. Musila): Order! Mr. Mwenje, I know of no hon. Member called "Jeshi la Mzee".

The Assistant Minister, Office of the President (Mr. Gumo): Bw. Naibu Spika wa Muda, ningependa kuzungunza juu ya kutolewa kwa vitambulisho. Ingawa idara inayohusika na kupeana vitambulisho iko chini ya Wizara yetu, hili ni jambo la kusumbua. Anayeisimamia idara hiyo hafai kuwa katika hiyo ofisi kwa maana kuna watu hapa Nairobi, wengine kutoka Busia, Bungoma ambao walizaliwa hapa na pia baba zao walizaliwa hapa na huyu mtu anasema waende Busia na Bungoma kupata vitambulisho. Mimi ni Mbunge na nilizaliwa kule Busia. Nitawezaje kuwa Mbunge wa Nairobi kama mimi si mwanaKenya? Mtu huyu sijui anatoka wapi.

Kwa hayo machache, ninaomba kuunga mkono.

The Minister for Renewable Energy Development (Mr. F.P. Lotodo): Mr. Temporary Deputy Speaker, Sir, I stand to support the Motion. I wish to say that this is not the first time for us Kenyans to have drought. We had a severe one in 1961 and others in 1967, 1984 and this year. During the 1961 and 1967 droughts, we had fewer factories unlike now when we have so many. Therefore, we need a lot of power for these factories. The amount of power we have now is not possible to ration in the way my colleagues have been pleading that we do. For five weeks, I have changed my timing four times. Last week I was asked by KPLC to extend the time for electricity rationing, but I refused. Two days ago they repeated the same request and I refused again. I will not refuse if they come next week. That means that we have less water in River Tana. We have already shut down the turbines at Masinga Dam.

Yesterday hon. Ndicho wanted me to explain to the country why there is no water in Masinga Dam. We had reached at 1033 litres of water. So, we had no choice, but to release the water to the next dam. The Kamburu Dam is running perfectly well.

Dr. Ochuodho: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard the Minister claim that we have power rationing because of the increased number of factories. Is he in order to mislead the House that the reason we did not have power on Saturday is because the turbines were shut off while we know the truth is that Uganda disconnected electricity supply to us because we failed to pay for electricity bill?

The Minister for Renewable Energy Development (Mr. F.P. Lotodo): What happened on Saturday at 5.58 p.m. was that one of the pillars holding the transmission lines from Jinja to Lessos in Kenya collapsed. The Uganda Electricity Board had to rectify the line before 1.00 a.m. That was the problem!

Dr. Ochuodho: But, Mr. Temporary Deputy Speaker, Sir, the problem was---

The Minister for Renewable Energy Development (Mr. F.P. Lotodo): You do not have even--- Be yourself! Why should you be just like a child? That was not the problem. The problem was the pillar which collapsed. When the pillar collapsed---

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister for Renewable Energy Development, who is my good friend, in order to mislead this House that, we did not have water because it reached a low level, when we know very well that, somebody ordered for all the dams to be opened and all the water flowed down to Mombasa? The people of Mombasa wondered whether there were floods from up-country. That occasioned the buying of generators. That is the cause of the lack of water and hence rationing! That is the truth of the whole matter!

The Minister for Renewable Energy Development (Mr. F. P. Lotodo): Mr. Temporary Deputy Speaker, Sir, what I have told the House and the country is the truth! What hon. Ndicho has told the House is a formation of his own! You may believe me or not!

Mr. Temporary Deputy Speaker, Sir, another point that I would like my colleagues to know is: Let me take Mwingi District as an example. That is your district, hon. Musila. You get your line of power direct from Masinga. There is only one line to Mwingi District. Once it is switched off, the whole town plunges into darkness. We have no separate line for the District Hospital in Mwingi or any other public institution. Until such a time that we are capable financially, we will not be able to have separate lines for special institutions.

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

Mr. Raila: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii. Hili ni Bunge la taifa huru la Kenya. Yafaa sisi kama Wabunge ambao wamechaguliwa na wananchi wa Kenya, tukija hapa katika Bunge hili, tuheshimiane kama Wabunge, hata kama tunatofautiana kimaoni! Lakini lazima tuwe na heshima.

Mimi sijawahi kusimama hapa na kutusi Mbunge mwenzangu! Yale ambayo husema ni maoni yangu peke yake. Lakini, hivyo si kusema kwamba sisi wenyewe hatuwezi kusema maneno juu ya watu wengine. Sisi siyo watu ambao wanaweza kutishwa na watu wengine!

(Applause)

Mbunge mwingine amesema kwamba ataweza kuleta Hoja hapa ili kuongea juu ya mwenendo wa kisiasa wa Raila Odinga! Bw. Naibu Spika Wa Muda, mimi nasema alete hiyo Hoja siku yoyote ile anataka! Ukweli ukisemwa, watu wengine wanaweza kukimbia. Kumesemekana eti wengine waliounga mkono yale mageuzi ya Hoja ya Ufisadi wanaunga mkono ufisadi. Mimi mwenyewe nimekabiliana na mambo ya ufisadi tangu niingie katika siasa. Lakini, isifikiriwe ya kwamba kama mtu anavuka kutoka ng'ambo ile, anakuja upande wa Upinzani hapa, yeye anakuwa msafi! Pande zote mbili za Bunge hili zina watu ambao ni wachafu na wamejiingiza kwa ufisadi. Sisi tulisema ya kwamba ile orodha iliowekwa katika Hoja ya Ufisadi ilitolewa katika Maripoti ya Public Accounts Committee (PAC) na Public Investments Committee (PIC). Kama mtu angetaka kuwashtaki waliotajwa, angechukua Ripoti za PAC na PIC na kuwashtaki.

Kuna majina mengi ambayo yangukuwa ndani ya orodha hiyo ambayo yaliachwa nje. Wengine wao wako katika upanda huu. Kwa mfano, tukichukua mambo ya molasses, ningependa kumwambia Mbunge aliyelongea, Bw. Murungi, amwulize kiongozi wake wa DP, ni watu gani "walikula" katika molasses, KenKen na Halal. Majina yao yangukuwa katika orodha hiyo ya aibu.

Mr. Murungi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Raila to drag hon. Kibaki's name into this list when he had 18 months within which to bring these names before the Anti-Corruption Select Committee and he did not do so?

Hon. Members: Wacha! Wacha!

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, is he in order to bring these names now when he did not bring them when we put a public advertisement asking him to do so?

Mr. Raila: Bw. Naibu Spika wa Muda, kuhusu mambo ya Katiba, kama Bw. Murungi ni mkristo angeliambia Bunge hili kwamba---

Mr. N. Nyagah: On a point of order, Mr. Temporary Deputy Speaker, Sir. I hate to interrupt my good friend hon. Raila, but is it in order, and we want a ruling from the Chair, for hon. Raila to insinuate that hon. Kibaki, who is the Leader of the Official Opposition was involved in KenRen and molasses?

Hon. Members: Yes! Yes! Sit down!

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, no amount of intimidation from this bunch will make me to sit down. Is he in order to do that? We want the rules of this House to be followed. Is he in order to do that?

Mr. Raila: Bw. Naibu Spika wa Muda, "mgurumo wa chura hauwezi kuzuia ng'ombe kunywa maji".

(Applause)

Bw. Murungi angesema kwamba jana alikuja kwangu kunishawishi kwamba tukiunda Tume ya Kuangalia Katiba tuweke jina la Bishop Lawi Imathiu.

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

Mr. Raila: Bw. Naibu Spika wa Muda, hawa ni wanafiki; wanahubiri maji na kunywa pombe!

(Applause)

Mr. Murungi: Mr. Temporary Deputy Speaker, Sir, we cannot allow these lies---

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Murungi!

The Minister for Tourism, Trade and Industry (Mr. Biwott): Thank you very much, Mr. Temporary Deputy Speaker, Sir. We have only five minutes, so please allow me my time to contribute.

I rise to support the Adjournment Motion and while supporting it, I would like to emphasise that we have come to this House as hon. Members and representatives of our constituents to legislate for the welfare of this nation. We are here to legislate for the betterment of this nation by being true to ourselves and being people of integrity and good intention. Therefore, there should never be any room for people to malign others or to use the privilege of this

House to utter things which no one can stand out there and utter. If one is a man of integrity, he should be bold enough to say outside what he wants to say here. In other words, I am just suggesting that time has come for this House to review the privileges---

Dr. Ochuodho: On a point of order, Mr. Temporary Deputy Speaker, Sir. We know that recently hon. Biwott was awarded Kshs10 million by a court of law. Is he in order to threaten hon. Members to say the things they say here out there while he knows very well that he controls the courts and can corrupt them to award him money?

(Applause)

The Minister for Tourism, Trade and Industry (Mr. Biwott): Mr. Temporary Deputy Speaker, Sir, I am not scared of the heckler! This Motion gives hon. Members the opportunity to speak here without fear or favour. That is meant to expose true things and not things which are malicious and untrue.

Having said that, I think this is an opportune time for us to go back to our constituents to be with them and discuss with them the programmes that are ahead of us. One of these programmes is on the HIV-AIDS scourge, which is part and parcel of our Poverty Eradication Programme. It is also time for us to go and discuss with our constituents the formation of the District Roads Boards and look for priorities that are necessary to assist our programmes which are now being supported fully by the World Bank and the IMF.

We have just passed the Constitution of Kenya Review (Amendment) Bill, 2000, which I hope will now pave way for the eventual appointment of the Commission, which will go round and get the views from the wananchi direct. That will be the beginning of the review of the Constitution. We hope that all Kenyans of goodwill will support their Parliament in that deliberation. It is only Parliament, all over the world, that is legislating for its country. We have never seen any other legislation coming from other quarters because that is never the intention of those who support Parliament.

Mr. Temporary Deputy Speaker, Sir, Kenyans are very clever and they assess us. They listen to what we say here and they will listen and watch more when we televise the proceedings of this House. When that time comes, I believe all Parliamentarians will be mindful of what they say, how they say it and how they relate to one another. That will form part of their assessment during elections.

Hon. Members should accept that in any democracy somebody will lose and somebody will gain. Therefore, the hon. Members on the opposite side should be prepared all the time to be defeated by the hon. Members on this side as they have been defeated in the last Motion.

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

Mr. Wanjala: Thank you very much, Mr. Temporary Deputy Speaker, Sir.

As I support this Motion, all of us should go home and campaign against HIV-AIDS scourge. We have always said that Kenyans, especially leaders, should identify what is causing HIV-AIDS. The poverty level in this country is what is forcing most people to get HIV-AIDS related illnesses. Therefore, the first thing that the Government should do is to alleviate poverty. This Government has sang that it will alleviate poverty, but today, it is increasingly and seriously trying to impoverish its own people.

You will remember that last year alone, this Government lost Kshs5 billion in the fishing industry because of the European ban on the export of Kenyan fish. The Government is doing nothing. It has not, up to now, realised that it lost Kshs5 billion. What is this Government thinking? It seems as if the Government has collapsed and it is not realising its mistakes. This Government should assist the fishing industry. For example, in Uganda, duty on fishing gear is only 6 per cent; in Tanzania, it is duty-free, but in Kenya fishing gear is charged an 18 per cent duty rate. Kenyans cannot afford to buy fishing gear and that is why they result to illegal fishing.

Mr. Temporary Deputy Speaker, Sir, that is why sometimes the people of Busia District use poison when carrying out their fishing activities. Therefore, this Government should be serious by looking into the fishing industry. It is not a mistake for the people of Busia District to have been born there, although they are closer to Uganda.

But in major towns, like Mombasa and Nairobi, the people from Busia are suffering especially when they attain the mandatory age of being issued with identity cards. When they go for national identity cards in those towns, they are forced to travel all the way from Nairobi or Mombasa, back home, to be issued with identity cards, which they can get in those towns. These are Kenyans who have gone through schools in Nairobi or in Mombasa and they have birth certificates! Why can they not be allowed to get identity cards in Nairobi or Mombasa? Sometimes they are forced to go back home and when they reach their homes, they are told to go and bring their parents who are staying in big towns. That thing should be stopped forthwith!

Mr. Temporary Deputy Speaker, Sir, irrigation schemes in the Western Region are all "dead". West Kano Irrigation Scheme, Bunyala Irrigation Scheme, Perkera Irrigation Scheme and Ahero Irrigation Scheme are not growing any crop this year. This Government says that it is serious in alleviating poverty. Indeed, the Government is

impoverishing the people in that region! The Government is supposed to provide money for people in that region to start planting this year's crop. Why has the Government continued impoverishing the people of Western Region?

Mr. Temporary Deputy Speaker, Sir, we are complaining; I heard the Minister for Energy complain that there is no water, when there is plenty of water in Nyando, Nzoia and Yala Rivers. In Bundalangi Constituency, we are very close to lake Victoria where water can be pumped to the top of the hills and it can be allowed to flow back to the Lake. This way it can generate electricity. With three big rivers in the Western Region, there is a possibility of generating electricity if hydro-electric power plants are located in those areas.

Teachers should be transferred to areas where their services are needed most because all Kenyans pay tax which is used to pay them salaries. No Kenyan should continue suffering---

The Temporary Deputy Speaker (Mr. Musila): Order! Your time is up! The Floor is yours, Mr. Poghisio.

Mr. Poghisio: I would like to thank the Chair and wish all my colleagues a good break from such a busy schedule we have had.

There are a few areas that I would touch on concerning the recess. First, it is about the drought. As drought continues to bite in sections of this country, including my own Constituency, Kacheliba; I would like to urge that the Government honours its word on the Kenya Meat Commission (KMC) so that they can start buying the livestock in their current state for canned beef at the Athi River plant. That would be the very best way to help the people whose cows are on the verge of dying.

Mr. Temporary Deputy Speaker, Sir, touching on the issue of drought, the relief supplies to the districts need to be reviewed. Right now, the people of Kacheliba Constituency are grateful that some food has started reaching them. If the Government and the World Food Programme are serious in supplying relief food to our people, then they should begin looking into special needs of children and elders in West Pokot District. This is because right now, our people are being supplied with dry maize. Let the children and elders be supplied with high protein foods like milk and meat. I think UNICEF should really chip in and assist them.

Mr. Temporary Deputy Speaker, Sir, I am happy that as we proceed on recess, the East African Community is made a reality. Very soon, we are going to have East African National Assembly. As we prepare for it, let us give our people freedom of movement within this region. The East African passport has already been prepared. I think it should be honoured by the three East African countries, so that our people can move freely within the region. We should not be worried that some commodities are cheaper in other countries than others, because that will be sorted out when we fully embrace the East African Community.

Mr. Temporary Deputy Speaker, Sir, Pokots in my Constituency long time ago used to stay in Uganda. Later on they came to Kenya. However, there is one thing that needs to be addressed very seriously by this Government. This is the issuance of identity cards to Pokots in Kacheliba Constituency. This is because it is very difficult for them to get those cards. I do not know what the suspicion is all about. In fact, they came to Kenya from Uganda in 1970s and all they want is to be registered as *bona fide* Kenyan citizens. Why should we deny them this vital document? What do you expect them to do? Do you want them to go back to Uganda? I feel that we should issue this document, instead of subjecting them to a lot of hassle because they want to be registered just like any other Kenyan.

Mr. Temporary Deputy Speaker, Sir, I want to talk about electricity in this country. The Turkwel Gorge Project that produces most of the electricity in the country is in my constituency. I want to tell this House that the entire Kacheliba Constituency does not have electricity. This is very serious indeed and yet we have Government offices and hospitals. I do not understand the criteria used by officers in charge of electricity not to install power to our people. It is a pity that Kacheliba Constituency is not in the list of areas that will get electricity under the rural electrification programme. I do not know how electricity is supplied in this country. Why should Kacheliba be denied electricity and yet, it houses the Turkwel Gorge Project? We deserve electricity just like other people in this country. All I am asking the Government to do is to supply electricity to people in my Constituency.

Mr. Temporary Deputy Speaker, Sir, Kacheliba Sub-district Hospital is affected by power rationing that is going on in this country. Patients are dying because of lack of electricity. Why can the Ministry of Health not buy generators for that hospital to save lives?

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I support.

Mr. Munyao: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity, so that I may also join my colleagues in opposing this Motion. All I am saying is that hon. Members in this House should search their consciences and ask themselves what they have done, so that they go on recess. I saw the running order of business of this House and I was wondering why we should go on recess, while we have enough work which we cannot even finish in the next two years.

Why should we go for two months? I would support anybody who says we go for two weeks recess and then come back to finish those businesses. I am urging the Deputy Leader of Government Business who is here, to ensure that when we resume, the House Business Committee comes up with a calendar which goes up to December. Then, we

should rest only in the new year and come a little bit earlier, because we have a lot of work to do.

I wish to join my other colleagues like hon. Biwott who said that this House ought to be respected by hon. Members. I am one of the persons who would like to give this House the highest respect and, as we speak, we should do so as hon. Members of Parliament. I was abhorred and disappointed when some of the Members of Parliament here, I am not going to name names, had the guts of pointing fingers at the Leader of the Official Opposition. Hon. Kibaki, for the last 30 to 40 years, has been sincere to his job, both as the Minister for Finance and the Vice-President. Those of you who are looking at me so seriously, like one of my colleague, know this very well. I am appealing to all of you to search your hearts and consciences and ask whether that "hat" you are wearing is the right one. I would not like us to spoil other peoples' names, just because of the privilege we enjoy in this House. It is appalling, if anybody here could point a finger at hon. Kibaki. Hon. Kibaki has shown the country and the world that he is a sincere person, who loves Kenya and can work for it.

Having said that, let me make one or two comments, Mr. Temporary Deputy Speaker, Sir. We have just rejected the "List of Shame". It does not matter what we have done here by saying "Ayes" or "Noes", or even voting, because the people who matter are out there. It is registered in their hearts and nobody can erase that information. So, that information remains and we better leave the judgement to those people.

Mr. Temporary Deputy Speaker, Sir, this country cannot use the backdoor to review the Constitution. The Constitution ought to be for the 30 million Kenyans. The idea of voting for or against the Motion will also be seen, because there would come that time when the two-thirds majority would be needed here. Indications have already shown those who are supporting the amendment will not get the two-thirds majority. We only need 74 Members to block it and we have already got 94 Members who have registered that they are going to object it. I know we have got many silent voices who would not even appear on that day.

Mr. Temporary Deputy Speaker, Sir, as we go for recess, I want to make one appeal and it touches on Mwingi, Kitui and many other places, including hon. Lotodo's Constituency. We have just been here listening to the Minister for Finance, who has confirmed and assured Kenyans that they will not be left to suffer. As I am talking now, some of us are weeping silently because Kenyan hospitals have got no medicine at all and people have been wiped out by unknown diseases. It was just the day before yesterday when three children died in Machakos District Hospital. If you are admitted there, you must go with your beddings and other items. There is no food. I am sure this applies to all other Government hospitals. What is the KANU Government doing about this?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Munyaio!

The Assistant Minister for Energy (Eng. Manga): Bw. Naibu Spika wa Muda, ninakushukuru sana kwa kunipatia nafasi hii ili nitoe mchango wangu kuhusu Hoja hii. Kweli tunaweza kusema kwamba Bunge hili limefanya kazi ambayo wananchi walitutumia kufanya. Sisi wenyewe tunajiweka katika shida kwa sababu tunapokuwa na watu huko nje; mwaka wa 1997, tuliwashawishi wananchi watupigie kura ili tuondoe Serikali ya KANU. Watu hao walipopigiwa kura na kuja hapa Bungeni, wamejaribu kila mbinu, pamoja na mbinu za mlango wa nyuma, kuing'oa Serikali ya KANU mamlakani bila ya kufaulu. Serikali ya KANU haing'oki mamlakani. Hii ndiyo shida ambayo watu hao wanayo. Watu hao wamekuwa na uchungu mwingi kwa kushindwa kuing'oa Serikali hii mamlakani; hata wamesahau kwamba nchi hii ina Katiba. Hivi sasa, tuko katika Bunge hili kwa sababu ya kuwepo kwa Katiba. Watu hao wamesahau kwamba nchi hii ina Katiba, kwa sababu walipeana ahadi za uongo kwa wananchi. Hivyo basi, imekuwa shida kwa watu hao kurudi kwa wananchi. Watu hao hawajui watawaambia wananchi nini, kwa sababu bado hawajaiondoa Serikali ya KANU mamlakani.

Bw. Naibu Spika wa Muda, baadhi ya mabwana waliopeana ahadi za uongo kwa wananchi ni wanasheria. Mwandishi Shaaban bin Robert, katika moja ya vitabu vyake, alisema kwamba "uanasheria ni elimu ya kupingana na sheria". Tumekubali alivyosema mwandishi huyo, lakini wewe kama Mbunge, ni mheshimiwa. Hivyo basi, inabidi ujiheshimu, kwa sababu wewe ndiye mtunzi wa sheria za nchi hii. Pengine, mtu fulani katika Serikali alikutesa, kwa sababu alikuchukia. Lakini, tunakuomba, wewe kama mheshimiwa, usiwe na hasira kiasi cha kupumbaa na kusahau kwamba nchi hii ina sheria inayotumika. Haifai, wewe kama mheshimiwa, kutumia maneno mabaya dhidi ya mwenzako na kumwita kwa majina yenye sifa mabaya eti kwa sababu umekasirika.

Tunavyosema ni kwamba kila jambo lina wakati wake. Serikali ya KANU haiwezi kuwepo milele. Wakati utafika ambapo tutarudi kwa wananchi - imebaki miaka michache sana - na kuwaomba watupigie kura. Wananchi wakikubali Serikali ya KANU irudi mamlakani, hata ukimeza wembe, Serikali hii itarudi mamlakani. Kutofurahia kwako kurudi kwa Serikali hii mamlakani itakuwa shida yako. Kwa hivyo, uchungu wako hausaidii. Wewe fanya kazi yako ya Ubunge, kama ulivyotumwa hapa na wananchi. Jambo linalokupa shida ni hakikisho ulilowapa wananchi kwamba kwa vyo vyote vile, hata kabla ya kipindi chako cha kuhudumu katika Bunge hili kuisha, utaiiondoa Serikali ya KANU mamlakani. Hivyo basi, uko na shida; unalia machozi. Hata unaposikia yale yanayozungumzwa hapa, unalia; badala ya kutoa machozi ya kawaida, unatoa machozi ya damu. Na hii, ni kwa sababu ya kutowaambia wananchi ukweli.

Ningependa kusema hivi: Wakati wote ukweli utajitokeza, hata uufiche namna gani; hata mbinguni, ukweli utajitokeza. Palipo na ukweli, tafadhali, usiupinge. Hii ni kwa sababu, ukiupinga ukweli, utakuwa unajipinga wewe mwenyewe. Tunawaomba wenzetu katika Upinzani wavumilie. Wewe ndiye uliyejiingiza katika shida hii. Tafadhali, ukienda kule vijijini, waambie wananchi: "Watu wa KANU wako macho sana; hatuwezi tukawanyanganya utawala pasipo na kutumia sheria". Ukiwaambia hivyo, wananchi watakuheshimu, kwa sababu utakuwa umewaambia ukweli; watalewa. Hata mkisema ya kwamba kuna wananchi ambao hawajui kusoma na kuandika, inafaa mfahamu ya kwamba wananchi wale wana akili zao. Unaona kama wanavyoona. Je, utawaambia nini? Hivi majuzi, mliwaambia wananchi hao: "Bunge ni bure tu; tuichunguze na kuirekebisha Katiba nje ya Bunge". Wananchi wale wanajua---

An hon. Member: Muda wako umekwisha!

The Assistant Minister for Energy (Eng. Manga): Bw. Naibu Spika wa Muda, unajionea mwenyewe kwamba Wabunge wa Upinzani hawataki niendeleo kuichangia Hoja hii; wanataka kuchukua muda wangu.

Lakini, kwa hayo machache, ninaiungu mkono Hoja hii.

Mr. Katuku: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. It is very important that we address the real issues facing Kenyans today. We are adjourning now, but my worry is when I will get down to my constituency. My voters, and even those who never voted for me, are facing terrible problems, and they are also very concerned with the performance of this House. Before I even get into that, we have the serious problem of drought in most of the parts of this country, and for the last few years this Government has been saying that it is very concerned by giving people relief food I would want to urge the Government to take the issue of hunger facing Kenyans very seriously because they are dying from hunger and so many other problems.

The Government should provide a lot of food to the affected Kenyans, even if it means suspending other Government expenditures, because it is very important. Any Government or nation that cannot feed its people is no longer supposed to be in power. So, I am urging this Government, which always pretends to be giving people food, and yet they give only two kilograms of maize per month, to try its level best and give people of my Constituency, hon. F.P. Lotodo's Constituency and other constituencies enough food to take them through a whole month. For example, in my Constituency, the food programme is being handled by the Red Cross, and they have targeted some needy groups, but that bracket must be expanded in order to cover most other groups. Most of the people have been left out in that target system of addressing the needy people within our community. It must be evaluated, and those who are in problems should be given food, and it should not only be maize, but they should be given beans, cereals, oil and other foods which form a balanced diet, and that should be done if we are serious in solving that problem. But I am not sure whether this Government, which has always been pretending to care for its nation, will do that.

Mr. Temporary Deputy Speaker, Sir, I am saying I will be going home a very disappointed person, and if I had all the powers with me, I would urge all hon. Members not to adjourn this House, but to continue working. I do not feel like going to my Constituency and face Kenyans out there. Kenyans have become the enemies of this House, and we have become enemies of Kenyans out there, but we should remember that we are only 222 MPs and Kenyans are more than us. Especially on the issue of the Parliamentary Anti-Corruption Select Committee Report which was debated recently and amended with the support of the KANU side, Kenyans are not happy about it. Kenyans are concerned about the so-called "List of Shame," and because we are sitting here with some of the people who are facing charges in court; they are criminals--- It is high time that these fellows should be charged, and I am calling upon the Head of State to dissolve Parliament within this recess period because it is useless, since we have some thieves here and others who have been named in the "List of Shame," and their cases are in court. If I had all the powers, I would dissolve this Parliament and ask Kenyans to give us leaders who will be thinking about the welfare of Kenyans, and not thieves. I am ashamed to share this House with thieves.

Mr. Temporary Deputy Speaker, Sir, if I had powers, you would not sit on that Chair again; you would go and seek fresh mandate from the people of Mwingi South because we have lost direction. Most hon. Members were voting the other day in support of the amendments to the Parliamentary Anti-Corruption Select Committee Report not because of their consciences, but because of their stomachs.

Mr. Kimeto: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to tell this House that this Parliament should be dissolved and yet he has not resigned to show an example of what he is saying?

Mr. Katuku: Mr Temporary Deputy Speaker, Sir, I am sure hon. Kimeto agrees with me that there is no Government in power after the way he was treated by some hooligans in the name of KANU youths and the Chairman in his Constituency. There is no Government, security, power and even water. Yesterday, I saw in the TV Kenyans being beaten like thugs by City Council askaris. Where are we now? This is not a serious Government. That is why I am saying this Parliament should be dissolved to get fresh people here. It is high time the Government became serious and addressed the problems of Kenyans. We need electricity, water and food. I do not know what these people are doing. You had better resign and go home.

With those remarks, I beg to oppose.

The Assistant Minister, Office of the President (Mr. Haji): Bw. Naibu Spika wa Muda, ninakushukuru kwa kunipatia nafasi hii. Ninaunga mkono mjadala wa siku ya leo. Kama vile Wabunge wenzangu wengi walivyozungumza, tumepitia wakati mgumu sana katika mwaka huu. Kuna ukame, hali ya uchumi ni dhaifu, kuna ugonjwa wa UKIMWI, na pia katika Bunge hili tumeona vituko vingi sana ambavyo haviambatani na heshima ya Bunge hili. Kwa hakika Bunge lenyewe ni la heshima, kama vile inavyotambuliwa katika ulimwengu. Kila kitu kinaweza kuheshimika wakati wale ambao wanatumia chombo hicho wanakiheshimu, kama inavyopaswa. Wakati huu ambao tunaenda nyumbani kuungana na wananchi watukufu, litakuwa jambo la busara sana kama Wabunge watakuwa wakihutubia watu wao juu ya amani, uhusiano mzuri, ujamaa na ujirani mwema baina ya wananchi wote wa Kenya sehemu yoyote waliopo. Litakuwa jambo la busara ikiwa Wabunge watatoka hapa kama marafiki na kuungana pamoja katika ujenzi wa taifa.

Tunajua ukame huu umedhuru kila sehemu ya Kenya, hata mji huu wetu wa Nairobi. Serikali imejitahidi sana katika kutafuta vyakula vya kusaidia watu. Ninatoka sehemu ambayo watu ni wafugaji. Baada ya ukame kali, watu wamehama na ng'ombe zao na kuingia katika Boli Forest karibu na Lamu. Sehemu hiyo ina mbung'o. Wanyama wanakufa kwa sababu ya ukame na ugonjwa unaoletwa na mbung'o. Ningeomba Serikali wakati ambapo chakula kinapelekwa Garissa, chakula hicho kigawanywe kwa wilaya mpya ya Ijara ili watu wafaidike. Kuna daraja moja kule inayoitwa Daraja ya Masalani ambayo inafupisha safari ya kupeleka ng'ombe hadi Mombasa kwa kilometa 250. Kwa hivyo, hii daraja ingewasaidia wananchi kama ingejengwa vizuri ili itumike. Pesa ambayo ingetumika kukodesha gari kupeleka ng'ombe mpaka Mombasa ingetumika kuwasaidia wananchi kwa njia nyingine. Mradi wa maji katika Masalani umevunjika. Ninatumaini ya kwamba watu wa maji wataenda kusaidia.

La mwisho ni jambo la kushangaza sana. Tunajua ya kwamba wakati mmoja shetani alikuwa malaika. Aliitwa shetani kwa sababu alimkosea Mungu. Kuna watu wengine ambao huwa malaika wakati wapo kwa Serikali. Wakitoka, wanakuwa mashetani. Hili ni jambo la kusikitisha sana. Ni vizuri watu wawe na nidhamu. Ukiwa katika Serikali na unaona kitu hakifai, unafaa useme hakifai. Usingoje mpaka wakati unapotoka ndio unaanza kuwatukana wengine na kusema mambo ambayo hayafai. Tunafaa kuheshimu viongozi wote. Mtukufu Rais Moi ni baba wa taifa, watu wapende wasipende. Amezika baba wetu wa taifa hayati Mzee Jomo Kenyatta kwa njia ya heshima na nidhamu.

Mr. Magara: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the former governor to call President Moi "baba na mama" wakati watu wanakufa na njaa na baba hawasaidii?

The Assistant Minister, Office of the President (Mr. Haji): Bw. Naibu Spika wa Muda, kujibu kifaranga kama huyu ni ngumu sana!

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Haji! Your time is up! Proceed, Dr. Ochuodho from the National Development Party (NDP).

Dr. Ochuodho: Mr. Temporary Deputy Speaker, Sir, I stand to oppose the Motion. I want to talk about the issue of aid resumption. Today, it is interesting that, as we stand here to adjourn the House, the IMF, World Bank, and other donors are contemplating aid resumption to this country. I am a very pained person, not because I oppose the resumption of aid, but because it will be resumed under the very same circumstances that it was squandered in the past. I am only hoping that, when this money comes here, the so-called snap elections that have featured prominently, both within the KANU and the Opposition sides, will not be used on the snap elections.

I also want to make a correction. Recently, we were reported to have claimed that, we were challenging KANU to call for snap elections. At no single time did I, along with two or three colleagues, that is Dr. Kituyi, hon. Aringo and hon. Maore, challenged the Government to call for a snap election. I am not saying that we are not ready for one. But I am saying that President Moi must know that if a snap election is called, he should count himself out of the race. He has been in power for more than the maximum two terms that are required by law. So, I want to make the correction that, whereas I am not calling for a snap election, considering that we have more pressing issues like shortages in water, power, food, insecurity, AIDS and so forth, in which manner we could utilise the Kshs8 billion required for a snap election better, I am saying that should the Government bring the elections, it needs to know in no uncertain terms that, no matter what point it calls the snap elections, the incumbent office-holder will not qualify to run for the office. It is in that connection that I want to appeal to my colleagues on the other side that, what we should be talking about today, is putting in place a transitional Government of national unity; a Government of national unity that can help heal wounds, and build bridges across the various communities that have been disenfranchised by this particular Government. So, I would like to appeal to all Members on both sides of the House that, as we go on recess, let us try to sell this message out to **[Dr. Ochuodho]**

Kenyans. I think it is important that we try and begin to "de-ethnicise" the Kenyan minds. In my view, the only way we can do it is through a transitional Government of national unity.

Mr. Temporary Deputy Speaker, Sir, I also want to turn attention to the Anti-Corruption Report that was recently thrown out, so to speak, by this House. I feel ashamed. I have to apologise for this country that, I was not

here when this thing was done. But it is not because I was "bought". It was not deliberate. It was because we were ambushed and thought that the debate was supposed to go on. I do know that my one vote would not have made a difference. But I really feel sorry that I was not able to be here, to give that one vote, to those who stand for the economic advancement of this country. I even think the media too, was too fair to this House. I do not think we deserve to be called a "House of Shame". This House has got no shame! It is, in my view, a shameless House! In my view, calling it a "House of Shame" is giving it too much credit that it does not deserve!

The Assistant Minister for Environment and Natural Resources (Mr. Kimkung): On a point of order, Mr. Temporary Deputy Speaker, Sir. If, indeed, the hon. Member, who is a very good friend of mine, believes that this is a "House of Shame", and he wants to be out of shame, why can he not resign and have somebody else who thinks the House is not shameful?

Dr. Ochuodho: Mr. Temporary Deputy Speaker, Sir, the hon. Member does not seem to know the difference between my name and shame. I am saying that this House is without shame, even when Shem is here. It is a shameless House!

I want to turn to the issue of co-operation. When my party went into an engagement with KANU, we set out four terms. We said that we were going to co-operate with KANU so that we could revive the economy, eradicate insecurity, push the constitutional reforms and fight corruption. I am ashamed today that my party was not one of those that stood firm to ensure that corruption is defeated in this country. That was one of the four pillars of our working together with KANU. I wonder if my party has shifted the terms and conditions on which we were to co-operate with KANU. Corruption was one of the key pillars.

Finally, I want to oppose the Motion for obvious reasons. There are so many pressing issues. We only go on record as having waited for the list of shame to be removed and then, we choose to go on recess. There are more important things.

With those few remarks, I beg to oppose.

Mr. Kimeto: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niongee juu ya Hoja hii ya Kuahirisha Bunge hili la Kenya. Nimependelea Bunge hili liahirishwe kwa sababu tutaenda nyumbani na kuunda kamati inayohusika na ujenzi wa barabara na kutangaza athari za UKIMWI katika sehemu ambazo tunawakilisha Bungeni. Ningependa kama ingewezekana, kwa sababu tumepitisha shilingi 500 bilioni za mkopo hivi leo, Waziri anayehusika na mambo haya ahakikishe kwamba, kwa sababu tuko na sehemu 210 za kuwakilisha Bungeni, kila sehemu imepatiwa shilingi bilioni moja. Akifanya hivyo, ninafikiri kwamba tutafanya mambo mengi katika sehemu ambazo tunaziwakilisha Bungeni.

Njaa ambayo inaikumba nchi yetu, ni njia moja ya kutoa elimu kwa wananchi wa Kenya. Kama njaa imetukumba na hizi pesa ambazo tumekopa ni nyingi--- Kama ingewezekana, pesa zote ambazo tunatumia kununua chakula, kwa mfano, mahindi, tungewapatia Wabunge ili wazitumie kwa kazi ya kuwasaidia wananchi. Hii itawafanya wajaribu kwa hali na mali kuona kwamba sehemu ambazo wanaziwakilisha Bungeni zinatoa chakula. Hili lingekuwa jambo la muhimu.

Jambo la ukosefu wa stima linatuelimisha kwamba, kama sisi Wabunge wa Kenya tungeshauriana na kujenga masilanga kwa mito yetu, tungekuwa na maji ambayo tungeyatumia kunyunyizia mashamba yetu, na hapo kupata chakula cha kutosha. Lakini tukiendelea kununua mahindi kutoka nchi za ng'ambo, tunafanya watu wa Kenya kukosa maana. Hii ni kwa sababu wale watu ambao tunanunua chakula kutoka kwao wanafaidika kutokana na juhudi yetu, kwa sababu Wakenya watarudisha pesa hizo zote ambazo tutazikopa.

Bw. Naibu Spika wa Muda, ningetaka kuhimiza Waziri wa Fedha ahakikishe kwamba pesa zote ambazo zimekopwa zimefika mahali ambapo tunawakilisha katika Bunge. Itakuwa jukumu la hawa Wabunge kuona ya kwamba pesa hizi zitasaidia Kenya hii. Tukitoa maoni mazuri kama haya, tunataka watu ambao wanahusika katika Serikali yetu kama vile Mawaziri, wayachukue mawazo hayo ambayo yatasaidia Kenya hii. Hii ni kwa sababu hatutaki Mawaziri wasababisha ufukara wa maneno ya kuisaidia nchi hii. Tunataka kile wazo, kama limetolewa, lichukuliwe kama kitu cha kuisaidia Kenya. Hatutaki kukaa hapa na kusema maneno mazuri na kisha tusipate matokeo mena. Tunataka matokeo mema kwa yale yote tumesema ili kila jambo lifanyike katika Kenya hii. Hatuwezi kukaa miaka nenda, miaka rudi, bila kuona matokeo mazuri kutokana na mawazo yetu.

Ningependa kumshukuru Waziri wa zamani, Mhe. Kiptoon, kwa kuunda na kubuni mambo ambayo yanatusaidia.

Kwa hayo machache, ningependa kuunga mkono.

Dr. Wekesa: Thank you, Mr. Temporary Deputy Speaker, Sir. Recently, I had an opportunity to meet 1,000 teachers in my Constituency. This was before we voted on hon. Anyona's amendment. The teachers, who numbered 1,000, gave me a mandate, as the hon. Member for Kwanza Constituency, to come here and support the Kombo Report. This was part of the teaching profession in my Constituency. You will realise that 1,000 people are a lot of people. I am now in a dilemma and I do not know what to go and tell my teachers and my other constituents. I am sorry

that that Report, that was being awaited by a lot of Kenyans, received the treatment that it received.

This country, including the Government, has recognised that for over 10 years, there has been corruption in this country. There has been corruption in this country and that is why all the farming institutions have collapsed. I am sorry to hear people talking about hon. Kibaki and others. When hon. Kibaki was the Minister for Finance and I was farming in Kitale, all the farming institutions were in place. Let us call a spade a spade. It is shameful for me to hear hon. Members complain that So and So's names were not included in the "List of Shame". By inference, we are saying that there is corruption and more names should have been included in that Report. I am surprised.

With regard to hon. Members honouring other hon. Members and working together, I want to tell the House, and I said it in my inaugural speech, I was voted for by all parties. The National Development Party of Kenya (NDP), KANU, the Democratic Party of Kenya (DP) and Ford-K, which is my party, in Kwanza Constituency campaigned and voted for me.

The Assistant Minister for Environment and Natural Resources (Mr. Kimkung): On a point of information, Mr. Temporary Deputy Speaker, Sir. I was in Kwanza Constituency during the by-election. I am a Member of KANU. I did not campaign nor did vote for the hon. Member.

Dr. Wekesa: Mr. Temporary Deputy Speaker, Sir, obviously, I am not going to tell this House which Members of Parliament from this side came to my assistance. But I can say that a lot of people from KANU as a party voted for me. What I am trying to say is that, in future, the parties are not going to be so important. Kenyans are looking for transparent Members of Parliament and upright people to lead this country. In future, parties are not going to matter that much because this country is tired of leaders who vote because they have been given money. Kenyans are tired of mismanagement in Government and private institutions. This country want to see leaders who will uplift this country from the bottom level where it has gone to and raise it so that Kenyans can have afford to buy food easily and they do not die of simple diseases and they can educate their children easily.

Mr. Temporary Deputy Speaker, Sir, we are talking about drought in this country. I am glad to say that, most of the Western Kenya Region is having rain now. Kitale region where I come from has a lot of rain. I would like to appeal to Kenyans that---

The Temporary Deputy Speaker (Mr. Musila): Your time is up, hon. Dr. Wekesa!

The Assistant Minister for Information, Transport and Communications (Mr. Keah): Asante sana, Bw, Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nami niunge mkono Hoja hii. Hoja hii ni muhimu sana kwa sababu tunachukua wakati huu kwenda likizo. Wakati wa likizo ni wakati wa kutafakari na kufikiria mambo kadha wa kadha, hasa madaraka yetu kama Wabunge.

Bw. Naibu Spika wa Muda, nataka nichukue dakika chache nilizonazo nizungumzie kuhusu Kaloleni.

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

The Temporary Deputy Speaker (Mr. Musila): Overruled! Look at the clock!

The Assistant Minister for Information, Transport and Communications (Mr. Keah): Bw. Naibu Spika wa Muda, ningependa kuchukua nafasi hii ili nizungumzie umaskini.

Kule Kaloleni, kuna mti wa mnazi ambao hukuzwa. Mti huu ni kama ng'ombe, kahawa, majani chai au pareto yetu. Sisi tunaruhusiwa kula matunda fulani lakini "maziwa" yake hatuyanywi. Mara nyingi, tunatatizwa na Utawala wa Mkoa kwa kusema kwamba tembo la mnazi halifai. Mtu atawezaje kula ng'ombe mzima na maziwa yake kuyaacha? Ninataka Kenya nzima ijue ya kwamba mimi sipendi ulevi, hakuna apendaye ulevi, lakini kama tunaweza kumaliza umaskini kule Pwani kupitia matunda na mazao ya mti huu, itakuwa vizuri sana. Ninavyosema ni kwamba kiwanda chote cha mti wa mnazi kiweze kuhifadhiwa na ninauliza Wizara ya Kilimo na Wizara zote zinazohusika katika jambo hili ziweze kusaidia na kuhakikisha ya kwamba hakuna ulevi, lakini mazao ya mti huu yanatekelezwa sawasawa. Sitaki nieleweke vibaya. Sitaki ulevi! Ninawauliza wale wenye kugema wasiwe walevi. Ili kumaliza umaskini unaoendelea, inafaa tuhifadhi mti huu.

Kwa hayo machache, naunga mkono.

The Assistant Minister for Energy (Mr. Chanzu): Mr. Temporary Deputy Speaker, Sir, it is true that the population of this country has been rising at a very tremendous rate. That is the major problem we are facing right now. It is time that leaders focused on the problems that are facing the country rather than behaving in a divisive manner. The population of this country could be an asset if the leaders, particularly the elected Members of Parliament, could sit down and think seriously about how we can utilise the resources. A small country like Britain, which is an island, has lived on exporting expertise, that is personnel, skills and so on.

Mr. Temporary Deputy Speaker, Sir, we are undergoing reforms, liberalisation at a time when we must focus on the changes that are taking place worldwide and not just in this country here. I want to thank Parliament for sanctioning the Local Authorities Transfer Fund. Money will now be spent at the local authorities level. We are now seeing the fruits of that money in our local authorities and we should continue in that direction.

Mr. Temporary Deputy Speaker, Sir, as we proceed on recess, Members of Parliament should go and

participate fully on the Constituency AIDS Committees.

With those few remarks, I beg to support.

Mr. Kihoro: Mr. Deputy Speaker, Sir, I will not support this Motion because this country is in a crisis. We have got the water crisis, power crisis, drought crisis, poverty crisis, disease crisis, dilapidation of our roads, AIDS crisis and corruption crisis. This Parliament should be working harder not to reject the list of shame, but to make this country better.

Mr. Temporary Deputy Speaker, Sir, I have seen a trend that is emerging in this House, where the dominant party is thinking more about the dictatorship of that party and pushing its own agenda in this House in a way which will divide this country. The question of reviewing the Constitution needs a lot of agreement. That is something which KANU must reflect on when we go on recess. They should think about it much harder because they have got a duty to unite this nation.

We have a duty to keep this nation united, but the Government side must think about it. You will not be judged by how long you rule, it is how well you rule. Jesus Christ died at 33 years, Joan of Arc at 33 years, and Martin Luther King at 39 years we still remember them.

QUORUM

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

Mr. Kihoro: Mr. Temporary Deputy Speaker, Sir, we do not want idle minds here. It is not how long you rule---

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Kihoro. It is a requirement that when a Member draws the attention of the Chair to the fact that there is no quorum, the Chair has no alternative but to ask for the Division Bell to be rang. Therefore, ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Musila): We have a quorum now. You may proceed, Mr. Kihoro.

Mr. Kihoro: Mr. Temporary Deputy Speaker, Sir, as I was saying, it is not how long you rule, it is how well you rule. Jesus Christ died at 33 years, Joan of Arc at 33 years, Martin Luther King at 39 years, and at this time we are going on recess, the Citizen Number One in this country; Daniel Toroitich arap Moi, must also go on recess. He needs a holiday. I have no objection to anyone of these Members becoming the President of this country. Most of us deserve it. President Moi has ruled for too long. Among us, one candidate should rise and give this country an opportunity of a smooth transition. It could be Dr. Godana or Mr. Mudavadi. For Moi to be in politics for 45 years, since 1955 that is too long. It is time to go---

The Assistant Minister for Environment and Natural Resources (Mr. Kimkung): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member not misleading the House when he knows very well that the President of the Republic of Kenya, His Excellency Daniel Toroitich arap Moi, could still win an election in his own Constituency?

Mr. Kihoro: Well, he could come back here as a Member of Parliament and be a Back-bencher.

Mr. Temporary Deputy Speaker, Sir, a minority Government cannot rule this country. Coffee farmers, sugarcane farmers, rice farmers, tea farmers, maize farmers, cashewnut farmers and livestock farmers are in a crisis. Yesterday there was a Question that was answered in the House to the effect that Tetu Farmers Co-operative Society was liquidated because farmers owe Kshs272 million to bank and yet they were only being paid Kshs60 million per year. Who will ever pay that money? I am citing this as an example of the impoverishment of a very big sector in this country. Those are people who deserve a better life and yet today they have become slaves of the banking industry, and especially the co-operative bank. This matter should be investigated seriously. It should not only be in respect of Tetu Co-operative Society, but should apply to all the farmers.

Mr. Temporary Deputy Speaker, Sir, President Moi needs a holiday. It is time he also went on recess. I beg to oppose.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Musila): Hon. Members, it is time to interrupt the business of the

House. The House, therefore, stands adjourned until Tuesday, 3rd October, 2000.

The Chair wishes to take this opportunity to wish all hon. Members God's blessings during the recess.

The House rose at 8.00 p.m.