

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 22nd March, 2005

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:-

Sessional Paper No.1 of 2005 on Policy Framework for Education, Training and Research, Meeting the Challenges of Education, Training and Research in Kenya in the 21st Century.

*(By the Minister for Education,
Science and Technology)*

NOTICES OF MOTIONS

LIMITATION OF DEBATE ON
PRESIDENTIAL ADDRESS

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, the debate on the Motion on the Presidential Address be limited to a maximum of seven days, with not more than ten minutes for each Member speaking; 20 minutes for the Leader of Official Opposition, and the Mover in moving and replying, who shall be limited to 20 minutes in either case.

Mr. Speaker, Sir, this is a mere

Procedural Motion---

Mr. Speaker: You are not moving yet! I suppose you have to give notice of all the Motions.

LIMITATION OF DEBATE ON
PRIVATE MEMBERS' MOTIONS

The Vice-President and Minister for Home Affairs: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, the debate on the Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover; 20 minutes

for the Government Official Responder and ten minutes for each Member speaking and that, ten minutes before the time expires, the Mover be called upon to reply.

Mr. Speaker: Your excellency, I think those are Procedural Motions and you do not need to give notices. So, I think you can leave it at that stage.

The Vice-President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Speaker, Sir.

Mr. Speaker: Next Order!

PROCEDURAL MOTIONS

Mr. Speaker: Now, Your Excellency the Vice-President, you can move the Motions!

LIMITATION OF DEBATE ON PRESIDENTIAL ADDRESS

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the debate on the Motion on the Presidential Address be limited to a maximum of seven days with not more than ten minutes for each Member speaking; 20 minutes for the Leader of Official Opposition, and the Mover in moving and replying, who shall be limited to 20 minutes in either case.

Mr. Speaker, Sir, I do not expect any problems with this Motion. I am sure hon. Members will accept it.

The Minister for Education, Science and Technology (Prof. Saitoti): Mr. Speaker, Sir, I beg to second the Motion.

(Question proposed)

(Question put and agreed to)

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the debate on the Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover; 20 minutes for the Government Official Responder and ten minutes for each other Member speaking, and that ten minutes before the time expires, the Mover be called upon to reply.

The Minister for Education, Science and Technology (Prof. Saitoti) seconded.

(Question proposed)

(Question put and agreed to)

LIMITATION OF DEBATE ON

ADJOURNMENT MOTIONS

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

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; provided that, when the period of recess proposed by any such Motion does not exceed nine days; the debate shall be limited to a maximum of thirty minutes and shall be strictly confined to the question of adjournment.

The Minister for Education, Science and Technology (Prof. Saitoti) seconded

(Question proposed)

Mr. Angwenyi: Mr. Speaker, Sir, I stand to move an amendment to this Motion to substitute the words "five minutes" with the words "ten minutes".

Mr. Speaker: Order, Mr.

Angwenyi! You do not move an amendment which you have not even brought to the Chair!

Mr. Angwenyi: Mr. Speaker, Sir, we have just received this document this afternoon! This document was not circulated yesterday. So, we could not have known that this Motion was on the Order Paper.

Mr. Speaker: Order, Mr. Angwenyi! The law is the law. By the way, this is not a new Motion. It is something that has been happening over the years. However, the fact is that if you want to move an amendment, bring it forward. There is no problem in that. Your colleagues will decide quickly.

(Mr. Angwenyi gave a copy of his proposed amendment to the Clerk-at-the-Table)

So, what is your amendment?

Mr. Angwenyi: Mr. Speaker, Sir, my amendment is that we should delete the sentence "with not more than five minutes for each Member speaking". Five minutes is very limited time and one cannot express himself or herself in five minutes. This is the august House in this country; where leaders expound on ideas. For example, if you want to oppose an adjournment, you cannot express yourself fully in five minutes. Even if you want to support an adjournment, you cannot express yourself fully in five minutes. So, I am proposing that we amend that to read "ten minutes" which, in itself, is quite limited and I hope the House will indulge itself to support that amendment so that it reads "not more than ten minutes".

(Applause)

(Dr. Godana stood up in his place)

Mr. Speaker: Dr. Godana, are you seconding the amendment?

Dr. Godana: No, Mr. Speaker, Sir! I am opposing.

(Mr. Munya stood up in his place)

Mr. Speaker: Mr. Munya, are you seconding?

Mr. Munya: Yes, Mr. Speaker, Sir. There is no serious argument that can be made in five minutes on the Floor of this House. When a Member wants to move a Motion for the Adjournment of the House, it is because there is a serious issue of national concern that he or she wants to raise and Members need to be given reasonably enough time to debate it.

I second it.

(Applause)

(Question of the first part of the amendment, that the words to be left out be left out, proposed)

Dr. Godana: Mr. Speaker, Sir, I stand to oppose the proposed amendment to the Motion. The hon. Member and his Secunder have missed the point. This is an adjournment Motion and the intention---

Hon. Members: What are you saying?

Mr. Speaker: Order! Order, Dr. Godana! I think there are some hon. Members who do not realise that it is a serious issue to be a Member of Parliament and let us take it seriously. So, do not heckle one another!

Dr. Godana: Mr. Speaker, Sir, I am not surprised that these are NARC Backbenchers! They seem to be as indisciplined as the Frontbenchers!

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to speak disparagingly against Backbenchers?

Mr. Speaker: Mr. Angwenyi, what do you call "heckling"? Is it honourable?

Mr. Angwenyi: Mr. Speaker, Sir, it is not honourable but they have not been heckling. Members wanted to raise points of order.

Mr. Speaker: Order! There is a difference between standing as you did, on a point of order; but Members heckling one another is out of order. So, I think that is what he is talking about.

Dr. Godana: Mr. Speaker, Sir, the intention of the House, in reducing the contribution time for the Members to five minutes, is to maximise the number of Members who can take part in the adjournment debate. Therefore, on that ground alone, if you increase it to ten minutes, you will be actually starving Members of an opportunity. Every time the House discusses an adjournment Motion there are many Members who keep on standing up seeking to catch the Speaker's eye but because the time is not enough the House adjourns. So, I stand to oppose this Motion.

(Mr. Angwenyi stood up in his place)

Mr. Speaker: Order, Mr. Angwenyi! Please, you ought at this time to know the rules of the House. This is an amendment to an existing Motion. You have no right of responding. I will now proceed to put the Question and I want the House to understand what we are dealing with.

(Loud consultations)

Mr. Speaker: Order! We cannot stay for five minutes to listen to the business we are dealing with. How can you propose to vote if you cannot listen to what is being dealt with? So, the Motion we are dealing with, at this particular time, is the amendment proposed by Mr. Angwenyi. Hon. Angwenyi

has proposed that instead of having five minutes during the Motion of Adjournment to a day other than the next sitting day--- I think we must understand the difference between adjournment on a question of national importance and adjournment to a day other than the next sitting day. We must understand those two issues! That is when we are going on recess; we are adjourning the House to a day other than the next normal sitting day and he is proposing that we delete the word "five" and substitute it with the word "ten".

*(Question of the first part of
the amendment, that the words to be
left out be left out, put and negatived)*

*(Resumption of Debate on the
original Motion)*

Mr. Speaker: I think it speaks for itself. The Noes had it. So, shall we now proceed? The Motion then remains as initially moved by His Excellency, the Vice-President.

Hon. Members: Put the Question!

Mr. Speaker: Very well. If that be the wish of the House, I will do that.

(Loud consultations)

Mr. Speaker: Order, hon. Members! I will now put the Question!

(Question put and agreed to)

MOTIONS

NOMINATION OF MEMBERS TO THE PAN AFRICAN PARLIAMENT

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, in conformity with Article 7 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament and Rule 8(4) of the Rules of Procedure of the Pan African

Parliament; this House approves the nomination of the following Members to the Pan African Parliament:-

Hon. Nyiva Mwendwa, M.P.;

Hon. Mwanicha Okioma, M.P., and;

Hon. Abdirahman Hassan, M.P.

The Assistant Minister for Education, Science and Technology (Prof. Saitoti) seconded.

(Question proposed)

The Minister, Office of the Vice-President and Ministry of Home Affairs (Prof. Kibwana): Mr. Speaker, Sir, I rise to support this Motion. With regard to representation to the East African Community, the Pan African Parliament and also other international bodies, this Parliament does not get a feedback on exactly what is happening. It is important that the people who go to represent us in the East African Community and the Pan African Parliament do bring back to this

House, through the appropriate channels, whatever has been discussed. That way, we shall be able to know what our country is required to contribute so that eventually we can make Africa one country.

Mr. Speaker, Sir, recently, there was a delegation that went to Geneva to discuss SIDO matters, for example, to establish to what extent Kenya has gone in ensuring that there is no discrimination against women. It is important for such reports to be brought to this House so that we can debate them. By doing that, we will be able to support things that are happening at the East African or the Pan African level and also at the level of other international bodies. At the end of it all, our Parliament will be stronger.

The Assistant Minister for Finance (Mr. Obwocha): Mr. Speaker, Sir, I rise to support this Motion and state that these hon. Members are being nominated to replace some of us; that is, hon. Koech, hon. Syongoh and I who were in the Pan African Parliament but later joined the Government.

Mr. Speaker, Sir, with regard to the point raised by Prof. Kibwana, during the last session of the Pan African Parliament, we laid a Paper that enumerated whatever we had done during the whole of that session. May I hasten to say that we endorsed that the seat of the Pan African Parliament to be in South Africa. I hope that, that report will be discussed here. Kenyans had a chance, through myself-- I was the Minister for Finance for Africa for five minutes when I was presenting the Pan African Parliament Budget.

(Laughter)

Mr. Speaker, Sir, I hope that the report from the Pan African Parliament will be brought before this House for debate so that direction can be sought from this Parliament with regard to how our Members should represent the country.

The Minister for Roads and Public Works (Mr. Raila): Mr. Speaker, Sir, I want to echo the sentiments expressed by hon. Prof. Kivutha Kibwana. It is important that this House does get regular reports. This House elected members to the East African Legislative Assembly although they are not Members of this House. However, the Minister for East African and Regional Co-operation is also a Member of this House. Very weighty issues are discussed there and we must, as a House, be regularly informed about decisions that are taken in that forum.

Mr. Speaker, Sir, the Pan African Parliament is a very important forum because members of the African Union (AU) are working towards the eventual union of the African Continent. Members who are going to represent us in that forum are also Members of this House. It is important that they do share with us what is discussed there. They need to get proper instructions from this House so that, when they get to that forum, they do not represent their own individual views, but those of this House.

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

Mr. Muiruri: Mr. Speaker, Sir, I stand to support these three appointments. However, this is Parliament and whatever is said in Parliament must be taken with the seriousness that it deserves. Did I hear hon. Obwocha say that he was a Minister for Finance for Africa in the Pan African Parliament for five minutes? It takes a bit of time to hire and fire. How was he fired in five minutes?

(Loud consultations)

Mr. Speaker: Order, Members! You know, as a House, we have time for everything. We have time for Questions and time for Motions. Today is Motion time and not Question Time. I am sorry for Mr. Muiruri!

The Assistant Minister for Finance (Mr. Obwocha): On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Yes, what is it, Mr. Obwocha?

The Assistant Minister for Finance (Mr. Obwocha): Mr. Speaker, Sir, is the Member in

order to cast aspersions on what I said? I said it in the English language. I was the chairman of the Budget Committee in the Pan African Parliament and I had a chance to present the Budget for the year 2005/2006. When I say "five minutes", in English it means "for a short time". It does not mean exactly five minutes. Mr. Muiruri ought to have interpreted that, not in Kikuyu language, but in the English language!

(Laughter)

Mr. Speaker: Order, Members! I have already dealt with that matter. In fact, I have already declared hon. Muiruri irrelevant and, in the same vein, I also declare you out of order and irrelevant.

I will now put the Question!

(Loud consultations)

Order, Mr. Ngoyoni and company! I may be wrong. It may not be you, but if you, or whoever it was, do not want to participate then you can go out! If you are not willing to participate, you can go out. Let the other Members listen to what is going on. Revisit your Standing Orders: When Mr. Speaker is on his feet, the House shall remain silent. Please do that!

You see what you have caused now? You have wasted our time. I will again put the Question.

(Question put and agreed to)

Mr. Speaker: Next Order!

THANKS FOR THE PRESIDENTIAL ADDRESS

The Vice President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion.

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Wednesday, 16th March, 2005.

Mr. Speaker, Sir, His Excellency the President gave a roadmap of what he expects this Parliament and the country to do in the next 12 months. In dealing with the economy, His Excellency the President showed that our biggest challenge today is the revival of the economy. It is stated in other fora that our economy grew at nearly 2 per cent. This, of course, is not good enough when we look into history and realize that years back, our economy was growing at between 6 and 7 per cent. We need now to aim at an economy that will grow, this time, at over 5 per cent.

Mr. Speaker, Sir, we do realize that 85 per cent of our people live in the rural areas. They occupy themselves with agriculture and, in order to revive our economy, it is necessary, therefore, that we should put a lot of emphasis on agriculture. To do this, we do really need a revolution. The revolution I am talking about is to look very seriously at the land tenure. We must consider agriculture as a business, for example, like manufacturing. When you go into manufacturing, you have got to look at various parameters. If we continue in the way we are looking at agriculture in the rural areas, where most of our people are living on five to ten acre pieces of land, and where they are using old farming methods, for example, jembes, we will never be able to make any headway in agriculture. This means that we have got to look at the land tenure. Are we wise in continuing to subdivide land? Are we wise in taking an economically viable 10,000, 15,000 or 20,000-acre farm and subdividing it into little portions of five to ten acres?

Mr. Speaker, Sir, it is necessary that while we are looking at the land tenure, we also have to look at our own culture; the culture which says that if you have five sons and five acres, then you have got to subdivide that five acres into five portions of one acre each. This will continue to confine us to peasant farming and we will not be able to improve our economy.

The President talked about a Bill that will come to this House; on the revival of the cotton sector. Today, we have a window in the United States of America (USA), where products produced from cotton can help this country considerably by exporting them to the USA without any taxation at all. We are not benefitting from this African Growth and Opportunity Act (AGOA) for the simple reason that the raw material that goes into the textile manufacturing, which is cotton, is not really available here and we have to import it from other countries. It now remains on those foreign investors who come here and work in controlled environments to exploit this chance. If we were to start consolidating the land that we have, we would be able to grow cotton at an economical scale, because we will have to mechanize the growing of cotton. You can only mechanize the farming of cotton if you were farming on a large scale. It behoves the leaders now to advise all their people about this. I am not asking that the already subdivided land should be consolidated but I think we now have to try and educate our people that in each area, particularly in the areas where we grow cotton, if there are 20,000 farmers who have got 20,000 acres, let them form a co-operative society where each will give his or her one acre as the share so that, that farm can be managed as one unit.

Mr. Speaker, Sir, this also goes for most of the crops, for example sugarcane. Currently, the sugar industry is experiencing difficulties. We have countries like Sudan which produce sugar at a very low cost and even in the regional markets like the the Common Market for Eastern and Southern Africa (COMESA) and the East African Community, we cannot compete effectively with those who are farming on a large scale like Sudan.

Mr. Speaker, Sir, we need further to realize that because of the degradation of the environment, rain has become very scarce. We have lost a lot of rivers, and yet we must now start thinking in terms of irrigated farming. For many years in this august House, right from the days before we gained Independence, there have been Members in this House who have called for utilizing the waters of Lake Victoria for irrigation. If, indeed, we took seriously that policy so that we can have an intake at a place called Sisenye in Budalang'i, so that the water can be pumped from there right up to the highest part of that area, in what they call Busia Hills, we will be able to get water gravitating down, and we will be able to bring a lot of land in the whole of the Lake Victoria region back into productive use.

Therefore, Mr. Speaker, Sir, we have got to have a revolution; we have got to change our thinking and utilize that water. It has been stated that there has been a misconception that we cannot utilize the water of Lake Victoria because of the Nile Treaty. This is not so at all. It is now up to us to start utilizing that water which comes from our lake. Mr. Speaker, Sir, in order to revitalise the economy in the rural areas, we should put more emphasis on the *Jua Kali* sector. I am happy to note that the Government has transferred the *Jua Kali* sector from the Ministry of Labour and Human Resource Development to the Ministry of Trade and Industry. Many of our youth have qualified in various fields such as tailoring, carpentry and metal work. We want to encourage them so that they can concentrate in the production of better products.

Today, many of our people go to Dubai to buy furniture made in Malaysia, Singapore and other countries. There is no reason at all why our *Jua Kali* artisans cannot produce---

(Loud consultations)

The Minister for Roads and Public Works (Mr. Raila): On a point of order, Mr. Speaker, Sir. There are loud consultations in the House. We can hardly hear what the Vice-President and

Minister for Home Affairs is saying. Could the hon. Members listen to the very important speech being made by the Vice-President and Minister for Home Affairs in silence?

Mr. Speaker: Order! Mr. Raila, you are absolutely right! I think your mode is not to say that the Opposition is consulting loudly. The hon. Members in the Opposition need to tone it down. If there are people who should really hear the Vice-President and Minister for Home Affairs of the Republic of Kenya in moving this Motion, then it is the Opposition. So, please, listen to what he is saying.

Proceed, Mr. Vice-President and Minister for Home Affairs!

The Vice-President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Speaker, Sir. I was requesting leaders to start respecting the *Jua Kali* artisans now. Let us encourage those artisans by assisting them. At one stage in our history, we had a policy of building *Jua Kali* sheds at the provincial, district and divisional levels. We want to revive the building of those sheds. Let us give our people the equipment, machinery and skills so that they can make good quality furniture so that we do not continue sending a lot of our money out of this country. If we do this, apart from helping to revive the economy, we will stamp out the migration of our people from the rural areas to towns where the social aspects leave a lot to be desired. We want to reduce the population in the big cities so that we do not have to contend with the slums of Kibera and Korogocho. We can do this since, today, with the wisdom of planning, a lot of money is being sent to the rural areas. We should apportion some money from the Constituency Development Fund to upgrade the *Jua Kali* sector. I know that, today, even the smallest constituency receives a total of not less than Kshs50 million. Money has now begun to circulate in the rural areas and people have money in their pockets. This is the right thing we should do.

Mr. Speaker, Sir, it is not enough that we concentrate all the economic policies in the cities. Let us leave the cities to the big industries which can still be fed by the *Jua Kali* artisans. For example, in the motor industry, the *Jua Kali* artisans should fabricate the various parts which can be utilised in the factories located in the cities. Therefore, in following what His Excellency the President talked about the reviving of the economy, it is necessary that we concentrate on the rural areas.

In order to do that, we must fight corruption, which His Excellency the President touched on. A lot of time is spent on discussing corruption which is endemic and a terrible vice. We must accept that this House put in place a mechanism to fight corruption, and I believe that we will get there. This is not a fight by the Government, but a fight by all of us.

Let us give Kenyans the Constitution they want. His Excellency the President touched on this. In order to give Kenyans the constitution they want, we must stop personalising it. We should have a constitution which will look after the various sectors of our country and generations to come.

In a constitution, we must allow the minorities to have their say, but if we follow the tenets of democracy, then it is obviously important that the majority must win. Let us give leadership to this country through a constitution which will take care of everyone. We want to try, in dealing with this, to exterminate this issue of tribalism which is beginning to rear its ugly head again. We want our children to live in a free Kenya and we can do that if we make a constitution which will serve everybody, including the minorities. When I talk about the minorities, I want us to be gender-sensitive. It has been stated that even though we have been independent for nearly 42 years, this House does not reflect gender sensitivity. We want to see, at least, 30 percent or 40 percent of Members in this House being women.

Mr. Speaker, Sir, we also want a constitution which will look after the vulnerable groups such as children, the destitute, the disabled and people who live with HIV/AIDS. It is important that, that constitution covers all those areas.

The constitution must also look after the low of the lowest; that is the people who are confined in penal institutions. It is time we had a constitution that will change our prisons to rehabilitation

centres. We would like prisoners to be rehabilitated instead of being punished as it is the case.

Mr. Speaker, Sir, I beg to move.

The Minister for Education, Science and Technology (Prof. Saitoti): Thank you, Mr. Speaker, Sir. I do rise to second the Motion. At the very outset, I would like to thank His Excellency the President for his exposition of public policy which was contained in the Speech that he delivered to the august House on 16th March, 2005. He reminded us that having come back from the Christmas recess, we should be much more energized and dynamic enough to address the business of the House.

It is important that we take cognisance of the fact that we are almost beginning the third year since we were elected to the august House. In a way, this can be described as the beginning of the mid-term as far as our terms are concerned. Therefore, a great deal is expected of us by Kenyans. It is their hope that in the remaining period, we will accomplish whatever we did not accomplish in the last two years. To that extent, I believe we should be able to do so if we rise to the occasion. There is a great tendency or temptation for us to try to approach issues on a narrow partisan basis. However, we, as parliamentarians, must do everything possible to avoid that approach. Above all, we should place first the interests of the people of this country who brought us here. I do not believe that if we approach the business of this House in an extremely divided or fragmented manner, we will be able to meet the aspirations of Kenyans.

Mr. Speaker, Sir, I am sure many hon. Members would like to see to it that when our term ends, we come back to this House. However, in the last two years, His Excellency the President did remind us in his own statements that despite all the noise and various criticisms, the Government has been able to deliver most of its pledges. One area which, of course, has experienced noticeable growth is the agricultural sector. However small the growth is, there has been a revival in this sector. The facts to support this are there. They are contained in economic documents and statistical data which have been published by the Government. There has been definite gains in the agricultural sector, particularly in the horticulture sub-sector which has grown by more than 10 per cent.

The output in the sugar industry has also---

Mr. Osundwa: On a point of order, Mr. Speaker, Sir. Is Prof. Saitoti in order to mislead the House that the agricultural sector has improved when farmers are suffering? The price of fertilizer has doubled!

Mr. Speaker: Order! Mr. Osundwa, that is your opinion! Prof. Saitoti has his own opinion! Wait for your time to contribute!

Proceed, Prof. Saitoti!

The Minister for Education, Science and Technology (Prof. Saitoti): Thank you, Mr. Speaker, Sir. Once again, we are down to the facts and politics. As I said, there has been an increase in the output of sugar. That data is indomitable!

There has also been a notable growth in the tourism industry. The number of tourists coming to this country has grown by 24 per cent. This is evident in tourist lodges and other hotels at the coastal town of Mombasa. That has brought in foreign exchange to this country. More importantly, it has created employment opportunities for the people of this nation.

Mr. Speaker, Sir, an even more dramatic achievement is the fact that collection of income tax has grown. In the last one year alone, the collection of income tax grew by 24 per cent. That, of course, means that the Government has more disposable income for development purposes. Whichever shade of politics you belong to, at least, accept these facts. We, as Kenyans, should be proud of these facts.

Mr. Speaker, Sir, there is more money being dispatched to *wananchi*, especially through the Constituency Development Fund (CDF). I would like to thank all hon. Members because the Act establishing the CDF was enacted by this House. There is more money going to our constituencies.

The priorities are now being designed by *wananchi* alongside hon. Members of Parliament. We have money from the CDF that goes to the rural areas to fund water projects, bursaries and other constituency-based projects. These resources were not available before.

Mr. Speaker, Sir, one of the biggest challenges facing this country is the HIV/AIDS scourge. HIV/AIDS is killing people. It is making our people poorer. It is also increasing the number of orphans in our country. This issue is so fundamental. Through the Constituency Aids Control Committees (CACCs), we, as Members of Parliament, must re-double our efforts to sensitize our people. We should tell them that the HIV/AIDS pandemic is real and it kills and there is no cure for it. Let us do all we can to educate our people about the dangers of this scourge. The Government has allocated some resources to fight this scourge. We should make sure that we use those resources effectively. There are also resources set aside for road maintenance through the District Roads Committees. The constituency bursary funds are also now available. All these funds are supposed to get to our people. Of course, these positive developments may be doubted by many, but the most important thing is that we make sure that these resources, first and foremost, go to the disadvantaged; the orphans and the poor in our society.

His Excellency the President, in his Speech, also reminded us of a very long catalogue of business before us. If we are able to accomplish this business, we will be able to take this country forward and increase development.

Mr. Speaker, Sir, His Excellency the President also reminded us of the importance of East African integration and, indeed, the need to establish the East African Federation (EAF). A Sessional Paper will be brought here to fast-track the EAF. Also, there will be a Bill to domesticate the Customs Union. What is so fundamental about this? We, as a country, know very well that our own market is small. So long as the market is small, by the sheer size of our population, we cannot generate sufficient resources to create more employment opportunities for our people. We require a bigger market; a regional market. That is why, if we start with the East African Community (EAC) and then we can dream that one day there we will be an EAF, that will give Kenyans and the people of East Africa the opportunity to reap the resources of this region. There will be bigger circulation of resources and more employment opportunities. That is important. If we pass this important legislation, we will have done a great deal of service to the people of East Africa and Africa.

Mr. Speaker, Sir, I must raise a certain issue because I feel very passionate about it. Only recently, the Prime Minister of the United Kingdom launched an extremely important document called the African Report which is intended to assist Africa fight poverty. One of the plans is the fact that Africa needs proper integration of the economy. This is extremely important. Above all, a major responsibility will be placed on us, leaders, and, indeed, the institutions of Africa; to be able to make sure that we remove the bottlenecks which have made it difficult for us to proceed.

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

(Question proposed)

Mr. Kenyatta: Thank you, Mr. Speaker, Sir, for granting me this opportunity to contribute to the exposition of public policy contained in His Excellency the President's Speech. I will begin by saying that the President gave a very good Speech in an eloquent manner. However, I would like to draw his attention to the fact that the people of Kenya are today no longer interested in good and eloquent speeches.

(Applause)

The people of the Republic of Kenya are demanding one thing from our President and his

Government: action on a variety of issues. To begin with, they are demanding action on the 500,000 additional jobs that this President and his Government promised during elections. As we are told of an improving economic environment and a growing economy, that has yet to be translated into betterment for our people, one begs the question as to whether our economy is actually growing or shrinking, when one sees the poverty and despondency that is currently prevalent in this nation.

It is shocking that the President, in his entire Speech, did not dwell on the issue of insecurity in our nation.

(Applause)

I would not be out of order if I was to claim that today, there is not a single Kenya who has not been a victim, or knows of somebody who has been a victim of robbery, rape and violence of one form or another. It, therefore, begs the question: If the President does not raise or touch on an issue that is so prevalent in the minds and hearts of Kenyans today, that we live in our country in fear, does this Government actually realise the extent of the problem that the average Kenyans are facing today? One then, therefore, asks the question: How can he claim that an economy is growing? In which way can it grow if Kenyans themselves live in fear? Which new investor will find himself attracted to Kenya, a country where its own citizens live in fear? No matter how many of the Bills he proposed are passed in this House, unless action is seen to be taken on the state of insecurity in our country, our economy will continue to dwell in the doldrums.

Mr. Speaker, Sir, the President, once again, reminded us of his personal commitment to a new constitutional dispensation for our country. I do not doubt his personal commitment. However, I doubt the commitment of those whom he has charged with the responsibility of giving leadership to that process.

(Applause)

This is because those whom he has given the responsibility are the very same people who have been responsible for the circus that this country has been exposed to, for the last two years; for a constitution that was promised within 90 days upon this Government assuming power. Unless His Excellency the President decides to take leadership in this process, I fear that much more of the same circus will continue and Kenyans' hopes for a new constitution will continue dwindling even further and further.

Commitment and good speeches alone are no longer sufficient. What Kenyans are calling for is action on insecurity, a new Constitution, growing corruption, job creation and improving the economic and social wellbeing of the people of this Republic.

The President said and I quote:-

"The Kenyan people place considerable responsibility and high expectations on the institution of Parliament. As a supreme organ of the State, Parliament is expected to provide leadership in tackling the challenges that continue to confront us. Some of these challenges include revival of the economy, governance and social well being of the Kenyan people."

I agree with the President! However, our Legislature, as is currently set up, is driven by the business of Government hence for this House to show leadership, that leadership must first of all, emanate from the President and his Government. In order for this House to be effective and efficient, that leadership must come from him and his Government. Of the 24-odd Government Bills that were tabled before this House, only 12 were passed and of those 12, he returned three. What I am saying, in short, is that it is about time the President began to offer leadership in the fight against corruption, the pursuit of a

new constitutional dispensation, fight against insecurity and ending the consistent bickering and division that we see in his Government. This has resulted in many actions not being taken that should have been taken.

I would still be in order to say that a time now has come, if we are to see action, for the President to stop the "hands-off" policy and begin a new policy of "hands-on".

(Applause)

It is only by so doing that this nation, that is now currently drifting rudderless, will begin to get direction and restore the hope and confidence of the people of this Republic.

I would like to turn to a Bill that will be coming before this House, that is now popularly known as the "The Keter Bill." Recent publicity surrounding this Bill seems to dwell on the irrelevant aspect of Motions of "No-confidence" or the fact that this Bill's sole objective is to provide security of tenure for hon. Members for an unrestrictive term of five years.

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. Is Mr. Kenyatta in order to anticipate debate?

Mr. Speaker: Order! I think Mr. Kenyatta, like the Press and everybody else, is dealing in anticipation of what ought to be and not what is.

Hon. Members: Go ahead!

Mr. Kenyatta: Mr. Speaker, Sir, first and foremost, the Bill is not yet tabled and I do not think I am anticipating debate. I am only trying to put before this House the importance of debating that Bill in a clear non-emotional manner. That is my objective!

Mr. Speaker, Sir, this House has for a long time been seen as an extension of the Executive. I would be in order to say that this is because over 80 per cent of the time of this House is spend debating and passing Government Bills. During the last Session, there were four private Members' Motions that were tabled in this House but did not see the light of day. I must say that these Private Members' Bills are important. They are Bills that citizens of this country, through their elected Members of Parliament, put before this House. As the hon. George Saitoti, the Deputy Leader of Government Business has said, the NARC Government should take credit for the passage of the Constituency Development Fund Bill. However, I must remind him that, that Bill, which has done a lot of good to this country, was introduced to the Floor of this House by a private Member. We need more time to discuss some of these issues.

The function of this House is not just to pass Government Business. We also have the duty to debate Motions which are of national importance to this country. I will remind you that of a total of more than 50 private Members' Motions that have been brought to this House, less than 23 have been given time on the Floor of this House. This is the reason why every time we form the House Business Committee, you see a lot of resistance from our Back-Benchers. Our Back-Benchers have a lot to offer, but have little opportunity to contribute what they have to offer. It is in the light of this that I call upon my colleagues in this House to, indeed support Bills when they are brought to this House. We should not debate them from an emotional perspective, but for the good of our nation.

Mr. Speaker: I must now caution you that you are either anticipating debate or becoming irrelevant! Could you go to something more relevant?

Mr. Kenyatta: Thank you, Mr. Speaker Sir. I would like to beg support for future Members' Motions.

I look forward to this Session. As the Leader of the Official Opposition in this House, my colleagues and I have always maintained that Bills brought to this House by the Government and are of benefit to the people of this Republic will receive support. Criticism for the sake of it does not move this country forward. I hope that the Government, during this Session, will take more seriously the

mandate it was given by the citizens of this great Republic. I hope that it will realise that the time for empty talk has come to an end, and time for action and delivering services to the people of this country has come.

As I conclude, I want to say that one of the pillars of a democratic society is the respect for the rule of law. We, as Members of Parliament, including His Excellency the President, took an oath to both protect and preserve the Constitution and respect the rule of law. It is sad that today we are witnessing the same President contravening the same Constitution by appointing Members to his Government from Opposition Benches without consulting and in disregard of the Constitution that he swore to uphold. Governments of national unity are formed through the front door and not through the kitchen by the kitchen cabinets.

As I end, I would like to remind His Excellency the President that two wrongs do not make a right. For a Government that was elected on a platform of good governance and respect for the rule of law, we expect the President to abide by the same. He should give leadership and direction that is bound to take this country to prosperity as opposed to returning us to the old dark ages.

With those few remarks, I beg to support.

The Minister for Environment and Natural Resources (Mr. Musyoka): Mr. Speaker, Sir, in supporting the Motion before us, I would like to pay tribute to His Excellency the President for the Address that he delivered during the opening of this Session. As it happened, I was out of the country. Therefore, I may not attest to the eloquence of the Address. I want to take the position that the Leader of the Official Opposition has taken. It must have been an eloquent Address because ordinarily the President, over so many years, has been eloquent. I saw the Address in the internet and, quite frankly, it was an impressive one.

I want to agree with Mr. Kenyatta in his concern about security in our country. All of us in Government and in Opposition Benches share a common belief that this is our home and our heritage. We want our future generations to be truly proud of us. I am sorry to say that the image of this country internationally, if it were to be put on a balance, strictly speaking, it would be found wanting with regard to security. That is very painful.

On my return home, I had a stop-over in Dubai. Dubai is an example of a City. It is one of the seven Emirate States, which has the right Government policies in operation. I do not see why this country cannot learn a lesson from Dubai. The painful aspect I noticed was that so many of our business people are migrating to Dubai and Australia. The reason is that they feel insecure. Families are being attacked between midnight and 4.00 a.m and raped. This is very painful. An example was given to me of a family which went to book the earliest possible flight out of Nairobi, because some gangsters driving a lorry went to their home. Reaching the gate, the house owner was asked to open the door. The poor family had to witness the loading on to a lorry of all their belongings. The members of the family were told by the gangsters to look for more things because at the same time the following month, the gangsters would be back for more. This family had to look for the first available flight out of Nairobi. These are things we must fight.

I must congratulate my colleague, Mr. Michuki, who is taking the bull by the horns. He is doing very well. I was watching hon. Michuki on television last night after I arrived home. He is calling a spade a spade, and I want to congratulate him and hope that he perseveres and does not backslide along the way. Others have trodden that path and somewhere along the way, they did not make it. We all know that the eastlands part of Nairobi is controlled by gangsters. We must get rid of thieves. Unfortunately, when our Somali friends were trying to sort out their differences in our hotels, CNN Television Station portrayed it as if it were the Kenyan Parliamentarians fighting. I found that unfortunate, and I think we should seek a measure of redress.

But on a serious note, I am sure that the President highlighted the fact that so many Bills will be coming before this House. One of them happens to be the

Forests Bill. Without anticipating debate, I want to confirm to my colleagues that as soon as is practicable, the Forests Bill will be re-submitted before this House and I am sure that all of us now will try to look through the issues and pass this very crucial and necessary legislation.

Mr. Speaker, Sir, I also want to say that with regard to the matter of Political Parties Bill, we must, as Kenyans, learn to talk openly with each other and not to talk suspiciously. I think time for serious business is now here with us. Part of the reason we have been squabbling, and I think our friends in the Opposition should not be proud of it because I think they have their own share of squabbling, is that some of us are committed to deepening the democratic gains that this country has realised. Therefore, for us to go back to one monolithic big Government party is what some of us are against. We belong to a coalition Government. I would have been very happy if the President uttered the words that we are indeed, a coalition Government. With that utterance, I am sure some of my colleagues in Government would go to court and withdraw those unnecessary suits that we are filing against each other. Those who are in FORD(K) should proudly belong to FORD(K).

Mr. Speaker: Order, Mr. Musyoka! You understand the law as a lawyer. You also understand the constitution. Be mindful of what you say on the Floor of this House because some of it may drive you out of this Parliament.

Proceed, but take care!

The Minister for Environment and Natural Resources (Mr. Musyoka): Mr. Speaker, Sir, I know the law relating to matters *sub-judice* and I shall, therefore, refrain. I will, therefore, take kindly the ruling of the Chair. But quite frankly---

Mr. Speaker: It is much more than that, Mr. Musyoka. I do not think you got me right. It is the question of defecting from the party which brought you to the House. That is what I am telling you and it may be on HANSARD.

The Minister for Environment and Natural Resources (Mr. Musyoka): Mr. Speaker, Sir, I just referred to the simple fact that we are a coalition Government. I would have been very proud if the President mentioned that fact.

Mr. Speaker: Order! Order, Mr. Musyoka. That may indeed, be what you people agreed outside the House and not here. As far as the Chair knows, you are all here as Members of NARC!

(Applause)

That is the legal position. How you came to that arrangement is beyond the doors of this House.

So, proceed on that premise.

Mr. Sambu: On a point of order, Mr. Speaker, Sir. We need guidance from the Chair. Those who were in NARC before the elections are in NARC. How about those who have been poached from this side? Are they now in NARC? Please, give us guidance.

(Applause)

Mr. Speaker: Order, Members! You are raising indeed, very intricate issues, Mr. Sambu. But if you were to care and look at even the way you Members are seated, you would be as worried as I am. I said at some stage that if we are not careful as a House, we may, in fact, at the end of the day, kill the multi-party system which the Kenyan people fought for and which we have been striving to have. So, as far as I know now, you hon. Members must retain the status which brought you to the House.

But above all, I think it is worrying in which direction we go as a House and a country, and whether we want, as a matter of fact, to have a working multi-party Parliament or whether we have to come together as a movement or some form of unrecognisable arrangement.

(Applause)

But as to what happens to the Members who went to the Government, that matter is in court and I will leave it to the courts to decide.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. I think it is only fair to state that we have these parties in this Parliament; NARC, KANU, FORD(K), Shirikisho, Sisi kwa Sisi and FORD(A). Clearly, it is incumbent upon the Chair to state that very clearly so that the entire country knows. We cannot have people masquerading as Opposition parties when they are not in Opposition. Even some of them are frustrating us in the Government.

(Applause)

Mr. Speaker: Order! Order, Members. I think you all realise your own predicament. Whether you want to admit it or not, we are, in fact, standing on a very slippery ground. Unless we are careful, we may, indeed, break the very foundation of a working multi-party Parliament.

So, be careful about it.

The Minister for Environment and Natural Resources (Mr. Musyoka): Thank you, Mr. Speaker, Sir. I quite sincerely thank you for your ruling. We are in a predicament. But whatever predicament we find ourselves in, this is our country and some of us will never shy away from speaking the truth, however bitter.

Mr. Speaker, Sir, it is true I am here on a NARC ticket. But the name is National Rainbow Coalition! These are matters that perhaps, the Chair might wish to ask for a constitutional reference with regard to what is happening. I heard the Leader of the Official Opposition bemoaning the fact that some of his Members have been taken away without him being consulted. These are some of the realities of our time.

With those remarks, I beg to support.

Mr. Abdirahman: Thank you very much, Mr. Speaker, Sir. I rise to support this Motion. But I would like to make a number of statements with regard to issues that have been put forward.

I would want to state that in almost all the presentations that we have had in the opening sessions of Parliament and even the Budgets that have been presented by this Government, there are very good policy statements that have not yet been translated into action. One of the issues is on the anticipated economic recovery that has been put at 7 per cent. All of us will admit that the state of the economy is not very good. I want to point out that there has been very little link between the Poverty Reduction Strategy Document, the Employment and Wealth Creation Document and all other documents that are meant for the improvement of our lives. There has been hardly any link between these documents to the extent that we are not able to make any meaningful progress.

I would also want to comment on the fact that the livestock sector has not been spelt out very clearly in the document that we received the other day. There has been hardly any mention, in terms of economic impact of the livestock sector and possible plans for that sector. Currently, there are over 21 Arid and Semi-Arid Lands (ASAL) districts that have been classified as areas that completely depend on livestock production. That has also been put in the Budget that we annually discuss in this House.

Mr. Speaker, Sir, I would also like to comment on local councils, that have been referred to as focal points for development. The status of our local councils is not a secret. They are down-trodden and inefficient. They are not able to deliver services as expected by the people of Kenya. You remember we had asked the Ministry for Local Government to come up with policies to govern the Local Authorities Transfer Fund (LATF). Nothing to-date has borne fruits. In terms of personnel and resources, our local councils are in a very bad shape. If we are going to refer to them as a focal point

for development, I feel there is a very big gap. A mere statement that we are trying to revitalise them may not yield any fruits.

Mr. Speaker, Sir, I would like to comment on an area that has no policies. Whereas there are efforts to protect forests in this country, there are no clear policies to protect grazing lands from settlements that are coming up. In fact, the Government supports the centralisation policy. A number of areas that are used as wet grazing seasons have centres that are coming up. That does not feature anywhere in the Government policies and plans. I personally attribute that to the inability by Government officers to develop policies that are relevant to the needs of the pastoral societies.

Mr. Speaker, Sir, I want to comment on the National Social Health Insurance Fund (NSHIF). I personally support a phased approach, but I have a problem in the manner in which the Government approached that matter. I personally do not blame the Ministry of Health only. But I feel the Government as a whole did not have a vision for the NSHIF in this country. It looks like day in, day out, there has been no clear strategy, save for public pronouncements in political forums by the political leadership in this Government.

Mr. Speaker, Sir, it is a welcome move to get a Sessional Paper on education to meet the challenges of the 21st century. The current Government is good in talking about policy and sessional papers that have found their way into this House, but have not been translated into reality. Some of the regions that we represent are under-privileged in terms of education. Education access, attainment and retention has been a nightmare. I personally welcome this Sessional Paper, which is likely to be presented to the House on education challenges. But my question is: To what level has that document taken into consideration the facts that I have just mentioned, regarding the pastoral and all other disadvantaged regions in this country? The disparities are so huge! I am glad the Minister is in the House.

Mr. Speaker, Sir, I would like to comment on the issue of micro-finance. It is good to note that there will be a Bill on micro-finance in the year 2005. I vividly remember when we started discussing the Kshs6 million Constituency Development Fund (CDF). The Minister for Finance did not want to accept any project related to micro-finance. It is good to note that we have plans for it now. I have a feeling that the micro-finance projects should be allowed by the Ministry of Finance to be included in the project prioritisation for constituencies across this country. If we want to reduce poverty, we will have to introduce micro-finance projects in the lower levels of our country. They will help in combating poverty, which is a big problem.

Mr. Speaker, Sir, I want to commend the Government for its peace initiatives in the region, especially in Somalia. I think we should take the earliest opportunity to relocate the Government of Somalia, because it cannot be able to operate here. They should move to where they belong.

Mr. Speaker, Sir, my last comment is on the Constitution. Kenyans have waited for a new Constitution for too long! They are now tired of it. There have been so many games here and there. We should continue to support the Bomas Draft. We do not need to have a hidden agenda in some of those things. The views of Kenyans must be considered at every level. We must have a clear strategy and focus in terms of knowing when we will have a new Constitution in this country. A new Constitution for Kenyans is a priority. That is why we find ourselves in several problems. You can even see the confusion that we are in with regard to the Government that we have. It has many names including that one of national unity, coalition and many more, which I am not able to mention at this stage. Overall, I would like to say that there are very good policy statements here, if we could translated them into action. We could have achieved much in the short time that we have been in Parliament.

Mr. Speaker, Sir, thank you very much for according me the opportunity this afternoon.

The Minister for Roads and Public Works (Mr. Raila): Thank you, Mr. Speaker, Sir. Let me join my colleagues who have spoken before me in thanking the President for the Speech that he

made on the day that he opened this House. Last week, we heard how a democratic God in heaven allowed Satan to have his own party there. That, basically, goes to underscore the need for us, as Members of Parliament, to be tolerant to each other. A situation should never arise in this House where hon. Members have to practise democracy like the Somali Members of Parliament.

Mr. Speaker, Sir, the President mentioned very many pressing issues of national importance. I only want to confine my remarks to a few of them. One of them was the issue of forestry and the need for us to conserve our environment. It goes without saying that, because of our very limited forest cover, there is need for us to expand our forest cover from under 2 per cent now, to over 10 per cent. That will be done by particularly introducing other alternative sources of energy, so that our people become less dependent on fuel wood as a source of energy.

Mr. Speaker, Sir, the President gave a detailed account of the various types of legislation that we intend to bring to this House this Session. I would like to inform hon. Members that, as a result of the discussions that we held here last year, regarding the Kenya Roads Board (KRB) Act, I intend to bring to this House a Bill to amend the KRB Act in order to provide for the Constituency Roads Funds (CRF), to be put together with the CDF and administered by the Constituency Development Committee (CDC).

Mr. Speaker, Sir, I want to talk about the constitutional review process. The President urged hon. Members to rise above partisan and sectarian interests and address the outstanding issues in a much more patriotic manner. Kenya has almost made a world record in taking too long in dealing with the constitutional review process. If we do not have already a gold medal, at least, we have a silver or a bronze medal. We have spent over five years in this process and over Kshs4 billion and still there is no end in sight. We are being given a road map to finish the constitutional review process, but without breaching the principle of collective responsibility, the Constitution is one of the issues over which there cannot be unanimity, particularly where there is a multiplicity of political parties. Therefore, on this issue, I am fully entitled to speak on behalf of my political party.

Hon. Members: Which one?

The Minister for Roads and Public Works (Mr. Raila): Mr. Speaker, Sir, the National Rainbow Coalition.

It is true that when various political parties appeared before the Constitution of Kenya Review Commission, they represented divergent views on the Constitution. We tried to develop a consensus when we were at the Bomas of Kenya. Various competing views were presented to the delegates and ultimately, a consensus was arrived at, at the Bomas of Kenya.

Mr. Speaker, Sir, all hon. Members were delegates at the Bomas of Kenya and they represented various views, and nobody can come up and challenge the Bomas process. Therefore, I believe that---

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. Is the Minister in order to state categorically that nobody can challenge the facts and views that were collected at the Bomas of Kenya?

Mr. Speaker: Order! I think all of you have some point, but his is dictatorial. Anybody who cannot be challenged is a dictator. This House must be allowed to control itself.

The Minister for Roads and Public Works (Mr. Raila): Mr. Speaker, Sir, I am trying to say that nobody can question the validity of what was arrived at, at the Bomas of Kenya and say that it is not democratic.

I would like to talk briefly about the issue of corruption. This is a subject that is currently very prevalent in our country. I have in mind here a statement that appeared in one of the dailies alleging that one Cabinet Minister has banked outside the country Kshs750 million and some of it here in the country. This statement is attributed to a report by Transparency International.

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

Mr. Speaker: Mr. Angwenyi, you do not have to interrupt!

The Minister for Roads and Public Works (Mr. Raila): Mr. Speaker, Sir, he is wasting my time.

Mr. Speaker: Order! Can you stop the time, please? Mr. Angwenyi, I will listen to you, but as I listen to you, I plead to hon. Members that in timed debates, we have to interrupt the hon. Member on the Floor very sparingly. Secondly, these interruptions of an hon. Member on the Floor have the effect of derailing his/her train of thought and it can amount to harassment, which I will not allow. What is your point of order, Mr. Angwenyi?

Mr. Angwenyi: Mr. Speaker, Sir, I remember that you have in the past stopped me from basing my arguments on newspaper reports. You cannot have double standards. The Minister is basing his argument of a newspaper report. Is he in order?

Mr. Speaker: I think you are right. The rule of the House is that debate of this House shall not be authenticated through press reports. So, maybe, Mr. Raila, you can use your sources, but Mr. Angwenyi is right.

The Minister for Roads and Public Works (Mr. Raila): Mr. Speaker, Sir, I did not just talk about the press reports. I was talking about a debate that is going on in the country and part of it is attributed to a report by Transparency International (TI). So, I sourced the report of Transparency International and Kenya is covered in pages 169 to 172.

In summary, the statement says:-

"In May, 2004, a Kenyan daily newspaper ran an article with the headline: Five Cabinet Ministers Face Corruption Probe. The article quoting the Chairman of the Public Accounts Committee (PAC) alleged that one Cabinet Minister irregularly acquired a staggering Kshs800 million which he has stashed in banks both in the country and abroad".

A day earlier, the same paper printed a large photograph of another Cabinet Minister alongside an article entitled: Overnight Millionaire. This story alleged that the Minister uses his Cabinet position to acquire Government contracts for an insurance company in which he is a director. That is all the report says.

Mr. Speaker, Sir, the report is quoting a newspaper story which in turn is quoting the Chairman of the Public Accounts Committee. This statement has not said that Transparency International has got evidence that any Cabinet Minister has banked any money outside the country. However, I said that the particular publication was misleading the public of this country that this has happened. We do not want to condone corruption and as the President said, we swore that we were going to conduct a zero tolerant administration to corruption.

Therefore, I have said in the past that if an allegation is made against me, my Ministry or about the conduct of business in my Ministry, I will answer. I will not go around and say that the Government is being put under seige and that some people would like to bring the Government down. If I am being charged as an individual, it is my responsibility to come out and give an answer to the allegations which are being made.

Mr. Speaker, Sir, I want to conclude my remarks by saying that there is the Keter Bill, which has raised a lot of temperature in this country. The Keter Bill need not come before this House if we can agree to bring the Draft Constitution, which was prepared at the Bomas of Kenya, before this House. The Keter Bill is a stop gap measure if we do not get the Draft Constitution. So, if we do not want to have the Keter Bill in this House, the best and the most honest thing that we should do is to, as quickly as possible, bring the Draft Constitution in this House and pass it as it is.

With those few remarks, I beg to support.

The Minister for Water and Irrigation (Ms. Karua): Thank you, Mr. Speaker, Sir.

Hon. Members: Why?

Mr. Speaker: Order! The rationale of it is that the Opposition is only half the Government side.

Proceed!

Dr. Godana: On a point of order, Mr. Speaker, Sir. Much as I respect your ruling, this is perhaps one of the three most critical times for the Opposition. It is actually our time to hold the Government to account. If we believe in multipartism, there are only two sides of the House. It is fair that it is a seesawed debate between the Government side and the Opposition.

Mr. Speaker: Order, Dr. Godana! I take into account the possibility of the hon. Members of the Opposition having opportunity to contribute on this Motion. If I look around this House, there are only seven of you who have not spoken and I am sure that before the end of the day, if you all want, you will have spoken. There are seven KANU hon. Members who have not spoken.

Proceed, Ms. Karua!

The Minister for Water and Irrigation (Ms. Karua): Mr. Speaker, Sir, may I take this opportunity to support the Motion before the House. We all know that this debate will go on for seven days. It is believed that almost all of us who wish to speak will have a chance to do so.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, I have looked at the Speech and it does expound the Government's policy. It is, indeed, to be commended. I have heard Members before me speak about insecurity. It occurred to me that I am listening to Saul become Paul on the way to Damascus. Insecurity in this country did not happen in a day. It is years of corruption and mismanagement in the previous regime that caused this insecurity. The current Government has tried to do its best in the short time that it has been in power, but it is easy to destroy and difficult to build. It is not possible to restore 100 per cent security within a minute. I would expect that there be appreciation that reasonable steps have been taken, but a lot more needs to be done. I do agree that we have to pull up our socks on the area of security. However, it is also disheartening to note that there are leaders who incite their constituents to violence. There are leaders who are causing insecurity and are part of the militia and illegal gangs. I can only express support to the Minister in charge of security to make sure that anybody who contributes to insecurity, irrespective of his or her position, is made to feel the full weight of the law. Unless, this is done then we cannot talk about---

Mr. Muite: On a point of order, Mr. Deputy Speaker, Sir. The hon. Minister is raising a very important issue. She says that there are leaders who incite others to violence, but the Member of Parliament for Narok South, Mr. William ole Ntimama, is not listening.

(Laughter)

Mr. Deputy Speaker: Order, Mr. Muite! That is a frivolous point of order. Please, continue Ms. Karua!

The Minister for Water and Irrigation (Ms. Karua): Mr. Deputy Speaker, Sir, in a nutshell, what I am saying is that, we, as leaders and citizens of this country, have a role to play in ensuring that there is security in this nation. Yes, the overall responsibility lies with the Government. The Government is taking its responsibility and is doing its best, but it will require the support of everybody to contribute to security. I am reminding those who presided over the affairs of this nation only yesterday, not to expect miracles. They should not expect that their years of loot and destruction can

be wiped out in a day. We need time to do that. It is surprising, therefore, to hear Saul become Paul; prevaricating and telling us that enough has not been done, especially when some of those who were holding those positions are continuing to contribute to the decline of security in this country.

Mr. Deputy Speaker, Sir, corruption affects everything. Corruption has also affected issues of security. When people who commit crimes go scot-free because they have bought their way around, it contributes to insecurity. It is, therefore, in our interest, not just for reasons of the economy of this country, but reasons of security and a well-ordered society, to fight corruption. The Government is taking the challenge. I am very glad that His Excellency the President, in his Speech, addressed the issue. But, again, it requires the support of everybody. There are three pillars of Government; that is, the Legislature, the Executive and the Judiciary. Can a corrupt legislature be a watchdog of the people? Can a corrupt legislature keep the Government on its toes? There have been allegations about the Legislature. We want to admit that there are issues the Government has to face, and it is facing them. But there have been allegations of corruption in this august institution. There have been allegations of cash-for-questions, cash-for-reports, extortion and threats on information acquired by virtue of us being privileged as Members of Parliament. In addition, there have been allegations of false mileage claims. It is not just about mistaken mileage. It is about, first, knowingly making false mileage claims. That involves a Member sitting in Nairobi or being out of the country, for example, and then coming back to present bills to the cash office, that you have been to your constituency.

Mr. Deputy Speaker, Sir, we are not above the law. What we urge for the rest of Kenyans, let us also urge for ourselves. Let us wipe corruption out of the Legislature, so that it can play its role as a watchdog of the people. I am a Member of Government. The Legislature is very vigorous in criticising the Government. But when the Legislature is touched on investigations of pertinent issues, I hear cries of, "close down KACC" and "cut down its powers". Nobody is above the law; not even those of us in Government, or Members of Parliament. I would urge the KACC to burn the midnight oil and investigate anyone involved in corrupt practices, whether in Government, Parliament or the Judiciary. We shall not be able to steer this nation to prosperity and give hope to the people of this country until our broom sweeps clean. Let us not be defensive when we are told there are wrong things happening in this House or the Legislature. Let us open ourselves to scrutiny.

Mr. Deputy Speaker, Sir, it is laudable that institutions or groups that have constituted themselves watchdogs are talking about corruption. But it is very important that people be accountable for the statements they make. If any group alleges that they have information on corrupt practices of a Member of Government or even, indeed, any other personality in the country, the least expected of them is to name names. This is because they are speaking from conviction and evidence. Let us not hold people to speculation. Let them name names, so that we do not hang under a cloud of a group being alleged to be corrupt, when it is an individual or two and then everybody can carry his or her own cross. If they are being crucified falsely they may be able to face their accusers and say this is wrong. But blanket statements are not helpful to anyone. But we welcome being put on our toes.

Mr. Deputy Speaker, Sir, some of us have been in this House for a while and we have come to know one another. Once in a while in the Members Lobby, we hear people cry about financial woes. The same people have suddenly become very wealthy and they are the ones who shout at the top of their voices about corrupt people. I know of some Members who, only the other day, were driving battered motor vehicles. Now, they are owners of fleets. Unless each of us is scrutinised individually so that we find out where a few people, including some Members of Parliament, and not just Ministers, have gotten their newly found wealth, so that as they shout "corrupt" when their first name could be "corruption," we find out how they came by their new found riches. Unless each one of us knows that the country is not only watching, but that we will be exposed to the maximum, the culture of impunity will never end.

Mr. Deputy Speaker, Sir, I am, therefore, calling for responsibility by the three arms of

Government; those of us in the Executive, the Legislature and the Judiciary. Unless we simultaneously clean the three arms of Government, the fight against corruption will not be won. I am, therefore, saying as a Member of this House, that I welcome scrutiny on the Legislature. Let it not stop on just how many miles it is from here to my constituency, let it go further. Check the schedule to find out when, as a Member, I was supposed to be out of the country. Have I claimed for that week? Recently, South Africa took 20 Members of Parliament to court. I believe if that is done here, 50 or more, may face the law, so that we take the fight against corruption seriously and not as a political tool to fight other people. It is good to weed out corruption, but let us not use it to further corruption.

Mr. Deputy Speaker, Sir, recently I witnessed a politician weeping somewhere in Timau with squatters who had been evicted from the forest. The same politician and their family owns tens of thousands of acres.

Mr. Deputy Speaker: Ms. Karua, your time is up!

The Minister for Water and Irrigation (Ms. Karua): Mr. Deputy Speaker, Sir, with those few remarks, I beg to support.

Dr. Godana: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this debate. It is almost traditional when it comes to this Motion--- During this tenure of the NARC Government, I have to say "reluctantly" that I support the Motion. I do not want to oppose the Motion because of the possible consequence on the vote of the Session not starting. Beyond that, I find very little worthy of praise in the President's so-called exposition of public policy. Beyond the concession, it was, indeed, a beautiful and well-written Speech. But we need more than beautiful speeches. We need more than pious statements. We need more than "cooked" data and statistics to bring about change for the better in the living conditions of the citizens of this country.

Mr. Deputy Speaker, Sir, hon. Members who have contributed before me have already dwelt on the subject of run-away insecurity. Pardon me but without repeating, I will also have to dwell on it. It is really unfortunate that on the very day that Parliament was being opened, the main headlines in the principle dailies in this country were about the massacres of 32 innocent Kenyans in their sleep. The Head of State did not even make a cursory reference to the Mandera massacre. I would have expected him to ask the House to stand up and observe a minute's silence to underline his seriousness. Presumably, he did not do that because it happened in northern Kenya.

Mr. Deputy Speaker, Sir, I have to state that, insecurity is really running away, particularly in the range lands of the North. There is a real possibility of an explosion before long. As a serious Government; as leaders both in the Government and outside and as a society, we must begin to deal with those issues on a long-term basis. We should not do spontaneous responses such as we are getting from Mr. Michuki. I do not think any Member, least of all a Member of a legal profession, should praise the order for summary execution of suspects, which the Minister gave. I am really shocked that Mr. Kalonzo Musyoka praised the Minister for doing that. I also thought Ms. Martha Karua was also that sympathetic. I hope she will clarify.

The Minister for Water and Irrigation (Ms. Karua): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for my colleague to discuss the conduct of the Minister in charge of international security without moving a substantive Motion?

Dr. Godana: Mr. Deputy Speaker, Sir, I it is not--

Mr. Deputy Speaker: Just a minute. I was listening very attentively and I do not think the conduct of the Minister has been questioned. The hon. Member was referring to a statement.

Dr. Godana, please, continue!

Dr. Godana: Mr. Deputy Speaker, Sir, I am not discussing the conduct of my colleague, Mr. Michuki. I wish he was here. I think any Government, which claims to respect the rule of law, due process and human rights, must stand distant from any suggestion to the law enforcement officers about executing suspects on the streets. In this society, with trigger-happy men, we know how easy it

can become for contract murders to take place under that excuse.

(Mr. Nyachae stood up in his place)

Mr. Deputy Speaker, Sir, I think there is a deliberate strategy to--- Time is running.

Mr. Deputy Speaker: Stop the clock!

The Minister for Energy (Mr. Nyachae): On a point of order, Mr. Deputy Speaker, Sir. I do not want to interrupt my good friend. However, I think the message he is conveying about the alleged statement by the Minister is being mentioned in this House in the wrong way. The Minister talked about a person with a gun, facing the police. What do you with a person who has a gun and facing the police? Does the police fire or wait for the person to fire at them? That is the kind of situation the Minister was referring to.

(Applause)

Mr. Deputy Speaker: Now, I do not think I can call that a point of order. It is a point of information.

Dr. Godana: Thank you, Mr. Deputy Speaker, Sir! I hope we can get beyond this issue. But on a serious note, I think there are guns in the northern range lands. What happens is that when a crime takes place and a citizen is murdered, there is no response by way of apprehending the culprit, even when information on the identity has been given. In Mandera, it is my understanding that the killing started with one driver and the information on the killers was given to the police. But because no arrest were made in a few weeks, communities decided to respond and seek vengeance. We now have more than 60 people dead!

Mr. Deputy Speaker, Sir, in my own constituency, on 11th, February this year, a man was killed. On 13th, February this year, with the entire District Security Committee, we visited the scene and saw the body. A senior chief and a councillor from a neighbouring area confessed they knew the killer, because his identity had been described. To date, he has not been arrested. The consequence, because of hit-back and vengeance, is now pending in them.

Mr. Deputy Speaker, Sir, I think Mr. Michuki will have to do much more and empower the police on the ground to follow up each case of a killing. If you thwart one, there would be a discouragement to those who want to follow. If you let one go free, there is an encouragement to those who want to revenge and you get the see-saw getting back.

Mr. Deputy Speaker, Sir, we have been told about how well this economy has done. The good performance of this economy cannot be read in the statistics that were read to us here. They must be read in improving actual living conditions of Kenyans. All the evidence is there. Even Government data is there to show that the poverty situation has worsened and not improved over the last two years. Therefore, the credit claimed of so much sugar being produced and so many car assemblies being done, does not translate into improving the overall quality of life of Kenyans, is not a credit worth mentioning.

Mr. Deputy Speaker, Sir, I welcome the declaration by the President of his personal commitment to the conclusion of the constitutional review process. But that is not the first time we have heard that kind of commitment made at that highest level. I recall the official opening of the Bomas process. I see there is no commitment in this Government. I think it is evident in the Speech of His Excellency the President himself, despite that statement. Why do I say so? The President has promised us that his Government legislative programme has a number of Bills which actually change the Constitution, and which touch on matters which have been decided upon by the Bomas process. If the Government was sincere about implementing the constitutional review process, it would not be thinking of introducing piece-meal legislation touching on the Constitution. The argument they have

been advancing against the Keter Bill, that we do not need it because a new Constitution is coming, does not hold water. They have also told us, through that Speech, that they intend to bring piece-meal legislation.

Mr. Deputy Speaker, Sir, there is also a dangerous trend in this country of suggesting that land ownership and land tenure will be the panacea of poverty in this country. I say it is dangerous. I am glad the Vice-President and Minister for Home Affairs appeared to share this view, although he was a bit not very clear. I do hope I understood him. It is dangerous for us to make our people believe that, if you have land redistribution, your problems are solved. The problem of agriculture is not the problem of land distribution. That is a lie! The problem of agriculture is not that of unfair land distribution. The problem of agriculture is that of inputs, appropriate technology and a policy which should realise that we are a water-scarce country and, if our agricultural sector has to survive, it has to have a long-term plan to conserve water and switch to irrigation.

We are being warned daily. I remember reading a documentary of the vagaries of the weather. What have we done? Where is the commitment? Where is the evidence of any realisation by the Government about the danger that faces all of us? We have just said the other day that we should be prepared for serious power rationing in the coming year because the forecast is that the rains will not be that good.

Mr. Deputy Speaker, Sir, to round it up, I think the Presidential exposition of public policy was a miserable failure. I think there is only one honourable thing left for this Government to do and it is to dissolve Parliament and call for fresh elections, otherwise Kenyans cannot run through another three years like the past two years.

With those few remarks, I beg to support.

Capt. Nakitare: Asante, Bw. Naibu Spika. Leo nitazungumza kwa Kiswahili. Ninakushuru kwa kunipa nafasi hii ili nijunge na Wabunge wenzangu kuzungumza kuhusu mwongozo wa Kenya ambao uliweza kuletwa mbele ya Kenya na Rais. Vile ninavyoona, matatizo ya Kenya hii yalitokea hapo awali. Hii ni kama kuvalia nguo chafu na kujaribu kuisafisha ukitumia sabuni.

Bw. Naibu Spika, namuunga mkono Makamu wa Rais na Waziri wa Mambo ya Nyumbani alipoleta majina ya Wabunge watakaoshiriki katika kikao cha Bunge la Afrika yaani; Pan African Parliament. Pan Africanism ilianzishwa na Kwame Nkrumah na Marehemu Kenyatta na Nyerere. Walikuwa na mwongozo kwa Mwafrika. Kama sisi tutajitoe kwenye minyororo ya wakoloni, ni lazima marekebesho yote ya sheria yaanze kwa hili Bunge maanake kukiwa na mchafuko hapa pia Bunge la Afrika litaambukizwa ule ugonjwa ambao mimi ninauona hapa. Ni mchezo kwa wanasheria ambao walichaguliwa na wananchi kuja hapa na kulifanya hili Bunge kama uwanja wa mpira.

Bw. Naibu Spika, nashangaa kuona kwamba Mawaziri wanatajwa kuhusiana na mambo ya ufiada na ulegevu wa kazi. Mwanzilishi wa taifa hili Hayati Mzee Jomo Kenyatta alikuwa na uchungu mwingi wakati alipochukua "usuka" wa kuanzisha hili taifa la Kenya. Mwongozo wa Katiba sio---

Mr. Wario: Jambo la nidhamu, Bw. Naibu Spika. Sijui neno "usuka" lina maana gani? Kwa hivyo, tukitumia Kiswahili yafaa tujue kama ni sawa kuitumia neno "usuka".

Dr. Godana: Ni Kiluhya!

Capt. Nakitare: Ninatafuna Kiswahili namna unavyokifafanua wewe mwenyewe.

Mr. Deputy Speaker: Bw. Nakitare, eleza!

Capt. Nakitare: Bw. Naibu Spika, nasema kwamba kushuka kwa utaratibu usiofaa kutokana na sisi wenyewe---

Mr. Deputy Speaker: Bw. Nakitare, ulisema wakati Hayati Kenyatta alipochukua "usuka".

Capt. Nakitare: Bw. Naibu Spika, "maana ya usuka" ni utawala!

Mr. Deputy Speaker: Ni "usukani". Basi endelea!

Capt. Nakitare: Basi niache niendeele hadi nimalize. Naona mwenzangu Mbunge kutoka Mombasa anajua sana. Nasema wananchi wanatuangalia. Katika Hotuba ya Rais, hakuna hata mstari mmoja ambao uligusa vijana wa nchi hii na hawa ndio watoto ambao tunasema watakuwa viongozi wa

kesho. Hakuna hata mstari mmoja ambao ulitaja mashujaa wa nchi hii kwa sababu historia yetu ndio inajenga Kenya. Leo tunataka sheria mpya. Ni kama Kenya imepata uhuru juzi. Uhuru wa Kenya ulianza mwaka wa 1963 na lazima tujenge kutoka kwa ule uhuru. Kama ni kubuni nafasi za kazi, itategemea Bunge hili, na mimi nashangaa tunapotajwa kuhusiana na mambo yasiofaa. Kwa nini usikae kwa nyumba ya nyasi kama unaona nyumba ya matofali ina gharama kubwa? Lazima tunyenyekee katika mienendo yetu. Tunanyenyekea sio kwa sababu tunataka kurudi katika Bunge hili kama Wabunge lakini tuone ya kwamba mwongozo wa Kenya unaanzia katika Bunge hili la kutunga sheria. Ukosefu wa kazi ni juu ya sisi wenyewe. Katika uzazi tuko na ujamaa wa Kiafrika. Kila mzazi ana jukumu la kutoa nafasi kwa watoto wake. Kulipokuja mvumo ambao ulilazimisha watu kuondolewa kwenye mashamba yao uliharibu utaratibu wa kilimo katika Kenya. Tusipotengeneza mambo hata Idara ya Kilimo haitaweza kulisha watu wanaoongezeka. Leo tuko milioni 31 na mashamba hayapanuki ila yanapunguka. Hata tukitumia njia gani pia haitaweza kuangusha mahamri ama minazi kutoka Mbinguni kama manna.

Bw. Naibu Spika, Rais alisema mambo ya busara lakini inatakikana sisi tumwongoze na yeye pia apate kusikia kwamba hata Wabunge wanaokaa nyuma katika Bunge, yaani Backbenchers, wana mawazo ambayo yanafaa na yanajenga taifa hili. Sio kwamba tutategemea pesa zile ambazo zinatolewa na CDF, yaani hazina ya maendeleo ya mawakilisho. Hizi pesa zinaweza kuweko na kama huna ujuzi wa kuzipeleka kwa wananchi, zitapotea hapo kati kati na utaitwa mnafiki. Kwa hivyo, nauliza Kenya yetu iliyokuwa inang'ara kama hii fimbo, ilienda wapi? Tunatafuta njia hiyo ili tupate mwongozo wa kupeleka watoto wetu sisi tukiwa kama ni waalimu wao. Ukimwambia mama kwamba huna pesa leo na mtoto amekosa chai, mtoto yule atakuuliza: "Baba, si unafanya kazi? Pesa unapeleka wapi?" Hilo ndilo swali ambalo Mkenya barabarani anakuuliza wewe Mbunge. "Ulikuwa hapa kupiga kelele ama ulikuja kama mtu mwenye mawazo mazuri ya kuitengeneza Kenya yetu?"

Bw. Naibu Spika, sitaendelea kwa sababu tulipewa dakika kumi tu. Nitasema tufuate kikamilifu yale maneno ambayo Rais alisema na tuache kuzozana katika Bunge na tuendeleo kujenga Kenya. Vyama haviwezi kujenga Kenya. Vyama ni vilabu. Kwa hivyo, usining'inie kwenye chama ukisema "ni changu tu". Na je, yule wa nyumbani atasema nini? Kwa hivyo, tuache mambo ya vyama na tuendeleo na mwongozo wa kujenga taifa letu.

The Minister for East African and Regional Co-operation (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, thank you very much. I stand to make comments in support of His Excellency the President's Speech during the State Opening of Parliament. The President gave very clear directions on the way forward in which we are going to move in order to improve the welfare of this nation.

Mr. Deputy Speaker, Sir, I can see that the biggest problem that we have in this country is the question of divisive politics. People have been made to believe that to criticise is the only way forward for this nation. When there is an issue that is not known, whether it is true or not, we as leaders direct our people to move in the wrong direction.

Mr. Deputy Speaker, Sir, I would like to urge my colleagues that we desist from dwelling on so much politics at the expense of development of our country. Why is it that we spend so much time talking politics instead of building the nation? It is high time we left destructive politics alone and dwelt on issues which will better the lives of our people.

The President, in his Speech, said that the economy of this country has improved; indeed, there are very clear statistics and signs that there has been some improvements. You cannot doubt that there are more tourists coming into this country. They are there and the amount of revenue that we have earned from tourists has increased so much; in fact, much more than what we earned before. The growth of our economy has risen from zero or below zero performance to 2.4 per cent. I find that to be a very encouraging development. Let us tell our people the truth. The fact that the price of oil shot up because of the Middle East issues, that should not camouflage the development that has been achieved. Nobody is mentioning the increase in the oil prices. It is true that the oil prices have shot up

from about US\$30 to almost US\$60 per barrel. This has terribly impacted on the economy of this country and it has nothing to do with the Government.

Mr. Deputy Speaker, Sir, we need to be honest to our people. If there are certain issues that have made life difficult for our people, we should frankly point those issues out. If there are problems that have been created by the Government, let us be clear about them. However, let us not only criticise and talk of things that are not true. How much has the increase of oil prices impacted negatively on the economy of this country? I was trying to imagine what would happen if the microeconomic stability of this country was not maintained. We would be in a quagmire now. It would have been a terrible state for our country. It is the microeconomic stability of this nation that has made us perform better despite all these problems. We should welcome that.

When we go to the rural areas, the farmers---

QUORUM

Dr. Galgalo: Mr. Deputy Speaker, Sir, clearly, we do not have quorum in the House.

Mr. Deputy Speaker: Yes. We have less than 30 Members in the House. The attention of the Chair has been drawn and I, therefore, order that the Division Bell be rung.

(The Division Bell was rung)

Mr. Deputy Speaker: Order, Members! We have a quorum now. You may proceed, Mr. Koech.

The Minister for East African and Regional Co-operation (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, at the point of interruption, I was bringing to the notice of Members the fact that our economy has, indeed, performed well and were it not for the effective management of the country's microeconomics, we would be in chaos now. The price of oil has more than doubled in the world market and yet our economy is still strong. The improvement in the tourism industry is very clear. Even when some of us visit some farms in the countryside in areas where there is rain and maize is doing very well, we feel so proud because the seed that was provided by the Kenya Seed Company this time is the best. We have never seen that type of seed before. The farmers used to make losses year in, year out because of using poor seeds. We now have very good seeds and it is impacting positively on the production of maize.

Dr. Godana: On a point of order, Mr. Deputy Speaker, Sir. I want us to be serious Members of this House. A Minister says that they have just received the best seeds ever. He is yet to apply the seeds to the ground! Is he in order to make such a scandalous statement?

The Minister for East African and Regional Co-operation (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, the other time, Dr. Godana told me that common sense is not all that common. Now, I believe him. I think it is not very common to him.

Mr. Deputy Speaker, Sir, I said that I saw an already grown maize crop. That shows that the seeds were good and that is why we have a very good crop. I did not say that we have just received the seeds. It is something that I have observed.

In the past, farmers affiliated to the Kenya Co-operative Creameries (KCC), made a lot of losses. Today, they are receiving good prices for their milk. This is truly an improvement. It is not negative. Farmers are now getting better prices for their milk and I am one of them. This can only be attributed to good performance by this Government.

Many farmers have been paid their money. Those who have not been paid for their sugar cane have been paid. The money no longer ends up in the wrong hands. Let us give praise to whatever good that has been done. If there are some negative things, we should also speak them out. The

question of corruption, I will not condone. I have never condoned corruption in this country. However, let us leave our institutions to work independently. Let the Public Accounts Committee (PAC) come up with its report. Let the Controller and Auditor-General do his work first. When the PAC comes up with its report, then we have got the right to condemn whoever has stolen the money. Let us not turn Parliament into the office of the Controller and Auditor-General.

It is now emerging that this House is becoming the Controller and Auditor-General and the PAC at the same time. We are now turning things up-side down. Let us give our institutions time to work. That way, we shall get the right thing. We also need to be patient for the results from the investigations by these institutions. If some people are very corrupt, I will not defend them. However, I want them named. Let us, for example, say that Mr. Koech is corrupt and he has Kshs750 million abroad. Let us name the person, instead of saying that he is a Minister. A Minister is not a person. I will not support that Minister. Instead, I will condemn him. But let us name him. There are a lot of things which are going on in this country; there are some people in this country who are with the foreigners; they control the newspapers, and they go all over trying to get information which is negative to the Government. If I stand here as a Minister, I must say the truth and if I know that somebody is corrupt, I must say so. But if I am only saying by the side, then I have an agenda to destabilize this country. Some people are not honest; they are making efforts to make sure that the Government fails, because they are so anxious to become great people in this country.

Mr. Deputy Speaker, Sir, I was reading a story of Prof. Mazrui, in which he told somebody at the trial of Christopher Gilford:

"There were some people who were so anxious in this world and they wanted to be leaders, but they never made it. While they were being charged in the underworld, they were being told that the charge against them was for being impatient".

Now, we cannot afford to be impatient. Let us be patient in order to develop this nation. Impatience is too much. What do you expect this country to have done in two years when the economy has been run down for 20 years? I have been in this Parliament since 1979, and I know what happened in the 1980s. There were certain institutions which started being destroyed at that time, and some of us could see that the future of this nation was not good.

Now, the Government is setting up the institutions of this nation, and there are so many positive things which are going on, for example, the East African Community. We are coming up with very good things which are helping the economy of this country. The coming up of the East African Community means that the export of Kenyan products has risen from 8 per cent to more than 30 per cent, and that is impacting positively on the economy of this country. The success of the peace process is another achievement. The signing of the Sudanese comprehensive peace agreement has brought a lot of positive things to this nation. Although there is still a problem with the Somalis, I am still with them, and I want to assure you and assure the country that I know they are going home soon and it is positive.

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

Mr. Ojaamong: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Motion before the House. First of all, I wish to state that the President, in---

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

Mr. Deputy Speaker: What is it, Dr. Galgalo?

Dr. Galgalo: Mr. Deputy Speaker, Sir, hon. Ojaamong is a friend of our party, but I think he belongs to the other side. He is taking our time on the Opposition side.

Mr. Deputy Speaker: Order, now, Dr. Galgalo! You are completely out of order! Let us be serious when you are raising points of order. Those Members have been sitting there for the last session. In the past, we have given time to Members in the Front Bench; are you saying that we should only give KANU on this side a chance to contribute? The Speaker did say that you were seated in a

very confused manner and, therefore, let the Chair run this Parliament on your behalf, because you gave us that work.

Proceed, Mr. Ojaamong!

Mr. Ojaamong: Thank you, Mr. Deputy Speaker, Sir, once more. In his Speech, the President mentioned something about good governance. As we look across the country, do we witness anything that has a semblance of good governance? Are we not hearing about cases of insecurity from Busia to Mombasa and around the country? Is that good governance? Are we not hearing about cases of corruption in our country? Hon. Cabinet Ministers have said that there is corruption in the Legislature, in the Cabinet, and also outside there. Is that good governance that the President should have talked about?

Mr. Deputy Speaker, Sir, if you look at how people are recruited into the Civil Service in this country, you will find that some people are left out of the recruitment process, and I must mention them. These are people like the Rendille, Teso, Pokots and the rest. This means that, this Government does not recognize the abilities of people who come from these communities. Is that good governance? The Government does not respect all the people that are within its borders.

Mr. Deputy Speaker, Sir, look at the health sector; is there anything to boast about since the NARC Government took over in the last two years? Is there anything to talk about? If you go to Webuye, where the Minister for Local Government comes from--- One time I was driving at night and I came across an accident along the way. I helped some people involved in the accident to Webuye District Hospital, but what did I find there? Could I even find a Medical Officer of Health (MOH) or a nurse? If our own people cannot receive good medication in our hospitals, are we talking about good governance?

Recently, the Kenya Certificate of Primary Education (KCPE) results were released. How many of our pupils are without school fees and cannot go to secondary school? Very many! If the Government was, indeed, concerned about those children, it could have provided a better way of educating them, rather than giving out very small money in the form of Constituency Development Fund (CDF) and bursaries, which are very ineffective indeed.

So, Mr. Deputy Speaker, Sir, there are very many things that we can speak about. Look at Ukambani; the issue there is the lack of water for irrigation and many other uses. What has this Government done? Has it not allocated so much money to areas which have plenty of water and left out Ukambani? Is that good governance? So, this Government is just a matter of misplaced priorities to the extent that I will not agree, just the way I could not accept in the last two years, that this Government is committed to good governance. First of all, the Head of State himself, who gave us the Speech refused to honour the M.o.U which brought him to power! He was not in Kenya when we were campaigning. We campaigned for him and put him on the seat, but what did he do to us? He went ahead to inherit the system which had destroyed Kenya; the system that was KANU at that time and which had really ravaged Kenyans and left them very poor, uneducated and very unhealthy. Yet, he boasts about it by saying that it is good governance.

Mr. Deputy Speaker, Sir, what did he do? He brought people who fought him left, right and centre during the campaigns when we were struggling, and put them on the Government side. Is that good governance? It is very bad politics, indeed. Indeed, I concur with the Speaker when he said that we are destroying the multi-party politics. But is there any multi-party politics in Kenya? Who has destroyed it? Is it not the same man who gave us this Speech some two or four days back? What Kenyans need is a very strong multi-party system; a very strong Opposition which will put the Government under checks. But is this what our Head of State wants? He wants a state of confusion; he wants to create avenues where he can manipulate and lead the country at his own will and the way he wants.

So, Mr. Deputy Speaker, Sir, if the President is, indeed, very serious about good governance,

let him restore the rule of law and respect the Constitution; let him ensure that multi-party democracy prevails within the country. Let him realize that in the Commonwealth and all over the world, an opposition party is equally important as the ruling party. In so doing, I will be in concurrence with him that he is actually interested in good governance. Otherwise, I agree with the Leader of the Official Opposition that this is all empty rhetoric.

(Applause)

Mr. Deputy Speaker, Sir, in regard to the Constitution, indeed, Kenyans outside there are very annoyed with this Government, the National Rainbow Coalition, and as it is called lately, the Government of National Unity and, at times, it is called--- It has so many names! Kenyans are unhappy with the way this Government is running its affairs.

Mr. Deputy Speaker, Sir, we promised to give Kenyans a new Constitution and appointed a Minister for Justice and Constitutional Affairs. However, how many times did Mr. Murungi attend the Constitution of Kenya Review Commission (CKRC) conference held at the Bomas of Kenya? I want to inform the Chair that he attended not more than four times. He has come up with the Naivasha Consensus Bill. I concur with the previous speakers who have said that if the President wants to give Kenyans a new Constitution as he stated, let him jump-start the process and within a very short time, we shall have a document which will be a saviour to very many people. The new Constitution will also be a saviour to most of us who come from downtrodden areas. That Constitution provides a lot to our people. It takes us out of our current problems. We deserve good governance in this country.

I will state the position of the Teso people, whom I represent in this House, on the Constitution. My people stand by the Bomas Draft and it should be enacted the way it is and then be sent to a referendum. They would not like it to be mutilated on the Floor of this House.

Mr. Deputy Speaker, Sir, I want to raise an issue which the President did not address, but is of great importance to my people. This is with regard to the issuance of the national identity cards. My people are, indeed, disadvantaged. They take almost two years to be issued with these cards. This is a tedious process. First, we have the sub-locational committee which is composed of elders who meet any time they want. After that, the forms are forwarded to the locational, divisional and district vetting committees. Finally, the forms are sent to the national vetting committee, which does not know who is a Teso. This committee meets almost once a year. By the time a form for a person from Teso District is processed to enable him or her be issued with a national identity card, it would have taken a year or so, and that denies us many opportunities. We cannot secure employment and training opportunities for our people.

Because people are now fatigued, they do not even go to register to be issued with the national identity cards. They just roam in that district without those cards. We have so many people without the national identity cards and they get services from Kenya. Those people cannot be reflected in any planning process. Our resources are overstretched because the Government has refused to issue national identity cards to my people. It has done this by ensuring that they follow a very tedious process. Issuance of identification cards in Uganda takes less than two hours, while in Kenya, the process takes more than a year. The Government should be serious. It should revert to the old system where a person goes to a registration centre, fills in a form, he or she is identified and issued with a national identity card. I do not see the problem with that. This is because the people who identify you are the locals. Why should the forms be brought to a national vetting committee here in Nairobi, where you will find a Somali who does not know where Teso District or Amagoro Constituency is? If this Government is serious about registering its citizens and planning for them, it should issue them with national identity cards in the shortest time possible. This will assist it in planning.

Mr. Deputy Speaker, Sir, I beg to support this Motion.

The Assistant Minister for Local Government (Mr. Tarus): Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute to this Motion. I want to begin my contribution by supporting it. His Excellency the President, indeed, outlined very crucial points which will guide this country in its reform process.

His Excellency the President recognised the fact that, today, there is what we call the global village and Kenya is part of it. For our country to be competitive, there are a number of things it should take seriously. First of all, there is the issue of human capital. This country has an immense workforce in all the sectors. However, with a poor economy, we risk losing the trained workforce to other economies. We know, in the recent past, that we have been losing trained medical staff either to South Africa or Western economies. Those paramedics left the country because of the low pay they received in this country. As far as the reform process is concerned, indeed, it is important to lay more emphasis on what we will do to ensure that Kenyans we have spent resources to train remain in this country to build it.

On the health sector, for example, in my district, we have been yearning for additional doctors in the district hospital. Two additional doctors were posted to that district last year, but in a district with a large population, two doctors cannot be effective. If this is the situation across our country, then our people are suffering. I recognise that the responsibility of ensuring that Kenyans are served better lies squarely on the Government. In order for us to realise all the reforms, we require a unity of purpose. All political parties should be united when addressing those issues.

We know that other than the health sector, we also have to build capacities across the country.

I am glad that His Excellency the President recognised the fact that what is important in the development of this country is the capacity of our people to contribute to the national economy. When we talk about capacity, we are talking about every Kenyan, including the farmer, contributing towards the national development. We should ask ourselves: How is today's farmer contributing towards the national economy? We have very dedicated farmers.

[Mr. Deputy Speaker left the Chair]

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

However, we learnt some of the technologies we use many years ago---

QUORUM

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

The Temporary Deputy Speaker (Mr. Khamasi): Order! There is no quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, we now have a quorum. Mr. Tarus, you may proceed!

The Assistant Minister for Local Government (Mr. Tarus): Mr. Temporary Deputy Speaker, Sir, I was talking about the capacity of the Kenyan people, particularly the Kenyan farmer. I was saying that farmers still rely on outdated technology. I would think that if we want to realise real

change in this country, we must focus on the agricultural sector. Many hon. Members, in their contribution, made reference to the agricultural sector. We keep on recognising in our statistics the fact that agriculture can actually create 60 per cent of jobs in our economy. Recognising that magnitude of contribution to our economy, then we need seriously to address this sector. We are grateful that, indeed, the Government has initiated several reforms in this sector. One of them is the revival of the cereals industry, which had cost this country immense money. We do not want to go back to importation of food. We would like this country to stabilise in food production because we cannot talk of industrialisation or a strong economy if we are still importing food. I hope that all initiatives in this sector will, indeed, empower the farmer.

Sometimes I wonder what happens in other countries. For example, if we look at other developed economies we realise that their governments take very serious interest in their farmers. I hope this year, we, as a Government, will be able to vote more resources to the Ministry of Agriculture so that we support the farmer.

Mr. Temporary Deputy Speaker, Sir, I am not limiting my contribution only to the agricultural sector, but also to the capacity of our business people. This is an area, if we improve it, which will realise some of the greatest desires we had at the beginning, for example, creating job opportunities for our people. Realising that about 500,000 Kenyans enter into the market every year, this is, indeed, a very challenging phenomenon for our Government. While we develop these initiatives we, indeed, require unity of all leaders in this country. If Kenya develops, we shall all benefit. This development will not only benefit those in Government, but all of us. So, I call upon all of us to work together.

Mr. Temporary Deputy Speaker, Sir, I would also like to talk about the dairy industry. The dairy sector is very important in this country. I was looking at sectors that grew in the last year, but I did not see the growth of this industry. I will further consult statistics to see what happened. However, I know that if we want to help a rural woman or a farmer, we have to revive the dairy sector. The Kenya Co-operative Creameries (KCC) has been revived. I listened to contributions by other hon. Members in this House who indicated that there has never been any growth in this country. The fact that KCC is functional is, indeed, a positive change in this country. It is true that KCC has not attained the capacity required. Dairy farmers still expect us to build cooling plants at strategic areas in order to improve their earnings and also improve reliability of their produce, so that they are able to reach the market. The market for dairy produce is yet to be realised. However, the fact that this initiative has taken root, then we need to call a spade a spade.

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

Mr. Wario: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa fursa hii nichangie Hotuba ya Mheshimiwa Rais. Ninamshukuru Mwumba wa mbingu na ardhi kwa kutupa sisi sote fursa hii kukutana tena salama baada ya likizo yetu.

Ni kweli kwamba Wakenya wamelipa Bunge hili jukumu kubwa. Aidha, ni kweli kwamba Bunge hili litachangia katika kufufua uchumi wa taifa hili. Ni matarajio ya Wakenya kwamba Bunge litaupa kipaumbele uongozi bora wa nchi hii. Hata hivyo, ni vipi Bunge hili litaongoza katika kufufua uchumi wa nchi hii na uongozi bora ikiwa halina uhuru wa kutosha?

Bw. Naibu Spika wa Muda, ninauliza hivyo huku nikigusia kidogo ile Hoja ambayo ililetwa hapa Bungeni na Mhe. Musila, iliyozungumzia kulipwa ridhaa kwa wale wanaostaafu kazi Serikalini. Hoja hiyo ilipitishwa na Bunge hili. Hata hivyo, Serikali imechukua hatua gani kuihusu sheria hii? Ni aibu kuona ya kwamba wanaostaafu hawajafaidika.

Ikiwa Hoja ya Hazina ya Kitaifa ya Bima ya Hospitali (NSHIF) ingepitishwa kuwa sheria mwaka jana, ingekuwa yenye umuhimu mkubwa kwa Wakenya wote. Leo Mhe. Rais anatuambia kuwa Wakenya wameweka wajibu mkubwa juu ya Bunge. Ni kweli lakini atupe uhuru!

Bw. Naibu Spika wa Muda, wajibu mkubwa wa Bunge leo ni kupiga mhuri na kupitisha matakwa ya Serikali. Bunge limekuwa halina kazi nyingine, na ili Bunge lisaidie katika ufufuzi wa

uchumi wa taifa na kuleta uongozi bora katika nchi ya Kenya, ni lazima liwe chuo huru kutokana na kusimamiwa na utawala.

Nimesikitishwa na vile Rais alisahau kukashifu mauaji ya watoto na wanawake kule Mandera. Wameuwawa zaidi ya Wakenya 22 na usalama katika nchi ya Kenya umedhoofika mno. Nilifikiri kuwa Rais angekashifu mauaji ya watoto katika nchi ya Kenya na angezungumzia juu ya ukosefu wa usalama ambao umelazimisha wengi wa wawekezaji katika nchi ya Kenya kuihama kwa ukosefu wa usalama. Iwapo Serikali haitachukua hatua juu ya swala la usalama, haya mengine tunayofanya, yote hayana maana.

Ninafurahi kwa kuwa Waziri wa Elimu, Sayansi na Utafiti yuko hapa. Niliambiwa kuwa kuna elimu ya msingi ya bure na Kenya inaendelea kuwa mfano bora barani Afrika. Elimu ya bure imekuwa elimu bwerere! Ninasema hivi kwa sababu idadi ya watoto inazidi kuongezeka na waalimu ni wale wale; kuna wanaostaafu na wengine wanakufa. Watoto wanazidi kuwa wengi na waalimu wanazidi kuwa wachache. Vile vile kuna maswala ya bursary, ambayo Rais amejigamba nayo kuwa ni baadhi ya vitu Serikali yake imefanya.

Nitazungumzia kuhusu sehemu ya wafugaji na nitakupa mfano wa sehemu ya Uwakilishi Bungeni ya Bura. Muhula uliopita, sehemu hii ilipata Kshs1.5 milioni kama bursary na leo imepewa Kshs126,000. Hii ni dhulma dhidi ya jamii ya wafugaji. Elimu inalenga sehemu fulani. Hebu chukua mfano wa Mkoa wa Kaskazini Mashariki na ulinganishe na Mkoa wa Kati. Kwa nini mali nyingi inakwenda Mkoa wa Kati badala ya kuwezesha ile jamii iliyodhulumiwa tayari kuendelea? Sehemu ya ufugaji inataka hatua ya dharura. Wanaoishi huko ni Wakenya kama Wakenya wengine. Watoto wao wanataka elimu kama Wakenya wengine, na wanataka haki sawa na mtoto anayetoka Mkoa wa Kati.

Katika mazungumzo yake, Rais alitaja Wizara mbili; Wizara ya Kilimo na Wizara ya Mifugo, na akasema kuwa hizi Wizara zinafaa kuonyesha kuwa uchumi wa nchi unakua. Ninashangazwa: Je Rais ameangalia hali ya maradhi ya mifugo katika nchi ya Kenya? Hii ni hali ambayo inafanya wafugaji wasiweze kuuza mifugo yao ng'ambo. Je ameangalia ukosefu wa soko? Tunapozungumza leo, kuna meli imetia nanga Mombasa na inataka mifugo 2000, na Idara ya Utabibu wa Mifugo inasema kuwa mifugo wa Kenya wana maradhi na Rais katika Hotuba yake anatuambia kuwa Wizara ya Mifugo inaendelea. Inaendelea vipi?

Bw. Naibu Spika wa Muda, nitazungumzia maswala ya mazingara. Hali ya mazingara ya nchi iko katika hali mbaya, ingawa ulimwengu ulikaa na kumpa tuzo Prof. Maathai. Lakini Rais, katika Hotuba yake, hajatuweza ni vipi ataboresha hali ya mazingara. Juzi, ulisikia mradi wa sukari wa Kshs24 bilioni huko wilayani Tana River. Mradi huu utakwenda kukausha sehemu ya chemichemi na huo mradi ni tisho kwa mazingara. Rais alipozungumzia jambo la kuboresha mazingara, hakutuweza ni vipi ataboresha yale mazingara.

Rais pia alizungumzia jambo la kuleta Mswada wa Vyama vya Kisiasa. Kwanza ningechukua fursa kukipongeza chama cha upinzani cha KANU. Dhahiri shahiri, kilisimama wima na kikafanya uchaguzi wa huru na haki. Ningewasih wenzangu wa upande wa kulia wawache kubweka na wafanyi uchaguzi wao na watuambie---

Capt. Nakitare: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni lini tutaweza kutafsiri mambo yale Mheshimiwa mwenzangu anasema? Ana haki ya kusema kwamba uchaguzi wa KANU ulikuwa bora zaidi ilhali kuna ufa?

The Temporary Deputy Speaker (Mr. Khamasi): I am unable to understand you! Mr. Wario, can you respond if you understood him?

Mr. Wario: Bw. Naibu Spika wa Muda, itakuwa ni vigumu kwake kuelewa kwa sababu fikira yake ni kwamba KANU haitafanya kitu bora. Chama cha KANU kimefanya uchaguzi wa huru na haki. Kama ataamini au la, ni vigumu mimi kuingia ndani ya moyo wake kumfahamisha.

Capt. Nakitare: Bw. Naibu Spika wa Muda, nimemwambia mwenzangu kuwa ana mwongozo mbaya kwa kusema kuwa KANU ilifanya uchaguzi wao kwa haki ilhali tunaambiwa kuwa

wana wenyeviti wawili. Ni chama gani kina na wenyeviti wawili?

Mr. Wario: Bw. Naibu Spika wa Muda, Capt. Nakitare ni kama alikuwa Amerika wakati KANU ilikuwa ikifanya uchaguzi wake. Tume ya Uchaguzi ya Kenya ilisimamia uchaguzi wa KANU. Mtu akijigamba barabarani kuwa yeye ni mwenyekiti, sisi hatuna shida naye. KANU ilifaulu!

Demokrasia itadumu katika nchi ya Kenya iwapo tutalinda demokrasia ya vyama vingi. Rais wa Taifa amevunja sheria ya nchi kwa kuwachagua Wabunge wa KANU na kuwafanya Mawaziri katika upande ule. Rais atakapovunja sheria ya nchi, mwananchi huenda akaivunja sheria ile.

Kuna swala la umaskini unaotanda katika nchi ya Kenya. Umaskini umeenda juu zaidi na bei ya unga inapanda kila asubuhi. Rais analiambia Bunge la Kenya kuwa uchumi wa nchi unakua. Ningemwomba aende nje ya Bunge afahamishe Wakenya ni vipi uchumi unakuwa ilhali bei ya unga inapanda kila asubuhi.

Ningependa kuzungumzia swala la sera ya ardhi. Juzi nilienda Malindi kuangalia sera ya ardhi. Tuliitwa kwa warsha ya siku mbili na maswala yanayostahili kuzungumziwa sio ambayo tutapata suluhisho kidharura namna hiyo. Tulipewa mfuko mzima wa vikaratasi. Ni lini utasoma na ni lini utachangia? Maswala tunayozungumzia ni muhimu kushinda kila kitu na ningemuhimiza Waziri wa Ardhi na Makao atambue ufugaji kama mbinu ya umiliki wa ardhi. Leo ukulima na mipango ya miji peke yake ndio inatambulika ilhali asilimia 80 ya ardhi ya Kenya iko chini ya ufugaji. Ningemwomba Waziri atambue ufugaji kama mbinu ya umiliki wa ardhi.

Methali inasema: "Domo kaya halifugi ng'ombe". Wakenya wanataka Katiba mpya, bei ya vitu inayopanda kila asubuhi ipunguzwe na hali yao ya maisha iboreshwe. Wakenya hawali maneno matupu! Hata hivyo, ningempongeza Rais kwa sheria ya Constituency Development Fund (CDF) kwa kuwa itaboresha hali ya watu tunaowaakilisha.

Kwa haya machache, nimeunga mkono Hoja hii.

The Assistant Minister for Regional Development Authorities (Mr. Odoyo): I wish to add my voice to the various good points that have been made by my friends here. Let me start with the issue of the proposed Kshs24 billion sugar project. However, before I speak on that, I want to draw the attention of this House to the fact that my constituency was hit by a storm. There are 18 primary schools which were affected. I wish to request that the Constituency Emergency Fund be used to respond to this emergency. This issue should not only be dealt with using the 5 per cent Constituency Development Fund (CDF). The Minister of State in charge of Special Programmes should have a facility to respond to such emergencies in constituencies. One of the emergencies are the floods which occur in Mr. Wario's and my constituency.

The President's Address during the State Opening deviated a bit from his previous Addresses. First of all, it was extremely short, precise and to the point. Secondly, the number of issues it covered were limited. I also believe that the promises put on the table were less specific, save for two or three points.

Let me begin by saying that the Ninth Parliament will be remembered by Kenyans only if it completes the constitutional review process. Already, we have been discredited by the public, which refers to us as the greediest Parliament in the history of Kenya. We have been accused of, among other things, hiking our salaries and extorting money from taxpayers, including falsifying mileage claims. My brother, Mr. Wario, is one of those who have been accused of falsifying---

Mr. Wario: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to insinuate that I falsified mileage claims? Could he come out clearly on this? Am I a road engineer?

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Odoyo, once you make such a claim, you know what is likely to follow. Could you respond to that?

The Assistant Minister for Regional Development Authorities (Mr. Odoyo): Mr. Temporary Deputy Speaker, Sir, with due respect to the rules of this House, I have obliged to his

point of order. However, had he given me the opportunity to extend my sentence with a few words, he would have been well informed on what I was going to say. I was going to point out that we have been falsely accused of being party to the making of false mileage, yet mileage claim distances were presented to us by the present management of the National Assembly. Although my colleague perceived me to be attacking him as an individual, in fact, he must know that I was moving towards defending him.

The issue of the Constitution review process is one that we must do our best to ensure it is completed. It is an unnecessary---

Mr. Wario: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Umemsikia Bw. Odoyo akisema kwamba mimi nimehusika na marupurupu ya usafiri ya Kshs4 million. Mimi si mhandisi wa barabara. Alichosema si sawa na naomba aombe msamaha kabla hajaendelea.

The Assistant Minister for Regional Development Authorities (Mr. Odoyo): Bw. Naibu Spika wa Muda, mimi sikuzungumza kuhusu Kshs4 million. Yeye mwenyewe ndiye amesema hivyo.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Odoyo, you know the rules of the House. You should not mix the use of languages.

The Assistant Minister for Regional Development Authorities (Mr. Odoyo): Mr. Temporary Deputy Speaker, Sir, to cut a long story short, I sincerely apologise to the House. Should there have been an insinuation that my brother, Mr. Wario, extorted Kshs 4 million by way of false mileage claims, that impression should be erased from his face.

A new Constitution is the legacy which we can give this nation. It is very clear that there are attempts to modify the Kenyan Constitution. For us to avoid making constitutional reform a factor to our winning the next general election, I propose that this Ninth Parliament ensures that we have a new constitution before the year 2007. This is the only way in which we shall redeem our image. Otherwise, I caution this House that come 2007, we may have an election in which only 20 per cent of the present hon. Members will come back to this House. We may have 80 per cent of the present hon. Members not coming back to this House owing to a failed constitutional review process. I appeal to my fellow hon. Members to take an initiative this time.

Mr. Temporary Deputy Speaker, Sir, our agricultural production, especially that of cotton, has collapsed. According to the African Growth and Opportunity Act (AGOA), come 2006, if cotton is not grown in Kenya, we shall not export clothes to the United States of America (USA), since the origin of cotton used to manufacture clothes will not be Kenya. The Ministry of Agriculture has not taken steps to ensure that cotton is grown locally. In my constituency, cotton growers are earning as low as Kshs15 per kilogram. My colleague, Mr. Okundi, in fact, offers a much higher price of Kshs25 per kilogramme. However, the average amount that a kilogramme of cotton can fetch is Kshs15. A cotton farmer cannot thrive unless offered Kshs50 per kilogramme. Mr. Wario is a cotton grower and knows the pain our cotton farmers are going through. We must focus on cotton growing as much as we are focusing on tea and coffee. Cotton growers are found in the dry areas of this country, which are also the poorest.

I mentioned before that 18 schools in my constituency were affected by a storm. The Minister for Education, Science and Technology is here. I have been trying to get him to visit these schools, and I hope that he will find time to go and see how the 18 schools have been flattened by a storm. Emergency funds are not available and I hope that supplementary funds can be found so as to repair the schools before the month of May.

The President also promised us that a new Constitution will be ready sometime this year. I have come back to the issue of the new Constitution because I believe that is where our future lies.

On the proposed Kshs24 billion sugar project, I wish to differ with one hon. Member, who sees it as a threat to the environment. There is nothing wrong with livestock keeping and crop growing taking place in the same area. There is a false perception being created by a few hon. Members who,

for selfish reasons, have taken it upon themselves to misinform the public that if one is keeping livestock, they cannot practise crop growing. These two can go hand in hand. We can keep livestock and grow sugar cane in the same area. Livestock and sugar cane can co-exist. In fact, sugar cane production can improve livestock production.

But come the year 2006, the market would be open to all players in the Common Market for Eastern and Southern Africa (COMESA) region. Unless we, in Kenya, increase the production, our market will be flooded by sugar coming from Sudan, Mauritius and other countries. We must grow sugar, and the region we have earmarked for sugar was a similar region that was earmarked for the rice project that failed in 1997 due to the *El Nino*. We have not utilised land that is outside the normal.

With those few remarks I beg to support.

The Assistant Minister for Trade and Industry (Mr. Syongo): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this Debate. The issue of security is of paramount importance to this country. While I congratulate the President for a very elaborate speech, I would have been a happier Kenyan if the issue of security formed a core content of his speech.

Mr. Temporary Deputy Speaker, Sir, if what we read in the newspapers; orders to shoot on sight, is true, it will become part of a very serious precedent. It is necessary that as a civilised nation, we have respect for the rule of law and the sanctity of human life, and that everybody is innocent until proved guilty. Investigations must be made before arrest. That does not mean that I condone or support the many criminals who are attacking our people without reason and even in broad daylight.

But the point is that we must look at the real cause of insecurity in our country, which is lack of employment opportunities and profitable business ventures to occupy the time and human energy of our youths. So, the real solution to the insecurity that we are currently experiencing in our country must involve all of us working together and putting the economic agenda on top of everything else. It is the revival of the economy of this country. It is ensuring that all our sectors of production; in agriculture, livestock, fisheries, are given top priority and appropriate investments are put into those sectors so that we can create wealth and employment for our youth.

Mr. Temporary Deputy Speaker, Sir, killing our youth on sight is not a solution. So long as the economy is in a bad shape, our youth will continue to be tempted to take the law into their hands as a way of survival, which is not acceptable.

I thank the President for touching on some very key sectors of the economy. He promised that there would be a Bill coming in to create an institutional arrangement to promote the production of cotton. Cotton is extremely important to our country. Presently, as the hon. Odoyo has rightly mentioned, by September, 2007, the Africa Growth and Opportunity Act (AGOA) arrangement will expire and access to the American market for our textiles will be jeopardised. We are talking about discharging into the streets about 55,000 Kenyans currently employed in the Export Processing Zones (EPZ) on textiles alone.

The year 2007 is not too far. All along, we have had the opportunity to do something about growing our own cotton in order to comply with the requirements of the AGOA arrangement with the American Government, but we have not done it. So, I thank the President for taking the initiative, late as it may be, but, at least, we shall see that Bill brought into Parliament.

However, there is something else about cotton that makes it very important for us to give it priority. Right now, as you know Kenya is one of the biggest beneficiaries of the COMESA arrangement. Vegetable cooking oil is one of our major export commodities into the COMESA. But we are under serious challenge from other countries that we are not meeting the rules of origin. The value of local input into the vegetable oil that we are exporting to the COMESA does not measure to 35 per cent as required by the COMESA Protocol. That means that if that were to be applied, then, in fact, Kenya's vegetable oil exports to the COMESA will attract considerable amount of duty which will make our export of vegetable oil totally uncompetitive and we shall lose that sector.

Mr. Temporary Deputy Speaker, Sir, if we had to seriously take over cotton, then the cotton oil will, in fact, deal with that problem in a permanent manner. We estimate that with full production of cotton to meet our total demand for the textile sector, we shall produce sufficient vegetable oil from cotton seed, enough to increase the local input of our vegetable oil exports, from what we are now estimating at 38 per cent to nearly 42 per cent. We shall, therefore, deal with that problem of rule of origin of our vegetable oil exports permanently.

Mr. Temporary Deputy Speaker, Sir, apart from South Africa and Zimbabwe, Kenya has the largest herd of dairy cattle in the whole of Eastern and Central Africa. The dairy sector is now one of the key sectors that can create jobs, keep our farmers in profitable engagement on their farms and we can produce Ultra Heat Treated (UHT) milk, which we can export to the neighbouring countries that cannot, because of climatic conditions, produce their own milk. For us to succeed in doing so, and to achieve what in other countries is called the "white revolution", producing sufficient milk for our consumption and for export, we need quality livestock feeds. Again, this comes from cotton seed. When you extract oil from cotton seed, you remain with cotton cake which is a very nutrient source of dairy feed and, therefore, milk production.

In another two-and-half years, we shall be forced to open our doors to COMESA-produced sugar. Presently, ex-factory price of Kenyan sugar is nearly Kshs48 compared to Kshs25 import parity price of sugar imported from Sudan and other COMESA countries. We, therefore, need to double our efforts. In particular, I would like to urge that we adopt the Co-GEN system of running our sugar mills where every sugar factory, not only produces white sugar, but also produces ethanol to be blended with imported fuel for our cars and electricity for selling to the national grid. We need a policy that allows our sugar mills to produce these two additional products in order to be profitable and reduce the price of sugar ex-factory. Without that, we are in danger of condemning another large number of Kenyans currently engaged in the sugar industry out of employment. The issue of a sugar policy is very critical, taking into account that three core products are possible from every sugar mill in this country.

Mr. Temporary Deputy Speaker, Sir, presently, we are exporting fish from Lake Victoria only, and yet, we have our 200 nautical miles exclusive economic zone off the Indian Ocean. This zone is rich in marine fisheries. We have not taken that resource seriously, even though in the last 18 months, the Kenya Navy patrols that zone. We need to invest in it and bring on shore the fisheries resources that abound in those waters, which are our exclusive economic zone. We should process and export them. If a small country like Seychelles, which is half the size of Suba District, with only 80,000 inhabitants, can export processed tuna, tinned and ready to sell into the supermarkets of Europe, why can Kenya not do so? If they can effectively patrol their exclusive economic zone, why not Kenya? I would have expected that, among the Bills to be brought here, would be the Kenya Fisheries Development Authority Bill, which has been on the preparatory stage for many years. I would like to suggest that, that is an area to be taken seriously because the potential is enormous.

Mr. Temporary Deputy Speaker, Sir, I would like to conclude by urging the Government to accelerate the process of land adjudication in this country, in order to issue title deeds to people who have not had them before, so that they could secure loans from banks! That way, they will be part and parcel of the productive population of this country.

With those few remarks, I beg to support.

Mr. Bifwoli: Mr. Temporary Deputy Speaker, Sir, thank you for giving me this chance to add my voice to this Motion.

Mr. Temporary Deputy Speaker, Sir, I want to start by thanking His Excellency the President for the good Speech that he gave while opening Parliament. What remains now is the implementation part of it. The President has done his part by saying good things. What remains is the Civil Service, the Ministers and all other workers to do what the President said in his Speech.

QUORUM

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

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Bifwoli! What is it, Capt. Nakitare!

Capt. Nakitare: Mr. Temporary Deputy Speaker, Sir, while this is a very important debate, we do not have a quorum in the House.

The Temporary Deputy Speaker (Mr. Khamasi): Yes, indeed, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, due to lack of the requisite quorum, the House is, therefore, adjourned until tomorrow, Wednesday, 23rd March, 2005, at 9.00 a.m.

The House rose at 6.10 p.m.