

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 24th March, 2005

The House met at 2.30 p.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### QUESTIONS BY PRIVATE NOTICE

**Mr. Deputy Speaker:** Hon. Members, we have two Questions by Private Notice, one by Prof. Oniang'o. This is your time, Prof. Oniang'o.

#### INCREASE OF RAPE/DEFILEMENT CASES IN MUMIAS DISTRICT

**Prof. Oniang'o:** Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

- (a) Is the Minister aware that rape and defilement cases have been increasing at an alarming rate in Butere/Mumias District?
- (b) Is he further aware that sexually-abused victims are being charged Kshs1,500 for each P3 form issued by the police?
- (c) If the answers to "a" and "b" above are in the affirmative, what measures will he take to ensure that all rape and defilement cases reported are taken seriously and that P3 forms are issued free of charge?

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

(a) Yes, I am aware that the increase in rape and defilement cases in Butere/Mumias District is a matter of grave concern.

(b) I am not aware that the victims of defilement and rape are charged Kshs1,500 for each P3 form issued by the police as I have not received any complaint.

(c) The police are constantly being trained and reminded of the gravity of sexual and gender-based violence in our society. This training is not only emphasized in Government training and organized workshops, but also by various human rights organizations and other stakeholders who are supporting Government efforts in police reforms.

Any member of the public who might have acquired a P3 form on payment of Kshs1,500 or at any cost, should report to the OCPD, Butere/Mumias, or to the Provincial Police Officer, Western Province, or to the Commissioner of Police for appropriate disciplinary action. Members of the public are reminded that P3 forms are issued free of charge.

**Prof. Oniang'o:** Mr. Deputy Speaker, Sir, I wish to thank the Assistant Minister for this answer. I have already received a written answer. I chose to ask this Question after I sat for three hours in an office where these cases are reported in Mumias. I got the impression that it was a very grave matter. Could the Assistant Minister tell us, in a very empirical manner, how many cases at the

district level have so far been reported this year?

**Mr. M. Kariuki:** We have data for 2003/2004 and also for the first two months of this year, 2004/2005. In 2005, the number of cases that have been reported so far are eight; the number of arrested suspects is eight, one person has been convicted in court this year and there are seven cases pending before the court.

**Ms. Mwau:** Thank you, Mr. Deputy Speaker, Sir. Defilement is a grave issue throughout this country. But I am surprised about the policemen; I have a case here, where an eleven-year-old girl was defiled and the defiler was given a probationary sentence of three years and yet he had made this girl pregnant. So, what I want to ask the Assistant Minister is this: Are the policemen serious about dealing with issues of rape if a person charged with defilement is given a probationary sentence?

**Mr. M. Kariuki:** As far as this particular district is concerned, in 2003, there were four convictions; while in 2004, there were two convictions. This House will recall that in 2003, we did amend the provisions of the Penal Code relating to matters of proof on sexual offences, and particularly affecting the minors, and this House did effect a change that a minor could testify before a court without corroboration, subject to the magistrate believing that minor. That law was made by this House, and I think it is a step forward in terms of ensuring fair convictions.

**Mr. Mwanzia:** Thank you, Mr. Deputy Speaker, Sir. I have heard the Assistant Minister say that P3 forms are supposed to be given free or charge, which actually, I do not believe. If you go round the country, even in Machakos Police Station, P3 forms are issued after paying between Kshs500 up to Kshs2,000. Could the Assistant Minister actually confirm whether that allegation is true and then, secondly, could he issue a circular and a media statement to that effect; in fact, through the television, radio and probably through the district commissioners?

**Mr. M. Kariuki:** I have made it very clear in my answer that P3 forms are given free of charge. I have asked members that if there are any particular cases where money was charged, please, bring forward the specific complaint and we will deal with it.

**Mr. Karaba:** Thank you very much, Mr. Deputy Speaker, Sir. It is like this is a case for Butere/Mumias only. I wonder if the Assistant Minister is aware that this is a national problem, because of the policy regarding rape in this Republic?

**Mr. Deputy Speaker:** Mr. M. Kariuki, the question is, what is the policy regarding rape in the Republic? That is what Mr. Karaba has asked.

**Mr. M. Kariuki:** Mr. Deputy Speaker, Sir, we are approaching it first from the point of view of training our police officers to be gender-friendly and also to be friendly to people who complain on matters of rape and defilement. That is the official approach. But you are aware that, today, we have Non-Governmental-Organizations (NGOs) across the country fighting for the rights of women and carrying out awareness campaigns about the abuses of children.

If I may comment about issues of defilement and courts, we have had serious problems with women magistrates; it is the women magistrates who are setting these suspects free or even putting them on probation! In fact, the cases at hand have involved women magistrates who have set the men free, for example, the case in Thika, which is an issue now.

**Mr. Deputy Speaker:** Mr. Marende!

**Mr. Marende:** Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister has said that he is aware that cases of rape and defilement are on the increase. Could he tell this House the factors which have attributed to this increase? Could he also tell us what he and his Ministry are doing to contain the escalation of these cases?

**Mr. M. Kariuki:** Thank you, Mr. Deputy Speaker, Sir. One of the problems we have is with regard to cultural practices. Since we have had to contend with the issue of HIV/AIDS, there are certain cultural beliefs that if you defile a minor, you will get a cure. The other thing that has brought this matter to public limelight is increased awareness. Rape and defilement cases have been there in

the past, but I think women did not have the courage to report them. A campaign has been waged to bring awareness that you can be raped and you do not have to be stigmatised. You should come forward and report the matter. The increased awareness is another positive factor as to why we get these cases being reported everyday. On the part of the Government, we encourage the NGOs to continue creating awareness and criticising outdated cultural practices which make our girl child become a victim of defilement.

**Rev. Nyagudi:** Mr. Deputy Speaker, Sir, recently, it was reported that FIDA---

**Mr. Deputy Speaker:** Rev. Nyagudi, could you move closer to the microphone, please?

**Rev. Nyagudi:** Thank you, Mr. Deputy Speaker, Sir. Recently, it was reported that FIDA will be issuing P3 forms. If that is the case, is there any other institution which has been authorised to issue P3 forms? Secondly, what is the Government's position if men are raped?

*(Laughter)*

**Mr. M. Kariuki:** Mr. Deputy Speaker, Sir, I do not know that we have rape of men in law. I stand to be advised by my classmate who is here. However, we know that there are incidents of un-natural acts which are outlawed in this country. If a person, leave a lone the one who does it by force, is caught, he would have committed a criminal offence under our law.

On the issue of the P3 forms, this is a public document. It is true that the Attorney-General made a statement that FIDA will be allowed to issue out those forms. There is absolutely nothing out of the ordinary provided that upon receipt of the form, an offence is reported in the police Occurrence Book (OB). The police have been keeping the forms because you receive the form against an entry of complaint. I hope that when FIDA gets the P3 forms, it will advise their clients to go to the police stations and lodge a complaint.

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

**Mr. Deputy Speaker:** Order! There is nothing out of order there. If you want to ask a question, rise up and catch the Speaker's eye!

**Mr. Serut:** Thank you, Mr. Deputy Speaker, Sir. The payment for the P3 forms is normally done after the form has been completed or when a medical officer goes to court. What has the Assistant Minister done to facilitate the medical officers to go to court and give evidence? In most cases, they have failed to go to court and give evidence because they have not been paid.

**Mr. M. Kariuki:** Thank you, Mr. Deputy Speaker, Sir. First, I am aware that some lawyers, particularly, those dealing with running down cases, have been selling P3 forms. This is illegal. I am informed that when a patient goes to some hospitals, they have made it their policy that they charge a fee upon the doctor filling the form. What those hospitals charge is not the cost of the P3 form but the cost of the services they offer the patient. In my understanding, when a person is a victim of a crime, it is the duty of the Government to facilitate investigation of that crime without any charge. That is why I have said that nobody should sell a P3 form whatsoever.

**Mr. Deputy Speaker:** I will give this chance to Mr. Bifwoli and the last one to Prof. Oniang'o!

**Mr. Bifwoli:** Mr. Deputy Speaker, Sir, you have heard that the police charge Kshs1,500 or more to issue one a P3 form. This is the case and yet this department has been ranked the most corrupt organisation in this country. What measures has the Government put in place to fight corruption in the police force?

**Mr. M. Kariuki:** Mr. Deputy Speaker, Sir, I believe that the supplementary question is outside the ambit of the main Question. However, as far as corruption in the issuance of a P3 form is concerned, I have sought specific complaints and I will deal with them when they are brought to my attention.

**Prof. Oniang'o:** Mr. Deputy Speaker, Sir, the figure of eight cases which have been reported so far this year by the Assistant Minister is in, fact, an understatement. This is because, in one afternoon of three hours, ten women came to report in this office and away from the police because of the P3 form. I hope that the Assistant Minister will deal with this matter. I just came from the Commission on the Status of Women meeting in New York, and Kenya has become a country of defilement of women and children. Could the Assistant Minister tell us what serious measures or strategies he has put in place to protect our society? This is a serious matter. Whether it is a man or a woman being raped, rape is rape! Could he tell us what he plans to do?

**Mr. M. Kariuki:** Mr. Deputy Speaker, Sir, the figures for this year are not too conservative. I am talking about two months of this year. In 2003, only 15 cases were reported and eight cases have been reported in two months this year. In 2004, 34 cases were reported in Butere/Mumias District. Compared to the previous year, there is an increase in the number of cases being reported. However, you will recall that sentences relating to rape of women and defilement of children have been enhanced. Today, whoever is convicted, the court has a discretion to sentence him to life imprisonment. That is a measure which will hopefully deter potential rapists.

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

**Mr. Deputy Speaker:** Order, Mr. Assistant Minister! For the information of those hon. Members who are standing there, Standing Orders bar hon. Members from standing in the Chamber when they are not contributing!

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

That is Mr. Wanjala! Mr. Wanjala, look at your Standing Orders! Hon. Members, I think we have agreed that you familiarize yourselves with the provisions of the Standing Orders. It is out of order to stand in the Chamber or anywhere within the Hall when you are not making any contribution. You must remain seated! Please, let us maintain that decorum.

**An hon. Member:** Why are they called "Standing Orders" if we cannot stand?

**Mr. Deputy Speaker:** I will use one of the Standing Orders against you and I do not want to do that!

Mr. Assistant Minister, could you continue?

**Mr. M. Kariuki:** Mr. Deputy Speaker, Sir, I thought I had answered the question.

**Mr. Deputy Speaker:** Very well! Next Question, Mr. Muiruri!

INVASION OF PRIVATE PROPERTY  
BY SQUATTERS IN MALINDI

**(Mr. Muiruri)** to ask the Minister for Minister for Lands and Housing:-

(a) Is the Minister aware that over 100 squatter families have illegally invaded private property LR No. 2109 in Malindi measuring 205 acres?

(b) If the answer to "a" above is in the affirmative, what action will he take to protect the right ownership of the private properties?

**Mr. Deputy Speaker:** Mr. Muiruri is not here! His Question is dropped!

*(Question dropped)*

**COMMUNICATIONS FROM THE CHAIR**

## ASSENT TO BILLS

**Mr. Deputy Speaker:** Hon. Members will recall that by the end of the last Session, a total of 24 Bills were published. The House passed 12 Bills, out of which nine were assented to by His Excellency the President.

These are:-

- (i) The Government Financial Management Bill which was assented to on 31st December, 2004.
- (ii) The Investment Promotion Bill, 2004 - assented to on 31st December, 2004.
- (iii) The Co-operatives Societies (Amendment) Bill 2004 - assented to on 9th July, 2004.
- (iv) The Supplementary Appropriation Bill 2004 - assented to on 31st May, 2004.
- (v) The Finance Bill 2004 - assented to on 31st December, 2004.
- (vi) The Standards (Amendment) Bill 2004 - assented to on 31st December, 2004.
- (vii) The Central Bank of Kenya (Amendment) Bill 2004 - assented to on 31st December, 2004,
- (viii) The Constitution of Kenya Review (Amendment) Bill 2004 - assented to on 9th December, 2004 and;
- (ix) The Appropriation Bill 2004, which was assented to on 30th November, 2004.

## REFERRING OF BILLS BACK TO PARLIAMENT

Hon. Members, pursuant to Sections 46(3) and (4) of the Constitution, His Excellency the President declined to assent the following Bills:

The National Social Health Insurance Fund Bill 2004; The Banking (Amendment) Bill, 2004, and The Wildlife Conservation and Management (Amendment) Bill, 2004.

His Excellency the President has stated his reasons for declining to assent to the three Bills. I have accordingly ordered that copies of the memorandum be availed to every hon. Member of this House. The respective Ministers are expected to indicate when each memorandum will be considered by the House. I would like to confirm that these copies have been issued to hon. Members through their pigeon holes this morning.

Hon. Members, Section 46(5) of the Constitution provides that the National Assembly shall reconsider a Bill referred to it by the President taking into account the recommendations of the President and shall either approve the recommendations with or without amendments, or reject it *in toto* and approve the Bill in its original form by a resolution supported by votes of not less than 65 per cent of all hon. Members of the National Assembly, excluding the *ex-officio* members.

Hon. Members, I thank you for your attention.

Mr. Sambu wanted to seek a Ministerial Statement, but he has since changed his mind.

Next Order!

## MOTION

## THANKS FOR THE PRESIDENTIAL ADDRESS

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

*(The Vice-President and Minister  
for Home Affairs (Mr. Awori) on 22.03.2005)*

*(Resumption of Debate interrupted  
on 23.3.2005)*

**Mr. Deputy Speaker:** Who was on the Floor? Mr. Angwenyi, you were on the Floor of the House. You have five minutes to finalise your contribution.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, while contributing to this Motion yesterday, I said that there are several sticking out issues which we must handle quickly if we want our country to peacefully develop. Security is a major issue in this country. The Government must quickly institute mop-up operations of illegal firearms with private citizens. The operations must be ruthless; as ruthless as those thugs are when they attack innocent citizens of this country.

Mr. Deputy Speaker, Sir, severe punishment must be readily meted out on those people who incite citizens of this country to kill each other. It does not matter their stations in life.

The other issue which is sticking out is unemployment. The level of unemployment is beyond 80 per cent. I would like to urge the Government to issue constituency-based statistics on unemployment levels on a monthly basis. I also propose that the Government establishes public works programmes of the type of the New Deal in America in the 1930s where a specific budget was devoted to creating public jobs in local areas so as to mop up idle unemployed youth.

Mr. Deputy Speaker, Sir, in relation to the issue of unemployment, appointments to various public offices must be done on the basis of the Netherlands model. In the Netherlands, for example, there are two major communities. If an individual from the Fleming community is appointed to head a certain institution, his number two must come from the Wallon community. Also, in Kenya, if a Kikuyu is appointed as number one, let number two be a Luhya, three be a Luo, four be a Kalenjin, five be a Kamba, six, be a Kisii, seven be a Meru, eight be a Mijikenda and so on. This is because we have the manpower in all our communities. So, I do not see why we should appoint people up to ten levels from one community. They can even transact public business in their mother tongue. To stop this and create confidence in our Government, let us adopt the Netherlands model, so that we do not have one community dominating public affairs.

*(Applause)*

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

**Mr. Deputy Speaker:** Order, Dr. Khalwale! I made a ruling the other day that, during debate time, I do not wish to see hon. Members interrupting a Member on the Floor unless he or she is seriously out of order.

Proceed, Mr. Angwenyi!

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, the other issue which is quite significant in this country is health care. It is quite unfortunate that majority of our people cannot access public health services. Therefore, we must deal with the NSHIF Bill that seeks to ensure that our people get proper health care. We must pass that Bill when it comes here, so that it is implemented immediately. We should also devote adequate resources to health care.

Mr. Deputy Speaker, Sir, we notice that the Government has offered our children free primary school education. The District Roads Committees have also been given funding for rural access roads. The Government has also given bursary funds. We have also the Constituency Development Funds (CDFs). I thank the Government for that effort. However, some of the problems we are experiencing cannot be solved unless the President is capable of maintaining and managing his Cabinet. We do not

have a democratic Cabinet. What we have is like a broken windscreen of a vehicle. We all know that we cannot drive a vehicle which has got a broken windscreen. If a windscreen is broken, we cannot put together the pieces, so that we drive on. Since the Cabinet is like a broken windscreen, the President should dismiss the whole Cabinet and constitute a new Cabinet which will listen to him and deliver services to our people. A Cabinet which will also govern this country with democratic principles; the principles of collective responsibility. Two weeks ago, the Vice-President and Minister for Home Affairs called a meeting and the Cabinet Ministers did not attend that meeting because they have no discipline.

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

**The Minister for Trade and Industry** (Dr. Kituyi): Thank you, Mr. Deputy Speaker, Sir. I intend to use my time this way. I will take the first few minutes to make what I would have normally wanted to do in a Ministerial Statement because I will be away for an extended period of time. I owe it to the House that I give them a detailed account of our recent very successful inter-Ministerial meeting in Mombasa. I could then take the balance of my time to say a few things about the legislative agenda.

Mr. Deputy Speaker, Sir, at an informal meeting of World Trade Ministers on the fringe of the World Economic Forum in Davos---

**Mr. Deputy Speaker:** Order, Dr. Kituyi! Are you giving a Ministerial Statement?

**The Minister for Trade and Industry** (Dr. Kituyi): No, Mr. Deputy Speaker, Sir. I am making a contribution. I want to also bring out information that could have been brought in a Ministerial Statement.

**Mr. Deputy Speaker:** That is in order.

Proceed!

**The Minister for Trade and Industry** (Dr. Kituyi): Mr. Deputy Speaker, Sir, at the World Economic Forum in Davos, key Ministers of Trade from around the World granted the request of Kenya over competition mainly from China to host the first World mini-Ministerial formal meeting since the collapse of the World Trade Organisation (WTO) meeting in Cancun. This honour was very well executed by the Government and the people of Kenya. We had virtually full house of 32 Ministers from around the world and an attendant delegation of more than 500 people. More importantly, apart from the agenda of developing countries, led by Kenya, being soundly enforced and reinstated as the core concern of the current negotiations, a major breakthrough was realised on the question of agriculture in a formula of moving export support to all agricultural-related products of relevance to developing countries and to cut trade distorting domestic support. An impasse that had hampered negotiations in Geneva was resolved in Mombasa. The net consequence of this is a very significant prospect that the recurrent round of negotiations will end with a sound agreement on major outstanding issues of agriculture by the Hong Kong Ministerial meeting in December this year.

Mr. Deputy Speaker, Sir, I have been enamoured by the success we had in this matter. I came back yesterday from a Ministerial meeting in Luxembourg where we had very many European Ministers of agriculture who could not believe that we had been able, in the short time in Mombasa, to break this impasse. Over the Easter weekend, I am attending the current Ministerial meeting in Colombia, where again, we are pushing that the African position has to be at the centre of what is called the "Developing Countries' Agenda" in agricultural negotiations. I would like to encourage hon. Members, and particularly, the Departmental Committee on Agriculture, Lands and Natural Resources and all relevant people involved with agriculture that they should pay a bit more attention to trade negotiations on the agricultural question than they have been paying so far. In most of the meetings we are going to, we are seeing a lot more engagement on agriculture committees of parliament and ministries than we see in own country. I do not think you can address a development agenda sufficiently, anywhere in the world, unless you are soundly addressing the agenda of agriculture.

Now I want to make a few remarks of my own on the matter before the House. I was happy to listen to the Statement by the President at the State Opening of this Session of Parliament mainly because he set out not just what his Government was intending to do in this current Session, but what happened in the last year. Whereas we have received very hostile Press as a House which is mostly concentrated on its benefits, if you compare the work of the last Session of Parliament and most other sessions, we actually did very significant legislative work. We should not allow ourselves to be boxed into a corner on the defensive when the reality is that we all have worked very well. That is the truth!

Secondly, I would like to urge hon. Members that the bitter after taste of what we did with the Forests Bill last session, hangs over us today. What we did with the Forests Bill is that we defeated it because we were able to do so; our most benign of reasons of doing anything! It is like Mr. Clinton being asked why he did that to Lewinsky and he said it is because he could do it. As a national assembly, we must be capable of seeing what critical national concerns are. Today one of the biggest problems we have in the economic governance of this country is the myriad of rules, the labyrinth of rules and regulations called the Procurement Law. Today procurement laws of Kenya cannot allow the Government to do anything. Business people are sitting back waiting for tendering, counter-tendering and dispute resolution mechanisms. Every year, before a tender can be issued, the Treasury recalls money from Ministries because it is time for the next financial year. It is extremely important, and I have held the position, that if I was to have my way, two critical things should be seen into the procurement law that comes to the House. Let us cut down the bureaucracy by 50 per cent and increase penalties for those who steal by 50 per cent or even 100 per cent. It is better to punish thieves very severely and reduce the myriad of rules that govern procurement, than to continue pretending that we are safe because it is difficult to steal. What we are ending up doing is that money voted for doing roads is not doing any roads and that which is voted for starting initiatives in the country is not starting anything. Soon the Government's bureaucracy in procurement is going to start eating into the set up time for the Constituency Development Fund's (CDF) operations. It is collectively important to all of us as leaders in this House that we look at how best we can facilitate speedy operations of business in our country.

Mr. Deputy Speaker, Sir, for my Ministry, there is a matter that says it very strongly. This country has for a long time had a very positive diplomatic policy towards its neighbourhood. We have invested time, patience and goodwill in bringing peace to Sudan and Somalia. However, broadly, we have neither had any comprehensive economic diplomacy nor self defined interest in why we are doing peace in the neighbourhood. It is as if we want peace just because we want people to be peaceful. Others want to ride on our success in peace engineering to harvest economic benefits of that peace. It is about time that across the board leaders of this country started envisioning what the international interest is in terms of regional economic diplomacy. I am hoping that in the course of the current Session, I will bring to this House a Sessional Paper to convert the moribund National Trading Corporation (NTC) into a vehicle for warehousing Kenyan produce in neighbouring countries and to remove the burden from small-scale traders of having to secure large cargo by facilitating a Government warehouse facility for them to start trading into the region. This is particularly critically important as we look to Southern Sudan, Somalia and as we "harvest" peace in the Great Lakes region. What am I trying to say? That is a critical matter of national importance today. That the political class needs to think together beyond our usual political games and to ask how we can up the benefit of our country as the region becomes more stable and as others start eying the region very seriously.

Recently, I had the privilege to accompany His Excellency the President to Ethiopia and four times the Prime Minister, Meles Zenawi, said: "We built a world-class tarmac road from Addis Ababa to Moyale, 1,600 kilometres, more than ten years ago on a promise that Kenya was going to build a tarmac road from Mombasa to Moyale. Last year, we re-carpeted the whole road yet Kenya has not



even gravelled its part of the road. When are you going to do this?"

*(Applause)*

An old man stood up and said: "When I was young, Mr. Kenyatta promised us a tarmac road and now I am about to die. Can you just give me hope that there will be a tarmac road from Moyale before I die?" Seventy million people are begging for a market outlet and have elected that this is their choice of a partner in the neighbourhood. This is a people who recently did something that is a signal of solidarity. Over the wishes of South African Breweries, the Government of Ethiopia offered to privatise its national brewery and give it to the East African Breweries. They are making a statement of solidarity. We must also put our hand in a statement of solidarity that it is not just doing a favour to Ethiopia but that is of critical self-interest for a country looking for substantial market. A population of 70 million wants to be our friends and we should fast-track investment in railway, road and air communications.

Similarly, the teething problems we have had on the transition to a Customs Union in East Africa are a wake-up call for political leaders, both in the Opposition and in the Government, to start engaging much more closely on what goes on in East Africa. We cannot afford to wait until tea is pilling up in Mombasa and then hon. Members from tea-growing areas ask what is happening to our trade with Pakistan. It is important that we engage much more constructively and systematically as leaders in addressing: One; what is international interest as we integrate as East Africa? Secondly; how can we deepen public awareness of the opportunity that emerged with the integration of East Africa into a single investment area and what are the possibilities of a common market? These are matters which should inform our politics as much as the matters of our individual constituencies go. We cannot start growing the dream of East African Federation if we do not sufficiently appreciate the hurdles and opportunities of the first step towards implementation of the protocol of a customs union. It is our collective responsibility and challenge.

Finally, on matters of the Common Market for Eastern and Southern Africa (COMESA), I want to request hon. Members who come from sugar-cane growing areas that we have only two years remaining and rather than concentrate on who gets the quota to import sugar, let us talk about what to do in two years to improve the competitiveness of sugar-cane production.

**Mr. Deputy Speaker:** Your time is up Dr. Kituyi!

**The Minister for Trade and Industry** (Dr. Kituyi): Thank you Mr. Deputy Speaker, Sir.

With those few remarks, I beg to support.

**Mr. Poghiso:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to share in this exposition of public policy as contained in the President's Address. As I have said before, this is supposed to be our state of the nation Address. That means that the state of the nation should be displayed in the Address. My fear is that there seems to be a radar in Nairobi, which can only see up to a certain distance. Therefore, that Address only concentrates on issues to do with certain areas of this country, and does not go beyond a particular radius. Some of us fall out of that radius. The state of the nation involves talking about difficult situations in hardship areas of this country, such as Kacheliba Constituency.

Every year, we sit here and listen to a Presidential Address. We also listen to the Minister for Finance every year, while he reads the Budget Speech. This year, I will listen to the Budget Speech again.

Mr. Deputy Speaker, Sir, one of the issues we are dealing with in this county is corruption. Some of us think that corruption is identifying Ministers, who have been involved in corrupt deals. Corruption is a criminal act which can be punished. Corruption also occurs when one deliberately refuses to promote development projects in some parts of the country. It also occurs when somebody

uses power to divert Government resources to benefit their own constituency at the expense of other Kenyans. Corruption occurs when the Government borrows money from international monetary organisations or banks and uses it to develop a particular area that is favoured by those in charge of development.

Mr. Deputy Speaker, Sir, I was listening to the Government spokesman today as he was addressing the Press. He was explaining how it is not possible to identify someone who is corrupt. He said that he would only arrest a Minister over corruption claims if he was shown who it is, how much money they have stolen and where they have kept it. If an ordinary *mwananchi* can have such information, then the Government should have had it five years earlier.

Mr. Deputy Speaker, Sir, when I go to see a doctor, he does not ask me what I am suffering from. All he needs to know from me are the symptoms of my disease. He may want to have information such as where I am having pains and how I am feeling. That is known as diagnosis. The doctor then goes ahead with the prognosis process. We need to be serious. The Government spokesman needs to be trained first. He is all over the place. He has even issued an order of shoot-to-kill. I do not know who gave that order. Maybe, it is Mr. Michuki.

Concerning the constitutional review process, this is something in which the nation has to stand together. It is in relation constitution making that the unity of the country ought to be seen. We are divided over the new Constitution. One does not have to be a rocket scientist to notice that. We will be divided as long as someone tries to push down our throats a particular version of the new constitution. The new constitution has to be people-driven. We should not complete the constitutional review process for the sake of it. We should complete the process because people have given us the mandate to complete it. That means that sometimes we have to come down from our ivory towers. We have to come down and negotiate with the ordinary Kenyans through their representatives. We are all representatives of Kenyans. I know that when one is in the Government, they can use whatever power they have to succeed. There is no constitution which will be pushed down the throats of Kenyans. Therefore, do not give us a version of the constitution which is not by the people.

Mr. Deputy speaker, Sir, I come from a constituency with many difficulties. Some people think that it is a Ugandan constituency. That is the notion people have in Government offices. Kacheliba Constituency has not received funding from this Government.

**An hon. Member:** What about the CDF?

**Mr. Poghisio:** Mr. Deputy Speaker, Sir, I do not know what he is referring to as CDF. I do not know if it is funding from the Government.

*(Loud consultations)*

Please save me from my colleagues, who think that the CDF will save their constituencies. The CDF cannot even construct five kilometres of a road!

There is no proper road in Kacheliba Constituency. If you leave Kapenguria, as you head to Alale, which is the northern most point of my constituency, you have to go through a very impassable road. The road is a stretch of 200 kilometres, yet one spends six hours to go through it.

Mr. Deputy Speaker, Sir, there is also a problem of lack of water. All the money voted and borrowed from donors to implement water projects is used in areas which have more water than they need. In all the arid and semi-arid areas, where there is more need for water, no funds are allocated to them. Kacheliba has no water. There is not a single Government secondary school, hospital and not a single Government primary school. Kacheliba continues to be regarded as a non-Kenyan Constituency. I have said here before that this is an arid constituency, and there needs to be a special programme by the Government to address its needs. Since it was reclaimed from Uganda by the Government and made part of Kenya in 1971, why should it be neglected.

I am at this point requesting the Government to allow people to farm at the Kanyarkwar

Settlement Fund Trustees (SFT) area. Since it was declared that nobody should farm in that area, the Pokot people have nowhere to farm. People should be allowed to farm at the Kanyarkwar (STF) area. They should farm there so that they can have some food. It is good that people who depend on relief food are also given a place where to farm so as to get food for their families.

As we speak now, insecurity is a threat to every part of this country. This Government has the ability to ensure security in this country. I think that now that there has been a swap of the Ministers, maybe the security situation will improve. Maybe the Minister who was previously in charge of internal security did not do a good job. We are facing insecurity problems everyday. We want the Minister in charge of internal security to act and not use threats. Let him start by talking to leaders. He should not cause fear in our people. He should restore order in the areas affected by insecurity.

This House will only work together if people on the Government side are ready to address issues which are raised. If they do not address them, we will always think that they are up to something funny. One does not have to be rich to get assistance from the Government. Corruption and insecurity have to be fought by the Government. These vices cannot be dealt with by the Opposition.

With those few remarks, I beg to support.

**The Assistant Minister for Lands and Housing** (Mr. Mungatana): Mr. Deputy Speaker, Sir, I rise to support the Motion by making a few remarks.

Mr. Deputy Speaker, Sir, while the President was enunciating public policy here at the opening of this Session, he mentioned that there was an increase in the tea sector by 17 per cent, horticultural exports, 10 per cent and local car assembly by 47 per cent. He gave us so many other figures, including the fact that the growth of the economy had gone up by 2.4 per cent. But every time I visit my constituency, I do not see these figures being reflected on the people of Garsen.

*(Applause)*

We need to relay what we talk about here with what is actually happening on the ground. We can only talk of an improved economy in this country when I have more money to buy or the prices of the goods have gone down and so I can afford more. But prices have kept on going up and it is becoming worse. The prices of sugar and bread are going up. The economic situation is very bad. The increment of the minimum wage has continued to be completely negligible so much so that it has not been felt by the ordinary Kenyan. We need to find a way in which the economic programme that is being put here in the capital has a trickle down effect to the poor people in our villages.

Mr. Deputy Speaker, Sir, I was also disappointed personally because in enunciating the public policy, there was no space given to the people of this country who have raised this country's pride and given it a place amongst the people of this world. From the first Government of Jomo Kenyatta, Moi and the present one, there has been no deliberate policy to bring an Act of Parliament that would give honour and integrity to our heroes. I was very disappointed. This year, Prof. Wangari Maathai was honoured by the whole world. We have also lost two very important freedom fighters who were among the "Kapenguria Six"; Bildad Kaggia and Paul Ngei. We need to do something about our heroes. Prof. Maathai, for example, symbolises what is good in this country, what we need to emulate and not what we have always been condemning. The Leader of Opposition in Norway, where the Nobel Prize is housed, is called Mr. Karl Hegan. For your information, his party is called the Progressive Party. He asked why is it that a woman was chosen, who is just using a watering can and a hoe? The other nominees were President Bush for how he led the Iraqi War and Mr. Mohammed El Baradei, who is the leader of the International Atomic Energy Agency (IAEA). So, he asked why Prof. Maathai was chosen ahead of these two gentlemen. The Committee said it was because of her spirit of determination to bring good governance, sustainable development and the untamed ethical spirit. We need to honour our heroes with a proper legislative Act. I hope this can be taken up so that we can

honour our heroes.

Mr. Deputy Speaker, Sir, may I also mention something about the national interest in this country. Many countries will do a lot of bad things for purposes of protecting their national interests. The United States of America is a very good example. They would go into a country, do whatever they have to, so that they can get the oil of that nation. They will do anything to make sure that their national interest is protected. In this country, we have not had national interest protected. What we had is personal, parochial--- You can call it many names, but enrichment for personal gain, not national interest. Continually, from regime to regime, we have had a repetition. A few, well-connected families in the political circles have owned the mass of wealth in this country alone. I am speaking about the land reforms in this country. About 10 per cent of the land mass in this nation is owned by a few families. I am afraid to say that there was no specific mention of what we are going to do to grab back the land that was grabbed from our people, especially in places like the Coast Province. I regret that no legislative action was set out in this public policy. If we represent the people in this nation, we must speak about this. We need a clear land policy that gives back wealth to our people who were robbed by those robber barons of this nation.

Mr. Deputy Speaker, Sir, I agree with the intended move to amend the Public Officer Ethics Act so that we can all declare our wealth. But we should not stop at that. We have seen in this and previous Governments many Ministers implicated in corruption. Their names are mentioned here and there. I would propose that we go further. When that amendment comes back to this House, we should recommend that if a Permanent Secretary is found guilty of any offence, the Minister must also go with him.

When you look around, the gap between the poor and the rich continues to widen. I did not see a clear plan in the Speech to make sure that this gap is reduced. Mr. Deputy Speaker, Sir, we need a new constitutional order. We do not need piecemeal changes. We need a whole new constitutional order.

Mr. Deputy Speaker, Sir, in the current Constitution, Section 275 protects all private property, including that which has been acquired in an illegal way. The same Constitution gives so much power to the people who operate from Nairobi. I have complained about the *nairobicentricity* of the current constitutional order. You appoint officials of the Government who go to lord it over the Coast Province. Those people make decisions that hurt the ordinary people. For example, in land allocations, they use their powers to exercise their own authority for their own benefit. We need a constitutional order that puts natural resources in the hands of the people in the countryside. We do not want control from the centre of this nation. We have too much of that. We need a new Constitution, whether it will be bad or good. This House should unite, fight and ensure that we have a new Constitution.

With those few remarks, I beg to support.

**Mr. Khamasi:** Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to contribute to the Presidential Speech. Having gone through that Speech, I am not very clear in my mind as to whether the handlers of the President---

**Mr. Marende:** On a point of order, Mr. Deputy Speaker, Sir. I am concerned that there appears to be a trend where you are picking two speakers from that side and only one from this side!

**Mr. Deputy Speaker:** Order, Mr. Marende! Would you, please, sit down? Let me say this: Yesterday, an hon. Member raised an issue as to why he should not speak! I would like to say that the Chair will take points of order that challenge the Chair seriously. The Chair has discretion and, therefore, you are supposed to stand and catch the Speaker's eye. If you do not, too bad! But most of you will. But, please, do not challenge the discretion of the Chair.

**Mr. Khamasi:** Thank you, Mr. Deputy Speaker, Sir. My time has been taken by a frivolous point of order by Mr. Marende and it should be reinstated. I was saying that, normally, a Speech by the President is not written by him alone. It is a matter of a team writing. I want to place that team in a

league of economists, probably from the London School of Economics, who dwelt more and more on economics and made the President to forget to mention something about security, which is a very important matter in this country. If you read that Speech by the President, there is no mention of security in this country. I know that when you and I go home in the evening, we are worried. If leaders are worried, what about the ordinary *mwananchi* in the rural homes? In my constituency, as I speak now, thugs are on the rampage. They are literally not only robbing them, but they are cutting them with *pangas* and killing many for reasons that have not been established. That has gone on for a very long time. I believe that the matter requires a lot of concern and it is worrying everybody. We live in forts. You have to secure your house so much so that, in the event of a fire at night, you cannot escape. I am not one of the people who say that thugs should be treated leniently. The Law Society of Kenya (LSK) and other Non-Governmental Organisations (NGOs) who are opposing what the Minister said about dealing with those criminals do not say anything when those criminals kill innocent people. I want to support the Minister. I want to tell Mr. Michuki to go on. Tell your officers to shoot those thugs on sight.

(Applause)

We need to eliminate them because they are merciless. If they have a gun and gets you, they will not spare you. So, I cannot understand what the LSK is saying. I have said this on the Floor of the House. I have even told the Vice-President, who is a friend of mine, that the people they are releasing from jail are the ones who are causing mayhem in our places. We should never again think of releasing 20,000 culprits from various jails to come and join innocent people. They are harassing people by robbing them and causing disturbances in the country. It is necessary to deal with those thugs in a merciless manner. Let us not pretend that we are in the West where they say: "Let the law take its course." We know what goes on in courts of law. We know that people who have murdered are free and walking in the streets. That is a serious matter which should not be taken lightly.

Mr. Deputy Speaker, Sir, the President touched on the environment. Our environment is degraded very badly. In my constituency, all the water come from Nandi Escarpment. Right now, almost all the rivers are drying up because forests have been cleared. The catchment areas have been cleared. Water is no longer coming from areas where we used to get it. It is a matter that requires immediate attention. We must restore our catchment areas. That is why it is necessary that the Ministry of Environment and Natural Resources and that of Water and Irrigation must work in unison, so that we can re-afforest those areas where water comes from. The Government is not very serious about that situation. I live around Kakamega Forest, which is the only tropical rain forest that still exists in this country. It is being decimated and wiped out and yet, nothing is happening! It is important that the Ministry of Environment and Natural Resources takes quick action to save that forest, if it is serious! The President talked about increasing forest coverage in this country! Yet, at the same time, we are letting our forests to be cleared at will.

Mr. Deputy Speaker, Sir, still on environment, our cities are very dirty. For example, Nairobi is very dirty. It is an eye-sore to go to some parts of this country. Recently, my friends and I went to Kigali in Rwanda. If you look at that small city, it is very clean. You cannot see dirt all over. In fact, they have not employed anybody in the municipality to collect rubbish. People have a good culture of knowing that they must keep their city clean. The business of plastics in this country must be addressed. Do we need plastics? Can we get a substitute? If we do, then we must find out how we are going to recoup all the plastic waste and know how to destroy it.

Mr. Deputy Speaker, Sir, I would like to speak briefly about corruption, which the President addressed. I do not think the Government is doing enough to address the issue of corruption. We have put very many agencies in place. In fact, three times more than the previous regime. But what have we

seen? We have seen an increase in corruption. If these corruption claims are mere allegations, the Government must come out clean and tell us that they are allegations. Mr. Deputy Speaker, Sir, there is law in this country. If somebody provides false information, he should face the law. The Director of Transparency International has said that there is a Minister who has stolen more than Kshs750 million and has stashed it somewhere in overseas banks, and this lady is walking free. If she has provided wrong information, why has the Government not arrested her to make her accountable to what she has said? One is bound to believe that the Government is letting her free because they believe in what she has said. They do not want to take action. Indeed, if the Government is not agreeing with what she has said, she should have been arrested and made to account for what she has said. Corruption still thrives in Government offices. It is business as usual. That is why I said before that unless the Civil Service is transformed, corruption will still be with us and will continue as long as we are still around.

On the Constitution, it is not a preserve of a few individuals as we are meant to understand. The Constitution is for all of us and must be for all Kenyans. We cannot allow a few people to think that they are the only ones who can lead us into bringing about a Constitution for all Kenyans. The bickering that is going on amongst the hon. Members of the Cabinet is a shame. I am sorry to say that it is unfortunate that the President is not taking any action. Ministers are quarrelling day in, day out. Recently, the President asked them to stop the business of bickering around and even before the ink dries, they are already at it. What is the President doing about this? It is high time that he woke up and did something about his Cabinet, which does not seem to bring about peace and tranquillity in this country.

With those few remarks, I beg to support.

**Mr. Samoei:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to add my voice to the sentiments being expressed on the President's Speech, which was made on 16th March, 2005.

As the immediate former Chairman of the Parliamentary Select Committee on the Constitutional Review, I will start with the matters that touch on the Constitution. We started a journey about 15 years ago to rewrite the Constitution of our country. Before we went on recess, I tabled before this House recommendations that were made by my Committee for consideration by this House, amongst them the amendment of Section 47 of our Constitution, to give this House the power to bring about a new Constitution.

Mr. Deputy Speaker, Sir, I was saddened by the statements made by the President. Indeed, it is unfortunate that the President has been made to believe that it is possible to bring about a new Constitution using the Consensus Bill, which is yet to become law. It is really unfortunate because it is clear to everybody that, that Bill is unconstitutional. We will never get a new Constitution if we walk that road. I was further saddened when the President gave the impression that he was not interested in a new Constitution.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, the issue of Nairobi being a metropolitan City is clearly in the Bomas document in writing. The Local Government Enhancement Bill that the President suggested clearly indicates that he wants to circumvent the chapter on devolution. These two items made me very sad because it gave the impression that we were trying to go the route of piece meal amendments to the Constitution instead of having a new Constitution. It is very important as a country to realise that the people of Kenya made a choice to have a new Constitution. It will be very unfortunate if we try to interpret the decision of the people of Kenya to mean that we do piece meal

amendments to the Constitution.

I believe that the constitutional review process is workable and it is possible to conclude this process without a lot of fracas and hue and cry, by us, as the leadership of this House, providing leadership to that process. I am convinced that the other stakeholders in that process are willing to work with us in this House if we are willing to work with them to bring about a new Constitution. I want to challenge this House to debate the contents of my report, do the appropriate thing and we get on with the process.

Mr. Temporary Deputy Speaker, Sir, as has been said, the level of lawlessness in our country is worrying. Last Sunday, when I was going to Church in my village, about three kilometres from my house, I found two people who had been killed by members of the public because they had engaged in acts of robbery with violence. That is just one incident. In our country today, we are all worried when we are going home. Be that as it may, as a country, we need to be careful. The reason why every citizen does not have a gun is because a gun is supposed to be used to protect the lives and the properties of people. It is not supposed to be used to kill. We train policemen at the Kiganjo Police Training College, so that they can use firearms to enforce the law, keep order and maintain security. We do not give policemen arms, so that they can kill people. I disagree completely with the directive issued by the Minister in charge of Internal Security that policemen can shoot to kill citizens before they are determined to have committed any crime.

Already there are incidents of misuse of firearms by policemen, and giving them a blanket approval to shoot citizens on sight is tantamount to turning this country into a police state. There is absolutely no reason why we should continue to employ judges, have the Penal Code or have in our statutes issues that deal with robbery with violence if policemen will be given the sole responsibility to execute citizens on account of them carrying weapons. We train policemen so that they can use the weapons we give them either to maim or stop crooks and subject them to trial. They should be tried and not executed. I totally disagree with that. I have been a Minister in the Ministry that Mr. Michuki is, and I am convinced that his directive is going to be misused. The sooner he withdraws that directive, the better for this country. I do not think security is an issue we can subject to a roadside declaration like the one the Minister issued. I think it is a much more complicated and serious issue. We need to put much more resources in matters of security. We need much more training in security. We need to put much more personnel in security for us to stem it. Giving a directive like the one that was given by the Minister will not solve the security problem in this country. In fact, it will compound it.

Mr. Temporary Deputy Speaker, Sir, let me turn to corruption. I am amazed at the level of hypocrisy that today surrounds this issue about corruption. I find it very strange that Transparency International (TI) says that a Minister has stashed Kshs750 million and the Government rushes to say TI should name the account, the Minister and give details. That used not to happen before. They have asked TI to state, even if that money is there, whether it is illegal. Then a Minister of Government has told us that there is Kshs70 billion that is stashed in accounts abroad. The country had asked that Minister to name who the account holders are, where that money is and so many other relevant questions. However, the Government has not found it necessary at all to disclose who the account holders of this Kshs70 billion are and when this money will be repatriated to our country. All we are being told is that it should be proven whether that money is legitimate or not. Are we not introducing double standards in this war against corruption? If we are, are we going to succeed in the war against corruption?

Mr. Temporary Deputy Speaker, Sir, the President did make an issue about land. Land is a very sensitive matter. I think we need to be told the rationale, why a peasant farmer who has five acres of land should be told to move out when we have people with 10,000 acres of land and they have not been told to surrender it.

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

support.

**The Assistant Minister for Lands and Housing** (Mrs. Tett): Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this chance to talk on the Presidential Speech which was precise and to the point.

Mr. Temporary Deputy Speaker, Sir, the President touched on the economic growth; a target of 7 per cent. This target is very high, but, indeed, is achievable the way our country is going at the moment.

Mr. Temporary Deputy Speaker, Sir, let me talk about the land issue because that is where I am based. The land issue is very sensitive and emotive. We have to discourage some of the trends that we used to have before. These trends are those of land grabbing. This country was rampant in land grabbing in the last regime. Even toilets, cemeteries and market places were grabbed. Everywhere where there was a sort of empty land, it was grabbed. My Ministry has really eradicated that. You do not see any more of this land grabbing which was very popular at that time. We have also settled a lot of people, especially in Kwale, Meru *et cetera*. The Ministry still continues to resettle these people who have waited for over 40 years to have a piece of land in their own names. We are also looking at the issue of the women, because women of Kenya own 1 per cent of the land. It is shameful. We are looking into this matter, so that we are all-inclusive when we are owning land. People were also frustrated and agitated for fighting for this land. But I am happy to note that we are doing our level best to settle them.

Mr. Temporary Deputy Speaker, Sir, when the NARC Government took over leadership of the country, we promised Kenyans a dream. We promised to lower the poverty level that was over 56 per cent at that time. I believe now, it is below 50 per cent. Why do I say so? I was surprised here to hear one of the hon. Members say that people in the rural areas are not feeling this eradication of poverty. Just look at all the money that has been pumped into the rural areas, including the Constituency Development Fund (CDF), HIV/AIDS money, bursary funds and road maintenance funds which comes to a total of about Kshs60 million to Kshs70 million. Each child is getting approximately Kshs1,000. How else can we talk of eradication of poverty? Is this not one of the ways of eradicating poverty? Is it not the only way? For the last 40 years, nothing like this had been done. No money was trickling down to rural areas. Money was concentrated in Nairobi and other major centres. Now, at least, our people, in the rural areas, feel it. This money is now with the Members of Parliament. I am quite sure they are utilizing it to the best of their abilities to make sure people at the grassroots level get the money which is supposed to come to them.

Mr. Temporary Deputy Speaker, Sir, if you look at the schools, and this is also a way of eradicating poverty, we had three million children who were out of school. That is almost 10 per cent of the whole of Kenya's population. Those children never saw the inside of a classroom. We were carrying poverty through these children. But now they are in school. It is only a small percentage that is out of school and not because the Government is not providing. Even if they sit under a tree, or we have one teacher for 100 children, it is not bad. Is it not better for these children to learn something rather than stay at home and do what they knew best; become thugs, robbers and street children? At the moment, we do not even see them. We are trying our level best to remove them from the streets and put them in schools. This is also a way of eradicating poverty through the children.

Mr. Temporary Deputy Speaker, Sir, indeed, corruption fights back. Many projects had stalled during the last regime. If you look at the Nyayo Project, for example, the one opposite Utalii College, it is a beautiful complex that could house many National Youth Service (NYS) officers. It has stalled for many years. Why? It boils down to nothing but corruption. When I pass there and look at it, I say: "Yes! Halleluyah! We have done it!" You can now see *fundis* fixing windows, doors and renovating that beautiful complex that was neglected for a long time. It is an achievement.

We can highlight all the good things that the Government is doing. But, unfortunately, we only



highlight the negative aspects of what the Government is not doing. Even if you look at the agricultural and livestock sectors, they have improved by 17 per cent in two years. Surely, that is an achievement.

Mr. Temporary Deputy Speaker, Sir, the tourism sector had died! The people had no employment. That sector, which is one of the most important in our country today, has improved by 24 per cent. What will you call that? Is that not an achievement? A huge achievement! That is because the people down there are earning money and they are able to take their children to school, buy commodities and feed themselves.

Mr. Temporary Deputy Speaker, Sir, all the Ministries did not have a strategic paper. Now, the Government is forcing them to have a strategic paper. A strategic paper or plan is the engine of any Ministry. Without it, you are fragmented! You do not know what you are doing. That paper is going to help us to even reduce poverty and corruption levels. We shall have a budget which is identified in the paper. It shall say exactly what the Ministry is doing. As I look at it and look back, I really know that this Government is, indeed, pro-people.

With those few remarks, I beg to support.

**Mr. Kosgey:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. At the outset, we are told that the economy is growing. Probably, there is a marginal growth. But that is very negligible and is yet to be translated into poverty reduction. The President mentioned that the economy has grown by 2.4 per cent yet, we heard from the Minister for Planning and National Development that it had grown by 1.8 per cent. I do not know which one of the two is the actual figure. All I know is that this Government tends to exaggerate things. We hear of jobs being created and yet, it is not true. Last year, we were told that 500,000 jobs were created. This year, we have already been told that the same number of jobs have been created. This Government likes exaggerating things. Any small improvement is multiplied hundred fold.

Mr. Temporary Deputy Speaker, Sir, with respect to the money that is going to the rural areas, all we know is that Constituency Development Fund (CDF) has an average of Kshs25 million. There is another Kshs5 million for roads and Kshs5 for bursaries. That amounts to Kshs35 million. But the figure quoted in the Speech of Kshs50 million to Kshs70 million is another exaggeration. That kind of money has not been released to the rural areas, particularly the HIV/AIDS money. Members of Parliament should come out very strongly because that money has never been given to the Constituency Aids Control Committees (CACCs). We understand that some money has been released to Community Based Organisations (CBOs) and Non-Governmental Organisations (NGOs). We do not know how much it is and how it is being utilised.

Mr. Temporary Deputy Speaker, Sir, turning to agriculture, I come from an agricultural constituency. It is true that farmers are struggling with lack of fertilizers and high cost of inputs to produce food for this country. However, all that the farmer needs is a regular market; a market that he can be assured of. The farmer has to be assured that whenever he produces maize or milk, there is a ready market. In this country, we have a market. We have a local population of 30 million Kenyans. That population is a ready market for maize, milk and wheat. But the farmer is still at the receiving end. What the farmer earns from his produce is peanuts. What the farmer needs in this country is a fair return on his labour. Any other business requires a fair return. But farming as a business has no return at all. Farmers, obviously, will only produce for subsistence.

Mr. Temporary Deputy Speaker, Sir, with respect to tea, farmers grew it as a cash crop after the collapse of coffee. As I speak now, with the strength of the Kenya shilling trading as high as Kshs74 per US\$1, the farmers in tea and horticulture sub-sectors are not earning anything. We are in danger of that industry going the way the coffee industry went in the last few years. Unless something is done about the artificially strong shilling, I can assure you that farmers in the tea sector will go the same way as those in the coffee sector.

Mr. Temporary Deputy Speaker, Sir, with respect to sugar, I also come from a sugar-cane growing area. It is high time we are told whether this Government is prepared to assist sugar-cane farmers. We thought that the Government understood problems afflicting sugar-cane farmers but, up to today, there is no improvement in that sector. That is, particularly, with regard to payments to farmers. Up to now, you know very well what has happened. The Government took the Kshs800 million of Sugar Development Levy Fund under the Sugar Board of Kenya (SBK) and paid the farmers. That Fund belong to farmers in the first place. So, how can you take what belongs to farmers and give it to them? The Government should return back the money that it deducted from the farmers in the first place! It should have sought for other monies to pay the arrears. As it is, the 7 per cent that is deducted by the SBK as Sugar Development Levy is a waste of money. It is money that the farmer could do with, because it is supposed to be used for sugar development. But it ends up in the pockets of the Sugar Board of Kenya Directors and various people. There is a cess charged on development of sugar of 1 per cent which is used for the development of roads. As I speak, in my constituency not a single kilometre of road has been done with this money and yet farmers continue to be deducted that 1 per cent. On the price of sugar-cane, one company on sensing competition, has increased the price of sugar-cane to Kshs2,000 per tonne. The rest of the millers are still stuck at Kshs1,700 or Kshs1,800 per tonne. To make it economically viable for the farmers, they should trade their sugar-cane at, at least, Kshs2,200 per tonne. They need to have their cane off-loaded within the first 18 months or two years. It should not be more than two years. Sugar-cane staying over two years in the farms is a loss to the farmers.

Mr. Temporary Deputy Speaker, Sir, I am glad to hear from the Presidential Speech that there is an attempt to revive the cotton industry. This is a very important sector. No country industrialises anywhere in the world without textile factories. As we say, a country that cannot feed itself is doomed to poverty, I also wish to add that a country that cannot clothe itself is doomed to poverty. So long as we continue wearing what is manufactured by other people, we will continue to be poor. We should actually start by making sure that what we wear, whether shoes or clothes, are produced locally. Through this, employment opportunities will be created. It will make sure that our people grow cotton and economic prosperity will be achieved.

Mr. Temporary Deputy Speaker, Sir, on the security issue, there was no mention at all of the security situation in the country. I think that was an omission on the people who actually wrote the Presidential Speech. It is regrettable. If he wrote it himself then he just forgot it. It is regrettable that a Speech which comes once only in a year should omit to say something about the insecurity situation in the country. The security situation in the country has deteriorated. It is really dangerous to live in Kenya at the moment, whether you are in an urban or rural area. Recently, we heard of spates of thuggery in Kitale, Kakamega, Kisii and Kapsabet. A gang of thugs raided homes in Kapsabet Town and slashed people with machetes or *pangas* and while this was happening, the police were busy raiding bars in town looking for petty offenders while major crimes were being committed just one kilometre away where people were chopped and killed. We need protection. I hope the new Minister in charge of internal security will take action although I do not agree with his theory of shoot to kill.

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

**Mr. Kamama:** Mr. Temporary Deputy Speaker, Sir, thank you very much for granting me this opportunity to contribute to this wonderful Speech by His Excellency the President on the issues of public policy that will have a strong bearing on the governance of this country. At the very outset, I want to say that the President covered a broad spectrum of policy issues that are very important and that if this Government is going to stick to them, then I am very sure we are going to move forward as a nation.

Mr. Temporary Deputy Speaker, Sir, the issue that I want to zero in on this particular day is the issue of insecurity but just before that I want to be protected because there is a lot of noise around.

*(Loud consultations)*

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

**Mr. Kamama:** Mr. Temporary Deputy Speaker, Sir, I want to read an article by somebody called Fidel Castro. This is what he said and I wish to quote him. "If you want to baffle and confuse people, you baffle them with intelligence and dazzle them with figures". The kind of figures we were given in the Presidential Speech were highly fictitious and very far from the actual situation in this country. The Gross Domestic Product (GDP) growth of 2.4 is below par. The target has been 1.5 per cent per annum. It is below par in the sense that the target has been 1.5 per cent from 2003. So, if you look at the projections by the Ministry of Planning and National Development, this is below par.

Mr. Temporary Deputy Speaker, Sir, we were told that the tea sub-sector grew by 17 per cent, horticulture by 10 per cent, the sugar sub-sector by 15 per cent and coffee delivery by 4.4 per cent. This is far from the truth because when you travel around the countryside you will see that coffee farmers have not returned to their farms. So, I want to say that these figures should be revised and we should be told the actual situation.

Mr. Temporary Deputy Speaker, Sir, I want to talk about insecurity. I think the people in State House should be much more serious on this issue. I am happy that hon. Michuki was appointed the Minister of State, Office of the President in charge of internal security. I have worked with him in the Government and I have total confidence in him. I am happy and optimistic that he is going to do a good job. However, the situation has been very bad. People are dying in Mandera and Kwana districts. In Mai Mahiu, land clashes have not stopped. In the North Rift Province, cattle rustling is back. I want to inform the House that I even lost about 50 head of cattle during this recess. I am a victim of this insecurity. I was attacked by people from Uganda who went all the way to Baringo. I do not know what the security people are doing in this country.

The people of Matheniko clan of Karamoja conspired with people of Turkana South to come and actually cause mayhem in Baringo East. I do not know where these security people are because these invaders have to go through over five constituencies before they can get to my place. So, our borders are porous and this Government cannot even imagine venturing into this place called Suguta Valley. No President has ever ruled Suguta Valley. I do not know whether President Kibaki with the help of hon. Michuki will be able to venture into Suguta Valley where people "greet" each other by using AK-47 guns. When the locals see Turkanas or Pokots, they just pull the triggers and release projectiles. Something must be done and I have always said that there is no Government in Suguta Valley. Whether you like it or not there is no Government there.

Mr. Temporary Deputy Speaker, Sir, I am happy that the Kenya Police Reserve (KPR) is back. We should recruit Kenya police reservists in all our major urban centres. We should also recruit them in the North Rift and in the entire cattle rustling prone areas. This will reduce insecurity substantially. We want cameras in our streets. It has been done in South Africa and it has worked very well. If we install these cameras very soon you will see robbers being accompanied by this guy who came and greeted the President the other day - I do not know whether his name was Maganju or who. Something has to be done about insecurity.

Mr. Temporary Deputy Speaker, Sir, Kenyans are dying and for that reason, I support the shoot-to-kill order by hon. Michuki. If a suspect is found with a gun, he should be shot at first before he shoots at the police.

With regard to the issue of unemployment, it is true that unemployment is rampant. The President did not address this matter. We were not told where the 500,000 jobs which Kenyans were promised went. We are saddened by the fact that our Ministers, who are so divided in the Cabinet and cannot exercise collective responsibility, are sacking heads of corporations who do not belong to their

respective tribes. The other day, hon. Tuju sacked a Mr. Kirui who was the CEO of Communications Commissions of Kenya (CCK). I am sure he will replace him with a Luo just as other Ministers have done. This issue of being appointed a Minister and then sacking people simply because you want to replace them with your kinsmen amounts to sheer nepotism and tribalism.

**The Minister for Roads and Public Works (Mr. Raila):** On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear the hon. Member allege that a Minister will replace the sacked CEO with a member of the Minister's tribe while we know that the same Minister removed Dr. Mukolwe of Kenya Wildlife Service (KWS) and replaced him with Dr. Kipng'etich who is a Kalenjin and not a Luo?

**Mr. Kamama:** Mr. Temporary Deputy Speaker, Sir, Dr. Kipng'etich is in KWS and that is only one job. The rest of the jobs are gone. We do not have anybody from our tribe in this Government.

Mr. Temporary Deputy Speaker, Sir, corruption has skyrocketed beyond limits. We were told by Transparency International (TI) that every single Kenyan lost Kshs2,660. When you quantify that, it is a lot of money. Something needs to be done in order to eradicate corruption in this country. However, TI must tell us where the Kshs750 million is. They are now becoming rumour-mongers. They are not helping us at all. So, I agree with hon. Raila who has always said that TI is not telling us the truth. We need to be told where the money is and to whom it belongs so that the culprits can be taken to court.

With regard to constitutional reforms, I believe this is an issue that is so close to Kenyans. We shall not relent in this business of constitutional reforms. We will never back-track or surrender until the new constitutional dispensation or order is declared. We are prepared to sacrifice-- If the Government is not aware that Kenyans are serious about constitutional reforms, then let it wait until the year 2007 when it will face the music.

Mr. Temporary Deputy Speaker, Sir, we are happy that, in his first Speech in this House, the President talked of the Arid and Semi-Arid Lands (ASALs). However, this time round, he never said anything about these regions. He gave the issue a total eclipse. He never said a word about the ASAL areas apart from the word "livestock" only. The President needs to focus on the ASAL regions because that is where the total land mass of this country is. The Government needs to employ our veterinary doctors and ranch officers who have stayed at home for the last ten years.

With regard to the HIV/AIDS scourge, hon. Members of Parliament do not know what is happening in the Constituency HIV/AIDS Control Committees. To get money from the National AIDS Control Council is like applying for a loan. You cannot get the money and yet people are dying in rural areas. That money should be released with very minimal conditionalities. If we do not do that, we will lose many people in this country.

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

**Mr. Musila:** Thank you, Mr. Temporary Deputy Speaker, Sir for giving me this opportunity to, at least, for once, speak on behalf of my people of Mwingi South Constituency.

I fully support the Motion and the President for a very well-delivered Speech. For the first time in the seven years I have been a Member of Parliament, I have never heard a Head of State refer to my Mwingi District in his Speech here in this House. Reference was made to the progress that is being made by the Ministry of Lands and Housing with regard to land adjudication in Mwingi District. While thanking the President for his remarks, during the last 40 years that the exercise of land adjudication has been going on in Mwingi District, not much progress has been made. If what the President said, that the exercise in Mwingi District will be accelerated this time round, then I would like to thank him. However, experience has shown us that what the President says is not what is often done. Therefore, I want to appeal to the Minister for Lands and Housing to ensure that the President's words are put in practice.

Today, despite the exercise having taken 40 years, only a handful of people in one location have title deeds. Mwingi Town, which is the headquarters of Mwingi District and with huge investments, does not have a single businessman or owner of a building with a title deed. Therefore, I want to appeal to the Minister to take this matter seriously. While the Government is accelerating the exercise of land adjudication in Mwingi District, it will be useless if the exercise is not followed by the establishment of a Land Registry in the district. At the moment, the people of Mwingi have to travel to Kitui District where the Land Registry for both Mwingi and Kitui Districts is located. I, again, appeal to the Minister to ensure that Mwingi District has its own land registry if at all we can say that the exercise will be a success.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on education. I am very happy that the Minister for Education, Science and Technology is here, if only hon. ole Ntimama will allow him to listen to me! Kenyans are grateful to the Government for the introduction of free primary education. I think we must continue to say that. However, as many of my colleagues have said, the problem with free primary education is that in some districts there are no teachers. If the Government can ensure that there are adequate teachers in primary schools so that we do not have a situation where a class has 100 pupils, I am sure this will be a great success. I appeal to the Minister that as we approach the new financial year, he should do everything possible to ensure that primary schools are adequately provided with teachers. If this is done, I am assure that free primary education will be a monumental success.

With regard to secondary school education, year in, year out, the Minister for Education, Science and Technology receives a report from the Kenya National Examinations Council (KNEC) on the performance of schools. He is always happy to announce the first, second and third best schools. He goes to the extent of listing the first 100 schools in order of merit. However, after that, the Ministry does nothing to probe into the causes of failure by schools in certain areas. For example, very rarely have I ever seen a secondary school in Mwingi District appearing on the list of the first 100 best schools in terms of performance. What has the Minister done to find out the causes as to why some districts never appear in that list? North Eastern Province has been producing only one or three students to the public universities. What has the Minister done to understand the reasons behind this? One other district has been accused of cheating in examinations year in, year out.

Mr. Temporary Deputy Speaker, Sir, I want to speak for my own district and say that one of the reasons why we do not have any school appearing among the top 100 bracket in terms of performance is one; shortage of teachers. We do not have adequate secondary school teachers in Mwingi District. Secondly, science equipments is non-existent in most of our schools. I am glad that the Minister is addressing this problem now, but it has gone on unaddressed for far too long. The third and most important factor why our schools never appear among the top 100 schools is because 75 per cent of the time that students are supposed to be in classrooms in Mwingi District, they are out at home because they have been sent away from schools for lack of school fees. I know the Minister will quickly tell me that there are bursaries, but I want to tell him that they are inadequate. So, I want to appeal to the Minister to move into these areas and take corrective measures so that, at least, we can see our schools being in, not just numbers one, two or three, but all the time--- There is nothing we want to celebrate about this; it is too monotonous and we now want to address the problems affecting the poor areas.

Mr. Temporary Deputy Speaker, Sir, in the last Session, this House passed a Motion requiring that the Ministry of Education, Science and Technology or the schools release certificates for students which are being held for lack of school fees or due to school fees balances. You will also recall that the Minister did admit that 560,000 certificates are being held by schools. Some of them have been held for five years, ten years or more. I am appealing to the Minister to at least, cut a line and say that any school that has held a students' certificate for, say, five years and above to release that certificate. This will go a long way in helping the students, who are now languishing in poverty at home, look for jobs.

I am sure the Minister will address this issue.

I want to talk about water. I think any hon. Member of Parliament from Ukambani who does not address the issue of water will probably have a problem with his constituents. On Monday, this week, the world and Kenyans celebrated the World Water Day. In Mwingi District, we did not celebrate because we had nothing to celebrate about. I want to believe that the Government is addressing the problem of water in Mwingi District and in Ukambani in general. We, in Ukambani, gave President Kibaki 92 per cent of our votes because he promised that he will construct boreholes and dams in those districts. I have a document which was circulated by him, and I want to appeal to those who reach him to tell him that he is now half-way through his term since he was elected, and we have no borehole or dam to show. All we hear is that certain districts are getting Kshs1 billion, when those districts which deserve more water are ignored.

Once again, I am pleased to see the Minister for Roads and Public Works sitting opposite me here. The infrastructure in Mwingi District is very poor, and some areas are not accessible. I am particularly concerned about two divisions, which you cannot access when it rains. I think that, at this age of our economic development and 42 years after Independence, it is a shame that there are certain areas of our Republic which you cannot access. I am, therefore, appealing to the Minister to consider two roads which are leading to the divisional headquarters which, as it is raining now, we cannot access and we have not been able to access. In fact, some of the roads were far much better during the colonial time. We hope that our people can, this time round, see improvements on our roads. What about the road from Kibwezi to Kitui, which has been on the drawing board since Independence? What about the road from Kitui to Mwingi to cross to the Meru side? I think these are roads which will make our areas come out of the poverty that they have been exposed to for many, many years. I want to appeal to the Minister now, to consider my appeal, and I also want to thank him because he received some six graders, and Mwingi received one of them. But that grader will not be enough without some real investment in infrastructure. Therefore, Mr. Odinga, could you consider the Mwingi-Nuu Road and the Mwingi-Mui Road? Those are the two roads leading to the divisional headquarters. If this is done, we will be very grateful.

Thank you, Mr. Temporary Deputy Speaker, Sir.

With these few remarks, I beg to support.

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Ochilo-Ayacko):  
Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to make my remarks.

I would like to support the very eloquent Speech made by His Excellency, the President. I have been sitting here the whole of this afternoon and I have heard hon. Members say that, that Speech excluded certain vital happenings in this country, including security. It is not possible for a speech to be delivered within one or two hours to cover all the details of the happenings of this country, but I believe that what hon. Michuki declared recently should have been part of that Speech, as it amounted to a declaration of war on thuggery in this country. I know that those who understand law and are sceptics in legal issues will reckon that it violates the rights of criminals, but I know that this country has sufficient challenges when it comes to dealing with armed robberies and violence associated with small arms. I know that, that order will be executed to the extent that those who are armed will be dealt with as such, because they also similarly deal with people in that manner. So, let us give hon. Michuki support to the extent that it will be used to make sure that criminals do not reign over humble citizens.

Mr. Temporary Deputy Speaker, Sir, I want to laud the President for the part of his Speech that touched on the constitutional review that we will be debating in the course of time. However, I want to say that the constitutional review that Kenyans are looking up to, or which they are very keen on, is something that Kenyans have sought for a very long time. Kenyans have supported movements that are pro-reform; Kenyans have sacrificed over a very long time desiring for a new constitution.

Kenyan get disappointed by the day, if the prospects of having a new constitution diminishes.

Mr. Temporary Deputy Speaker, Sir, it is the responsibility of the Ministry of Justice and constitutional Affairs; it is also the responsibility of the Select Committee on constitutional Review that will be constituted to make sure that there is as little acrimony over anything as possible. There have been loud whispers about an attempt to remove certain people or personalities from the Parliamentary Select Committee on the constitutional review. I think those who are trying to do that are the real enemies of the constitutional review, and what they are trying to do is to scuttle---

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Order! Order, Mr. Ochilo-Ayacko! The Speaker made a ruling on this matter. Please, steer clear of that issue until the list of Members is tabled and starts being debated.

Can you proceed?

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Ochilo-Ayacko): Thank you, Mr. Temporary Deputy Speaker, Sir. The point I was trying to make is that all of us must be as accommodative as possible when it comes to the constitution making process. Any person who thinks that he owns this process will be a disappointment to Kenyans. I am happy that the President underscored the importance of reviewing the new constitution by this House. He said that we should place our personal interest second and the national interest first. Every person who has a responsibility to participate in this process should view it as such. If all of us view it as such, I am confident that sooner than later, we will have a document that all of us will be proud to be associated with. This is a unique opportunity we occupy in history. I have heard former hon. Members of this House brag that they were participants in the Lancaster Constitution. I think it is our opportunity to Lancaster a new constitution. We should use that opportunity while knowing that Kenyans will judge us harshly if we scuttle the process.

I want to applaud the President's Speech and particularly the part which touched on farmers and more so sugar-cane farmers. I have an interest in this matter because I am a sugar-cane farmer and I also represent the millers. The Chair knows very well that the safeguards we clinched from the COMESA will come to an end after two or three years from now. If we do nothing to promote sugar-cane farming and milling, they will be a thing of the past. So, the President's Speech covered what should be done with regard to sugar-cane farming and milling. This country has a ready market for the commodity. We have a sugar deficit in this country, and if we increase production, we will easily sell it amongst our people and get profit. Generally, the sugar industry employs many people directly and indirectly.

I also want to applaud the Minister for Agriculture for saying, recently, that SONY Sugar Company will be expanded from its current crushing capacity of 3,000 tonnes of sugar-cane per day to 6,500 tonnes of sugar-cane per day. That is a positive step. That factory covers an expansive land; extending to about five districts.

Mr. Temporary Deputy Speaker, Sir, I also want to briefly talk about gender issues. A lot was captured by the delegates who assembled and came up with the Bomas Draft, which we are expecting. It is important to protect and harness that which was achieved in respect to gender in this country. If we create a more tolerant and gender-sensitive society, then we will have a productive society where members of both sexes can be productive in terms of wealth generation. We will also have a more harmonious society where men, women, boys and girls do not quarrel unnecessarily, cause losses and sufferings among families. It is important for hon. Members to reach out to the very wide constituency of young and old men, women, girls and boys who are asking that their interests should be put in the constitution of this country.

Very soon, we will launch, as a Government, gender units in every Ministry. The units will help us check gender-sensitivity of every Ministry and find out whether we utilise public resources properly by sharing it out among the sexes. It will also help us check whether in employment we take

into account the demographic trend in terms of sex and age.

The President's Speech was very clear and good in terms of the number of legislations which we require to pass in this House. This House, and I do not want to accuse any side, has the responsibility to pass legislation. I know that it is fashionable currently to point an accusing finger at the Government's Front Bench and say that there is bickering. There is also bickering among Back-benchers. In fact, part of the problem we have in the Front Bench is compounded by the altercation and bickering that is visited upon us by the Back Bench. All of us who have goodwill and stand for unity in this country must reach out to both the Front Bench and Back Bench of this House. If that is done, this House will pass all the pending legislations before it. The House will also pass all the policies which should be passed. We know that the Executive has its responsibility. Parliament also has a responsibility to legislate and check on us.

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

**Mr. Marende:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this important Motion.

First, the President's Speech outlined the Government's policies for this Session of Parliament. That Speech was not good enough because it fell short of the expectations of Kenyans. I am saying this because 75 per cent of the issues which were covered in that Speech have been mentioned before, and yet little action has been taken.

In the President's Speech, we see a trait of indecisiveness which has become so difficult and is like a trademark of this regime. For example, on page 16, the President talked about the NARC Government when he knows very well that he disrupted it by forming the so-called Government of national unity on 30th June, 2004. There is no more NARC Government to talk about.

We also see indecisiveness when the President talked about the Port of Mombasa which is a very important inlet to this country. That port is so important to this country that we should make a clear decision on what we want to do with it so that it can realise its full potential.

The President, in his Speech, said that the Government intends to turn the Port of Mombasa into a land owners' port. In my view, that is amorphous. The answer today is to make the Port of Mombasa a free port like Dubai. We have no reason to hesitate in taking that decision. Apparently, we want to be late when circumstances dictate that we should lead. I am saying this because we have been ahead of the Port of Dar-es-Salaam but today, we complain that, that it is threatening the business which was previously transacted at the Port of Mombasa. Do we have to wait until the Port of Dar-es-Salaam takes the courageous decision to become a free port before we play second fiddle and follow?

Mr. Temporary Deputy Speaker, Sir, I want to talk about land. This is a very critical sector which needs a clear policy and should be managed well. This is the case and yet the policy which relates to land in this country is not clear as to what is supposed to transpire in this sector. To start with, the Minister for Lands and Housing said that he will issue new generation title deeds to replace the old ones. This is not a healthy development in a sector that is so critical to our economy. We need issues of land clearly managed, so that we know what direction we are going. It would appear to me that, in fact, what is happening is that the current regime is repeating mistakes that were committed by the colonial government, and the KANU regime both under the leadership of the late Kenyatta and late President Moi. They are---

**The Temporary Deputy Speaker (Mr. Khamasi):** Order! Mr. Marende, we do not have a late President Moi!

**Mr. Marende:** Mr. Temporary Deputy Speaker, Sir, I am sorry. I was talking about the KANU regime both under the late Kenyatta and retired President Moi. I do not wish former President Moi death. In fact, I respect him and I would wish him to live longer.

The matter of land should be sagaciously managed, so that we move away from a situation



where land is alienated without consulting residents. In my own constituency, the Government is in the process of allocating a piece of land that was previously used for public purposes such as research, veterinary and crop farming to Maseno University, without consulting local residents of that area. My people have a vested interest in that land. It is a historical fact that the people of Emuhaya Constituency surrendered that piece of land to the Government to be used for public purposes that benefits them. Therefore, they have an ancestral claim of ownership over that land and it must be respected. I want to say from the Floor of this House that if those rights are not respected then, it will be a recipe for land clashes in Emuhaya Constituency, particularly at Maseno. The people of Emuhaya must be consulted before their land is taken away from them.

Mr. Temporary Deputy Speaker, Sir, I would like to move to the area of constitutional review. In my contribution, it is my contention that the President did not go far enough. He did talk about a personal commitment to ensure that a new constitution is in place. This is not news! This is because he also talked of a personal commitment when he opened the Bomas Conference one-and-half years ago. However, we have seen little action. We would have liked to see the President come up with concrete steps that his Government intends to take to ensure that a new constitutional dispensation is bestowed on the people of Kenya. The problem, in fact, is not that Kenyans cannot have a new constitution. The problem is that the current Government is reluctant to give Kenyans a new constitution that they deserve, one that they have talked about and decided on, and that is reflected in the Bomas Draft. What we have instead is a conflict whereby the Government is merely being selfish.

Mr. Temporary Deputy Speaker, Sir, about 75 per cent of Kenyans said they wanted power devolved. There is too much power vested on the institution of the presidency. They wanted that power be shared between Parliament, the Prime Minister and the Vice-President. Our President, before he ascended to power, also used to talk the same progressive language. However, after he became President, he has tasted central power and he wants to keep it all to himself. This is not the way forward for this country.

Mr. Temporary Deputy Speaker, Sir, as long as we have a Minister for Justice and Constitutional Affairs who believes that what he conceptualizes as right is, therefore, right for all Kenyans, and he wants to impose his views on Kenyans, we will not realise the new constitution. It will be extremely difficult.

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

**The Assistant Minister, Office of the President** (Dr. Machage): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I support the Motion as put forward by the Leader of Government Business. Indeed, as I deliberate on the President's Speech, I would want to quote his opening remarks. I quote:-

"The Kenyan people have placed considerable responsibility and high expectations on the institution of Parliament as the supreme organ of the State."

We have to be seen to do exactly that. However, it leaves a lot to be desired when Parliament becomes totally unrepresentative of all communities of this country. As an example, apart from me being a Member of Parliament from the Kuria community, there is not even one employee from the same community working in Parliament. We have reached a state of oppression by democratization. This is where people from the large communities use democracy to oppress others. There must be affirmative action to make sure that all communities in this country participate, not only in the building of this country, but also in sharing the resources of this country. It is very unfortunate that even after His Excellency the President opened fora for development in this country, we have institutions that oppress smaller communities in one way or the other. For example, take the Ministry of Education, Science and Technology. I am happy my senior colleague is here. In my community, less than ten students qualified to join public universities last year. They got 66 points and above. It is very unfortunate that students from

communities like Kuria, Rendile and others from North Eastern Province have to be subjected to the same marking scheme with those students from affluent areas like Nairobi who have all facilities - schools, highly qualified teachers and comfortable environment to learn. When it comes to the end of the year, our students are expected to compete with those students from other parts of the country. When a student, for example, from Kuria District is asked about a basket ball pitch in an examination, he may not correctly answer such a question because he has never seen it. These are some of the inequalities that His Excellency the President is trying to see defeated. He has tried.

No hon. Member in this House can say he is not getting a sizeable amount of money from this Government. About Kshs50 million to Kshs70 million is really appreciated, especially by us who are marginalised for reasons that we do not understand. The NARC Government is trying. Nobody can doubt that.

Mr. Temporary Deputy Speaker, Sir, it is true the economy has grown by about 2.4 per cent. We do not expect that every citizen in this country gets an increase of Kshs3 in his or her pockets so that we say the economy has grown. That is not what it means. The effects will not take a long time to be felt if we do not spoil the already laid down foundation. It is my appeal, especially to the senior leaders; our Ministers, to carry the mantle of leadership as given to them by His Excellency the President calmly, obediently and maturely. If they cannot cope with the system, it is just prudent that they resign and let other people be given the mantle to lead. That is what we should do. We should not personalise matters of the country. We should not look at leadership in terms of killing one community or another. Kenya is not made of one, two or three big communities. We have 42 communities in this country who are looking at our leaders to deliver services to them. Kenyans are tired. Let us emulate His Excellency the President for being fair to the extent of constituting a Government of national unity which is actually a good show that he holds every Kenyan in the legislative assembly equal for the leadership of this country. He should not be blamed for this.

Mr. Temporary Deputy Speaker, Sir, I am happy that His Excellency the President mentioned the issue of micro-financing. He said a Micro-Financing Bill would be tabled in this House. I hope the smaller communities will be considered more than the bigger ones, for obvious reasons.

On the Political Parties Bill that is being brought to the House, I hope a forum will be created where we will have only three political parties in this country. The political parties we have today are too many. Mr. Temporary Deputy Speaker, Sir, for the National Social Health Insurance Fund (NSHIF) Bill, it is true that we have to accept the reality of why the President could not assent to it. When the Bill comes to the House, we should support it so that we can have his will rolling.

The economy of this country is highly dependent on agriculture. It is also true that for the last two years, we have had and seen a catastrophic famine in this country where 26 districts had this problem. We still have it and about 20 districts are still in dire need of food. Narok South and many other districts are still suffering. There should be a system to encourage food producing areas to produce more and I believe that the Minister for Agriculture will address this issue. It is not really good for our communities, where God blessed them with enough food, not to have stores. However, I am happy that His Excellency the President ordered that we get a few stores built in the Kuria community but we still have about Kshs40 million to be paid to farmers who delivered food to these stores to feed people. It should be done so fast such that we do not have to import food when we can produce it locally. Of course, Kenyans have to change their eating habits and I will not go to the extreme of my colleague. However, I think we should grow more tubers and other crops that are indigenous to our country.

I am happy to note that His Excellency the President emphasised the fact that regional co-operation is important. It is us communities who live along the borders who understand what this is all about. Good corporation means peace, good trade and livelihood for our people. Seeing peace in Somalia will help people from our North Eastern Province and a good relationship with Tanzania will

see my people prosper. Peace is important and it should be nurtured so that babies born will grow.

Constituency building is important but we have to also accept that the money we get should be well utilised to avoid ridicule from people. I believe that most hon. Members are actively participating in this and the Press should only project good development that we have done in constituencies at that level.

Roads in this country are pathetic yet we have heard a lot of promises from leaders in this Ministry. If money is not there, please do not promise because Kenyans are not fools. If there is no money allocated for a project, as a leader, do not give false promises. It is wrong to cheat Kenyans!

There are many Bills coming to this House including "The Keter Bill". However, I would not want to preempt a Bill that may be coming here but is not yet tabled. Giving Parliament power to decide on its calendar is not really bad. However, let the Bill be presented to Parliament as we had passed it as a Motion and no mischief should be seen in the process of presenting it. It is possible that because of infiltration of wrong thinkers, the hon. Member might have changed his way of thinking. Let us be objective when we discuss issues in this House.

The President talked about improvement in production and income from tea, sugar and other agricultural resources. We are now told that no sugar was imported and the price is likely to go up. I hope that the farmer will stand to benefit with this kind of issue. If only we managed our economy well, we would succeed.

With those few remarks, I beg to support.

**Maj-Gen. Nkaisserry:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity also to contribute on the public policy as expressed by the President's Speech.

This Speech was well written and it captured all the policy requirement as regards the governance of this nation. Unfortunately, that Speech left two very fundamental issues as regards this nation. First, it never touched on the security aspect and all areas that the President mentioned, be it economic recovery, environment, land, local authority, education, agriculture, tourism, regional stability, constitution, procurement and corruption, nothing will be fulfilled without security. When we talk of economic recovery, it would not be there without security because it means development that creates economic, social and political progress in this country. Having been listening this afternoon, since we started debate on the Presidential Speech, the very unfortunate thing that has come to this House is that the Government kept on lamenting. You hear a Cabinet Minister telling this House that he was with the President in Addis Ababa and the Prime Minister of that country told the President of this Republic that they had done something on their side but Kenya has not fulfilled the other side of the promise. The President was with the Minister! What does the Minister expect this House to do when the President is already aware of the necessity of putting up a road that will make regional integration possible?

Secondly, just now we heard a Cabinet Minister lamenting about his community. He is a graduate from a university and his people brought him here. How does he expect the Government or this Parliament to help his people if he cannot do so himself? He was brought here by his people to help them. These lamentations from the Cabinet should not be brought to this House. I think that the President should dissolve the Cabinet. If we keep on lamenting about what we should be doing, we will not be doing any good to this country. This is a tragedy!

I now turn to the fundamental issue of land. The issue of land is very emotive. The Minister for Lands and Housing has been evicting people from land without arranging for their resettlement. He is just pushing people out of Government land, so that he is seen to be working. Those people he is evicting from Government land are Kenyan citizens. The Government is not mindful of the welfare of its citizens. We can advise the Government on what it can do so as to benefit citizens. We cannot just evict citizens from their land without offering them an alternative.

Secondly, I think we need to come up with policies on ways of reclaiming water catchment

areas in the Trans Mara region. We should not chase people out of forests without showing them where to go. We are creating a situation which will make it difficult to govern this country. If we throw people out of their land and we do not offer them an alternative, where will they go to? This Government needs to come up with a proper land policy.

On the issue of free primary education, I am glad that the Minister concerned is here. To ensure quality free primary education, we must have enough teachers. We must also have enough classrooms and remunerate teachers well. According to the Ministry's bursary fund distribution report for last year, each constituency was allocated Kshs1 million. This year, the Minister for Education, Science and Technology, who comes from my constituency, reduced the Kajiado Central Constituency Bursary Fund by 50 per cent. People have been asking me why that happened. I am, in fact, in the process of writing to the Minister to ask him what might have gone wrong. As far as the success of free primary education is concerned, it is not 100 per cent.

On the issue of agriculture, the President talked about cotton, pyrethrum, sugar and nothing to do with livestock. What happened to the livestock sub-sector? What happened to the Kenya Meat Commission (KMC), which was allocated money for revival? Where has that money gone to? Those are the issues that this Government should address. It would be good if this Government does not set its agenda on the basis of promises and dreams, because it may not be in a position to fulfil them. This is the problem this Government is having. It set its agenda on the basis of pledges and promises. Reality has now dawned on it and it should go back to the drawing board and see where it went wrong. This Government should take action to improve its management style.

Turning to the issue of corruption, the President said that it was one of his top priorities. The Government is under seige. I do not know what the President is waiting for. He should dissolve the Cabinet and appoint hon. Members who have not served in the Cabinet before. If he wants to use affirmative action, he could look around and appoint hon. Members who have not served in the Cabinet before. They are the ones who can deliver Kenya from the ineffectiveness of the current Government. The problem the President has is that he has become a slave of very few people. That is why this country cannot move forward.

On the issue of insecurity, this country has now become very dangerous, not because of criminals, but because of the ineffectiveness of the Government. We have a Cabinet which does not recognise what security is. As I said earlier, security is the protection of citizens and their property, and not the other way round. We should not have citizens being killed. A Minister of a democratic country should not issue an order to kill. That Minister should be a candidate for the International Criminal Court. I think if he follows that path, he will have it rough with human rights organisations, which will take him by head-on. I hope that he is listening to this very carefully. If a criminal is not armed, he should be apprehended and taken to court. Only those criminals who are armed should be shot. They should not, however, be shot dead. That order cannot be accepted in this country, since it is not a police state. The causes of insecurity and instability are scarcity of resources such as land, employment and others. These are the problems we are facing. This Government needs to address those issues.

With those few remarks, I beg to support.

**Prof. Mango:** Thank you, Mr. Temporary Deputy Speaker, Sir. I will take this opportunity to commend the President for his Address. However, there are many points which arise from his Address that need to be addressed. When the NARC Government took over the leadership of this country, it promised Kenyans a few things. One of them was a new constitution. The issue of a new constitution remains thorny. At the moment, it is creating instability in the country. The Government should come out clean and tell Kenyans if there will be a new constitution or not. A new constitution would ensure human rights are adhered to. At the moment, we need a new constitution. Kenyans at the moment seem to be sitting on the edge.

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

*[The Temporary Deputy Speaker  
(Ms. Ndung'u) took the Chair]*

The problem of insecurity is everywhere. Wherever someone lives, they have to employ a guard so as to ensure that they have a peaceful sleep. When that happens, it is a sign of Kenyans trying to fight danger. We can hide our heads in sand, but when the problem of insecurity erupts, we will all face the music. Every day you open up a newspaper, a girl child has been raped and the rapists seem to get very lenient sentences. Are we really protecting the rights of the children? If the Constitution will protect the girl child, let us have it so that all can be protected. But above all, we need law enforcement. Even our current Constitution contains very good principles. But we seem to have failed in law enforcement. Therefore, we need, as a country, to look into our laws and ensure law enforcement.

The same goes for corruption. We come here and talk about corruption and we are told it is in our imagination. How can it be imaginary when we were told here that part of the money that was paid out to Anglo Leasing Finance was returned? Is that the imagination of Members of Parliament or is it the imagination of the media? We need to be sincere as Kenyans. We can delude ourselves and say those are creations of the media. But the citizens out there are also watching. We are dealing with a very enlightened community and, therefore, we should not kid ourselves and think that Kenyans do not know what is going on. Let us fight corruption because it is at all levels.

In today's newspapers the Police Force is being accused, yet corruption is in all other spheres. At the local level, the mwananchi would accuse the chief or the sub-chief of collecting a certain amount of money every month to allow the *chang'aa* brewers to brew it. Is that not corruption? We need to start somewhere. For the mega-corruption we need to shoot people in public so that it can be a lesson to others. Let us not pretend that there is no corruption. We know it is there but we would like to hide behind all manner of things.

Mr. Temporary Deputy Speaker, Sir, I appreciate the free primary education policy. But it needs to start at early childhood. It is like we are constructing a building up in the air without laying the foundation. Our children need the foundation from early childhood and then they can move on to primary, secondary and then university education. But in the free primary education, we need to build in quality. We can only do that by keeping teachers happy. We have to pay teachers what we promised to them so that they can work while they are happy.

At secondary level, I thank the Government for the bursary scheme. But the bursary scheme should take into account the orphaned children. In certain areas, we have very many orphaned children and they have to be taken care of because they are the future leaders of this country. Last year, I attended a meeting in South Africa organised by the Association of European Parliamentarians. The figures they released are that; in the whole world, there are 18 million orphans, out of which 14 million are in the African Continent.

In Kenya, do we know how many millions of orphans we have? We tend to hide behind the statistics and we do not seem to care for the census to find out how many of these orphans we have. When bursaries are distributed, do we take into account how many orphans we are catering for? There has to be indexing of the number of orphans in every constituency so that as we make allocations, we are taking that into consideration.

In this country, at primary level, the ratio of the girl child to the boy child is 50 to 50. By secondary school, only 30 per cent of the girl child move on. By university, you are lucky to have 5 per cent. Now, we are educating the man and leaving the woman behind. So, we are educating the

individual and leaving the community behind. Something must be done about the girl child education if we are to move on as a nation. That calls for gender mainstreaming. Once we leave women behind, we are not going to move on. When a senior woman retires or is removed from her post, we fill it up with a man. Why do we not replace a woman with a woman and also increase women in our top jobs? That also goes for the political parties. They pay lip service saying they will have 30 per cent gender representation. None of them is doing that. We should remember that women are the voters and time will come when women will stop voting for men. Let us be fair and build a nation that is fair to all men and women and not be lopsided.

Mr. Temporary Deputy Speaker, Sir, I would not finish without touching on agriculture. Food insecurity in this country is rampant. Everywhere you go, people are complaining of hunger. We are becoming a country of beggars. Every year, we are begging for food. Why do we do that? We need an agricultural and food policy so that we can cater for ourselves. A nation that cannot feed itself is not worth its name. We should put more money into agriculture so that we have food security. We should even produce surplus and sell. We are capable of doing that, but we tend to have our priorities elsewhere. Every year, we go begging. We need to subsidise agriculture so that farmers can have good seed and fertilisers to produce more. Developed countries go on cheating us about liberalisation yet they subsidise their farmers to produce a lot more.

Then, we have cash crops. In my own area, sugar cane is the cash crop. The farmer leases out land to the millers. She farms the land, harvests the cane and takes it to the millers and ends up with a debt. Recently, one of the factories has put up a wall costing Kshs35 million to protect themselves while the thieves within the factory are stealing through computer. These factories will not lend money to these farmers to pay for their children's school fees. Is that being fair on the farmers? Time will come when farmers will stop growing sugar cane and then there will be no sugar in this country. Sugar is a food crop as well as a cash crop. A food crop must be protected and not be left for importation because a nation can be sabotaged when you depend on importation.

Mr. Temporary Deputy Speaker, Sir the---

**Capt. Nakitare:** On a point of order, Madam Temporary Deputy Speaker, Sir. Is the hon. Member aware that we have a female Speaker? Instead of addressing her as "Madam Speaker", she is addressing her as "Mr. Speaker."

**The Temporary Deputy Speaker** (Ms. Ndung'u): Please, proceed, Prof. Mango.

**Prof. Mango:** Madam Temporary Deputy Speaker, Sir, we have the problem of afforestation. Most of our hills are bare.

**The Temporary Deputy Speaker** (Ms. Ndung'u): Order, Prof. Mango, your time is up!

**Prof. Mango:** Thank you. We need to do a serious afforestation programme.

With those remarks, I beg to support.

**The Assistant Minister for Health** (Mr. Konchella): Madam Temporary Deputy Speaker, thank you for giving me this opportunity to talk about the Speech that the President gave during the opening of Parliament.

*[The Temporary Deputy Speaker  
(Ms. Ndung'u) left the Chair]*

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

I would have wished to continue with my debate under the guidance of the Lady Temporary Deputy Speaker.

Mr. Temporary Deputy Speaker, Sir, I wish to support the Speech that the President gave

when he opened this Session of Parliament. It was a forthright and honest Speech that gave direction to this country. There are a number of issues that the President talked about. First, I want to thank him for empowering his Ministers to carry out the functions of the Government with a free hand. They know it is their responsibility to tackle the problems that afflict Kenyans today.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about my constituency. We grow a lot of sugar-cane. Yesterday, the Minister for Agriculture indicated that the South Nyanza Sugar Company (SONY) would increase its crushing capacity from the current 2,000 tonnes per day to 6,000 tonnes per day. We have a big problem because farmers in Trans-Mara grow a lot of sugar-cane. The sugar-cane is now over-grown and SONY Sugar Factory is not able to crush it. They are now doing selective crushing of sugar-cane, depending on who is who. Unfortunately, the people of Nyanza are being favoured. The people of Trans-Mara are losing their sugar-cane because it is not being crushed on time. I would like to ask the Ministry of Agriculture to allow investors to put up a sugar-cane factory in Trans-Mara. Otherwise, the people in Trans-Mara will live in poverty and yet, it is not their mistake. They grow sugar-cane, but it not crushed to enable them to earn some revenue. There are a number of investors who have written to the Kenya Sugar Board (KSB), seeking authorization to put up a sugar factory in Trans-Mara. I hope there will not be a tug-of-war between SONY Sugar Factory and other stakeholders because the people of Trans-Mara deserve to have one or two factories to crush the sugar-cane that is massively produced in the district.

Mr. Temporary Deputy Speaker, Sir, I am also happy because the Minister for Lands and Housing is here. We have a lot of problems in Trans-Mara because of tribal clashes. My constituency is surrounded by highly populated communities and districts and there is a lot of pressure on land. They try to push the people in Trans-Mara because of the availability of land. But that land is not available for anybody, other than the owners. The owners are the trustees of the people. The trustees are the Maasai communities that live in Trans-Mara. Those who own land, either by buying or being given, should respect the people who invited and gave them land. But what is happening now is that tribal clashes are increasing. The people are being misguided by outsiders to chase other people away, so that they can move in the land that is left behind. So, I would like to ask the Minister to send a team from his office to Trans-Mara to sub-divide all the land. We have more than eight group ranches which are not sub-divided. Once those group ranches have been sub-divided and people issued with title deeds, tribal conflicts will be a thing of the past. There will be development because Trans Mara is an area which is endowed with a lot of relief rain because of the lake. We are able to grow tea. I am grateful because the Ewaso-Nyiro Development Authority has already developed two sides to grow tea. Farmers can now start planting tea. Apart from growing sugar-cane, we are also growing tea. We also have plenty of livestock which could supplement the agricultural production. So, I urge the Minister to appoint a team to move to Trans Mara, so that we could finish that process quickly.

Mr. Temporary Deputy Speaker, Sir, on afforestation, I would like to thank the Government for moving in quickly and removing people from the Mau Catchment Area. Although the court has stopped the process, I want to urge the Government to ensure that all the forested areas of the Mau Catchment Area should be cleared of any settlement. If you go there right now, the Mara River, which the entire Maasai livestock and wildlife depended on all the way to Serengeti, has almost dried up. You can now walk across the Mara River which, ten years ago, you could not because the water would be above your waist. Right now, you can step on the rocks and cross the river. The big game like the hippopotamus cannot submerge into the water. Therefore, they are eaten by birds. If you go there, you will see a desperate situation because they are bleeding on their backs. They are not able to hide and cool down. The international community is seeing all those things. They fly there everyday. It is the jewel of Kenya and yet, we are destroying it by allowing people to settle there. Some people were saying that the Government should not remove the people before they are told where to go. They must also have come from somewhere. So, let them go where they came from to enable the people

downstream to have water. I support the Government for doing that. I urge it not to relent before removing everybody from every forest.

Mr. Temporary Deputy Speaker, Sir, in Trans Mara, we also have a problem of deforestation. The only natural forest is being destroyed not by the Maasai, but by people who come to fetch firewood for tea factories and charcoal burning. I want the Government to protect the forests in Trans-Mara by posting serious officers; either police or forest officers who do not accept bribes. Due to bribery, even the police allow people to move with lorries carrying firewood across the town. That is a very serious situation because it is destroying the only forest that we have. I am afraid our place might also become a desert like other places.

Regarding the Ewaso-Nyiro Development Authority, the Maasai community is suffering. They are suffering because their land is getting drier. Recently, we saw cattle dying because of drought. That is not likely because of global warming. We do not expect any changes. But we want the Government - The President promised, and we know we can trust him because he means what he says - to create a Mara Regional Development Authority. If nothing is done, those people are going to be extinct in the next 20 years. It should be something similar to the one that has been done in North Eastern area. It should be funded by the Exchequer. The funds will be used to create water dams and build primary and boarding schools for the children. Children are not going to school. They do not pass any exams. So, we are creating a community which is not educated, and which has no resources at all. The available resources within Maasailand - and the Minister for Education, Science and Technology is here and I would like him to support me on this -whether it is Magadi Soda or game reserves---

**An hon. Member:** Is he a Maasai?

**The Assistant Minister for Health** (Mr. Konchella): He is one of our Ministers and he is a Maasai. That is why he is there. I want those resources to be utilised to support the people. The people who are benefitting from resources in Maasailand, like hotel operators, should set aside a certain portion of money to help the Maasai because, without them, there would be no wildlife. So, they should know that. Without the Maasai, there would be no wildlife to see and the whole world will lose. We want that to be considered.

Mr. Temporary Deputy Speaker, Sir, I want to touch on the issue of economic development in this country. The other day, I toured the so-called "Tiger" countries, and I saw how Malaysia has developed, and yet it was like Kenya before. I also toured Thailand and others. I do not know whether we are joking or we are serious. Kenyans are dishonest and they do not trust each other and they are not patriotic. Patriotism is the only thing that can stop corruption. The whole world is not willing to invest in Kenya because of insecurity. The Government should deal with the law breakers. We must maintain law and order in this country for us to develop. I wish to ask Kenyans to respect each other and know that without proper co-existence, the economy of this country will never develop.

I would like to ask the hon. Members to support the President. The Government has initiated processes and has put up pillars of economic development. Every hon. Member is a beneficiary of the Constituencies Development Fund (CDF) and this should be increased to, at least, 5 per cent. If that is done and the leaders are honest enough to utilise the money properly, the economy of this country will develop. We will provide education and construct other infrastructural systems in our constituencies.

Mr. Temporary Deputy Speaker, Sir, I want to touch on education. Many hon. Members have talked about the shortage of teachers in our schools. In Trans Mara District, we have a shortage of 400 teachers. If you go to a school, you will find 300 pupils against three teachers. They play the whole day and go back home without being taught. How would you expect these children to perform properly or even go to the university? We must improve the education standards within the marginalised areas. We should create a special education programme for children in the marginalised areas, for example, Maasai Land and North Eastern Province where teachers from affluent areas do



not want to go and work there. There is need for the Minister for Education, Science and Technology to train teachers from those communities despite the fact that their grades might be below the cut-off point to join the training colleges. Teachers training colleges should be established in these communities. If somebody has gone up to the O Level, I am sure he can impart some knowledge to somebody else. Some of these children are very bright and they just need somebody to guide them. Therefore, I would like to ask the Government to start teachers training colleges in the marginalised areas, so that we can train more youngsters.

On livestock farming, it is disappointing to note that the Kenya Meat Commission (KCC) is not operational. I do not know what it is that the Government cannot sort out. Why can this problem not be sorted out for the sake of the Maasai people and the other communities that keep livestock? I would like to request the Government to revive the KMC and establish abattoirs in places like Narok and Isiolo, so that people can sell their livestock. In my district, there is an outbreak of Foot and Mouth Disease. For the last six months, markets have been closed and people are not able to sell their cattle. The council is not able to collect money and yet, there is no revenue going into the local authorities. In the process, everybody is losing. I would like to ask the Ministry of Agriculture to ensure that there are enough vaccines in the country. One of the reasons why this outbreak cannot be contained is because vaccines have to be imported from South Africa and farmers cannot afford to buy them. The Government needs to be serious and put some measures in place to support the marginalised communities for them to survive.

Mr. Temporary Deputy Speaker, Sir, on security, there is a big problem within the Police Department. Either police officers are not willing to undertake security operations; thugs have become more sophisticated or it is the police officers who have been retrenched who have turned to be thugs and they know the operations of the police and are able to get their way. Something needs to be done. I would like to ask the Minister in charge of Internal Security to sit with the various communities, because communities know how to defend and protect themselves, so that they can advise the Government on how best to deal with insecurity. Insecurity has become of so much concern that we need to do some thing about it.

With those few remarks, I beg to support.

**Mr. Bahari:** Thank you, Mr. Temporary Deputy Speaker, Sir. I want to correct the impression that I just walked in, I have been very much around.

I would like to join my colleagues in making my contribution to the President's Speech, in which the public policy was exposed. One of the things that one cannot avoid to talk about, and which is the engine of all the things that happen around here, is the economy of this country. As much as the President indicated that the economy of this country is doing well because it has attained a positive growth rate of around 3.2 per cent, however, many hon. Members have expressed their doubts about those official statistics. The benefits of the growth must be reflected on the ground. Kenyans must be seen to realise those benefits.

Mr. Temporary Deputy Speaker, Sir, I also want to join my colleagues in doubting those statistics. I also doubt the source of the President's statistics. Normally, official statistics are doctored. This is the point that this House has not addressed. It is on the basis of these statistics that decisions are made and then in the end, Kenyans make their judgements. This is very critical, because if you do not get these statistics right, or if as it normally happens, the statistics are doctored to suit the whims of certain regimes, then we will not get anywhere. It is on this basis that I demand that the Central Bureau of Statistics be de-linked from the mainstream of the Government service, so that we can have independent statistics that can be verified and relied upon. Statistics are bound to be manipulated to reflect the interests and the aspirations of the regime of the day. We have seen on many occasions how statistics collected on inflation have not reflected the true position. If you check the official Government statistics, you will realise that they are not correct. It is common knowledge that nobody

relies on those statistics to make decisions. For example, the private sector will never agree with the official Government statistics. They will say this is just a rough idea or it is conservative. That is the right word they use. So, it is extremely important that the Central Bureau of Statistics (CBS) be delinked from the mainstream Government and the Executive, so that they are able to provide us with the right statistics on which we can base our arguments and plan better. Since I am told those are Government statistics, then, no wonder most of the Members here, including the Front-bench, have raised doubts about the performance of the economy, as is contained in the President's Speech. I think the institutes of development studies of the universities can do a better job in terms of providing those statistics than the CBS. I think it is a very critical matter because all the things that we do in the Ministry of Planning and National Development and all the other Ministries are dependent on these statistics. The faster the independence of that organ is guaranteed in terms of providing the right data, then that becomes the beginning of discovering where we went wrong, perhaps. A few minutes ago, Mr. Konchellah said that he is surprised at how far Malaysia has developed, yet, in 1963 we were at the same level. In fact, we were better, I am told. This could be where we went wrong; that, we are building our foundation on something that is not reliable at all. Therefore, we cannot get anywhere.

Having said that, one of the things that is, perhaps, linked to that, is that in the whole Speech very little is said about livestock. If anything, it was about dairy farming, and this will relate a lot to, perhaps, high-potential areas of livestock rearing. If one is to look at how best this economy can move forward, it is those areas where you can invest and be able to reap high returns, and this is none other than the livestock industry in this country which has been least exploited. If I were on the Government side and I was looking at this economy, that is one area where I would just walk in with hands down and achieve extremely good results. At the end of the day, they can even ask for more votes from those areas. I do not see why the NARC Government is unable to see this. I remember the Member of Parliament for Kacheliba Constituency lamenting how under-developed his constituency is, just like mine in Isiolo South. If some of these issues are addressed, they will make a radical difference in the economy of these areas. The Government will be able to afford the secondary schools that we have been worried about in our constituencies.

Mr. Temporary Deputy Speaker, Sir, one of the areas that, perhaps, relates to the economic well-being of a country is the energy sector. We were told that the consumption of energy in this country increased by 8 per cent. That is good. However, energy, particularly for the manufacturing sector, has been very unreliable. It has been a very expensive input to production. We know that energy costs many times more in Kenya than in South Africa, as a result of mismanagement and rampant corruption in the past and present regimes. It is high time that something is done. It is not enough to say that it has increased by 8 per cent. If you have consumed 8 per cent of a very expensive product, then I do not see what we can be proud of. In this country, we shy off from venturing into new areas. I will take, for example, the area of solar energy. We have a lot of that potential. However, in this country, those who have been given the responsibility of looking at that area have tended to shy off. I am made to understand that, perhaps, the skills that we have in the solar energy sector production is so low, and they need not shy from it. This is because that is one area they just need to move in and be able to make a big impact. At the end of the day, we will be able to reduce the cost of energy in this country because what they will tend to do is put everybody on the so-called national grid, which is extremely expensive because of how vast this country is. At the end of the day, they will make the manufacturing sector and products from this country very expensive. So, it is extremely important and it must be treated as a matter of priority that, if we are to industrialise, export and produce better than, energy must be looked into.

Mr. Temporary Deputy Speaker, Sir, I would like to congratulate the President, perhaps, for bringing up the issue of forests and forest cover. I do not think we are ready to compromise on the

issue of forest cover. It is a matter of life and death. There is no choice about it. We must be able to maintain the necessary forest cover that is required of us. There should be no politics in this. So, for the overall performance of this economy, we must protect our environment. We must maintain and exceed the minimum levels of forest cover that is required.

Within all this, there is need for the right political environment for us to operate in if this economy has to move at the right pace and do the right things that benefit this country. I cannot agree more that the Bill on Political Parties must be brought on board. I want to make one point. It is sad that up to now, many years in a multiparty era, political parties are managed by an arm of Government. That is wrong and it must be delinked now. In that Bill, as much as I do not want to anticipate, we should make a provision for political parties to be management by an independent organ from the Executive. This is because the Government of the day is definitely an interested party and it cannot manage political parties. So, if we want to provide the right framework within which political parties must operate, this must be delinked from the Government. I remember when KANU held its elections early in the year, there were a lot of problems and there was a lot of suspicion on what the contribution of the Registrar of Societies is and what link he has with the Minister who supervises him, who belongs to another party, and all that. So, in order to improve the political environment, I think it is incumbent upon us to make sure that political parties are managed by an independent organ from the Executive.

If the economy has to do well and if we have to add value and have the right climate, corruption must be fought. One of the successful things I heard, perhaps, the President talk about to contain corruption is having stopped land grabbing. I must pay tribute to this House and the Public Investments Committee (PIC) which has been at the forefront in ensuring that public land is protected. I am happy the Minister for Lands and Housing is here. It is actually the PIC which has insisted that for all public utility land, the people responsible must obtain title deeds, and they made it mandatory. So, I want to underscore the factors. It is the PIC, which by extension is this House, that has made it possible for land grabbing to be stopped. The Government is being asked to do more on corruption. One area that my colleagues have mentioned is procurement. If we are not going to have a proper procurement procedure that minimises wastage, free from corruption and has a level playing field, then you can be sure that we will not have value for our money that the Minister for Finance always talks about. That is exactly what is happening in this country.

In the President's Speech, some selective sub-sectors were picked to show-case examples of improved economy. I must say that sectors like agriculture and livestock, which are the backbone of this economy, must be the focus if we want to turn-round our economy. Sectors like construction must also be focused on. I am surprised how selective the statistics were. I agree that tourism is one area where, no doubt, there has been success. But the way the statistics were presented leaves a lot to be desired.

Mr. Temporary Deputy Speaker, Sir, I cannot afford to leave here without mentioning education, particularly in pastoral areas. It is unfair, abuse of human rights and an insult to have students from different areas, with different facilities and different exposure to sit for the same exams. It is wrong and it is high time this House stood up and said "no". We have been neglected in the marginalised areas.

With those few remarks, I beg to support.

**Ms. Ndung'u:** Mr. Temporary Deputy Speaker, Sir, I wish to congratulate the President on his Speech and support him with these few remarks.

Firstly, I would like to talk about the environment that this Parliament has found itself in. I think, unfortunately, the environment in this Parliament is creating negativity among wananchi. I think it is something that we must address. We have now become a country of what I call three "Cs". We are a country that complains, criticizes and condemns. I think that attitude is emanating from

Parliament. It is time for us to take leadership seriously and cultivate nationalism and patriotism in this country. There is need for us to focus on reproducing or passing more legislation than we have done in the last two years.

Mr. Temporary Deputy Speaker, Sir, I am even wondering that, at the pace we are going, even if we were to pass a new Constitution, how on earth are we going to legislate the enabling legislation that will allow us to implement a new Constitution? We cannot do it at this rate. We have to move faster. We need to justify our salaries and allowances by putting more time and longer hours into our work.

Mr. Temporary Deputy Speaker, Sir, it is also time for us to strengthen the parliamentary committees. It is time for them to start generating legislation. Unfortunately, it appears that we are slowing down. In this Parliament, legislation either comes from the Government or private Members. The committees themselves should start generating legislation. If it means that a committee supports a private Member in order to have the legislation go to Parliament, then let us do so.

Mr. Temporary Deputy Speaker, Sir, there are also issues with our public relations strategy in terms of how *wananchi* understand Parliament. There is a role that we have as Members of Parliament, but there is also the role we have as legislators. But *wananchi* do not know. What are we, in Parliament, doing in terms of informing *wananchi*: "This is how Parliament works! This is how it works for you." Honestly, I think we are failing the institution of Parliament by not sending out those messages. Also, in terms of capacity building for Members of Parliament, as we sit in our committees--- Yes, we learn about the different things that happen in the committees. We have an Agriculture, Lands and Natural Resources Committee, Defence and Foreign Relations Committee and others. We must build the capacity of Members of Parliament. I am appealing that, that should be done through the Parliamentary Service Commission (PSC). That should include how Members of Parliament should plan for their future, including planning an exit strategy. This is a democracy. Some of us are not going to find ourselves here after the next elections. What will we do? We need to help ourselves to see if we are going to have a business plan or what we are going to do. If we continually focus on how we will come back to Parliament, we are not doing service to Kenyans. We must know that we must be able to organise for our exit strategy.

Mr. Temporary Deputy Speaker, Sir, we also need to develop what I would call a leadership institute, so that when Members of Parliament leave Parliament and would like to participate in moulding younger leaders, they do not do it in the streets and through demonstrations. They should do it by teaching younger members of the society on how to become responsible Members of Parliament and future Presidents. It is not happening and it is an area that we need to address.

Finally, in terms of the environment of Parliament really, I think there is one thing that needs to be addressed. Let me bring it up now. I have raised it with Mr. Speaker. I have raised it with the Parliamentary Service Commission but nothing is happening. That is the treatment of women Members of Parliament. Surely, each one of you, my colleagues, as you walk out, go and see what meets your eye at the door. Handbags on the Floor of the House. This is the only country in the whole of the Commonwealth where you punish your women legislators by making them put their handbags on the floor. Not even on a table. It is really a shame. There is discrimination in this country from this House right to the bottom. I wish to appeal: Please, make this environment right by treating women Members of Parliament right.

Mr. Temporary Deputy Speaker, Sir in terms of legislation, I would like to say that I support that the Political Parties Bill must come to Parliament. I think it is so important to fund political parties. One of the weaknesses in this House is that indiscipline among Members of Parliament has been caused by the lack of strength in political parties. Let the money come in. Let us build political parties and be able to discipline individual Members of Parliament who do not support party policies and positions. I think it is very important. On that note, when that Bill comes to Parliament, we will be

there to ensure that women also participate in political parties by making sure that public funding can only come if a percentage of women is supported by the party. We cannot be taxpayers whose money is taken to political parties, but we are not allowed to participate in them. I hope everybody in this House will support that.

Mr. Temporary Deputy Speaker, Sir, in terms of security, I have raised the issue of insecurity of women time and again. You know, as I have stated before that I will bring a Motion to seek leave to introduce a Private Member's Bill called the Sexual Offences Bill. That Bill intends to reform all the laws affecting rape and assault in this country. Each Member who supports this Bill will be helping every man, woman and child in their constituency. I am hoping that this will be part of the legislation that we will supporting this time round.

Mr. Temporary Deputy Speaker, Sir, I really must talk about the Constitution. I talk as a Member of the Parliamentary Select Committee on the Constitution and also as a person who has been active in constitutional reforms for more ten years. The Constitution is about politics. That, we cannot deny. But then also, Constitution making is about negotiating political positions. I am afraid that what is happening now is that negotiations have stopped and people are digging in. People are not able to meet at a middle ground. People are not stating what they want. It is important for people to come out and say: "This is what I want!" If it is your position, say it! Then, let the other side say whether they can take it or not. Right now, we have a stalemate. One of the reasons the Consensus Bill was brought to Parliament last year was because we were trying to remove the deadlock and stalemates from this institution called the Parliamentary Select Committee. The Parliamentary Select Committee is a committee of Parliament and yet, it has started to behave as if it is a body outside Parliament. How is it that Members of this House do not know what the Members of the select committee have discussed? That, we are talking about a Naivasha Accord in the media. Members of this House do not know it because we have not adopted it. We are talking as if positions have been adopted. Bring the report to the House! The Parliamentary Select Committee has finished its work. I am saying that as a Member of that Committee. Bring the report now to the 222 Members to decide whether or not they agree with it, so that we can agree on how to process the new Constitution for Kenyans.

There has been a lot of misunderstanding, including the fact that, we must pass the Bomas Draft. Let me speak now as a lawyer! Sometimes, we need to talk as politicians and other times, as technocrats. The Bomas Draft is not a constitutional Bill. It is a draft that has been put together. Because it is not a constitutional Bill in Parliament, we can decide whether or not we want to amend it. What we are careful about is to recognise that so much work went into it. So, what we must amend must only be what is contentious. To deny that there are things that are contentious is to bury our heads in the sand. There is no way you are going to sell that draft to *wananchi* and it is going to go through.

Mr. Temporary Deputy Speaker, Sir, there are issues of the Kadhis' courts, the devolving system and for women even, there are issues of reproductive rights. It cannot go the way one wants because you cannot please *wananchi*. They will not accept a referendum. Why should we pass something we know the people will reject? It is up to us as leaders of *wananchi* to sit down on the table and agree and that is what we did in Naivasha. I want to assure everyone that in Naivasha, we had no disagreements because there was disagreement on process but not on content. So, the content of what is wrong with the Bomas Draft is agreed. What is not agreed is how we will process it to the referendum and I think it is time that we now started talking about what is wrong with what we are doing.

Mr. Temporary Deputy Speaker, Sir, I would like to also talk on the issue of corruption. I am worried that what has happened in Kenya is what we call the politics of McCarthyism. McCarthyism is a political philosophy or practice where you finish your political enemies by starting a rumour and just putting another one there until the rumour becomes the truth and that way, you corrupt your political

enemies through something that is actually not true but a perception which is very strong. I think there must be evidence in the proof of corruption. This rumour mongering and finger pointing should be discouraged because today if it is not one person, tomorrow it will be you. Let us have the same standards for corruption. Corruption is a very difficult thing to deal with.

The other thing we must be careful about is the vested interest of those who have been corrupt in the past - the people who do not want to be cowed - but more so the side that I say we never talk about. We always criticise corruption with regard to the demand side which is, we are criticising those we think in our Government to be receiving bribes. We never ever challenge the supply side. We do not look and tell Great Britain: "What are you doing about these companies which come to corrupt our Ministers or our civil servants?" They are registered in your country. You know that they are bribing us, what are you doing about them?" In the USA, they managed to pass a law where they are able to disqualify USA companies that go out to Africa and other countries to try and corrupt public officials. So, we really need to go both ways and we are not going both ways on this. It is so important for this Parliament to focus on both the supply and demand and to look at those outside interests and also say: "You are corrupt. We demand from your own Parliament that you hold your own companies accountable".

Mr. Temporary Deputy Speaker, Sir, I would also like to talk about NGOs that talk about corruption. You know it is very important that when you allege something you prove it. When I was a member of the Federation of Women Lawyers--

**The Temporary Deputy Speaker** (Mr. Poghio): Order! Your time is up!

**Ms. Ndung'u:** I beg to support, Mr. Temporary Deputy Speaker, Sir.

**The Assistant Minister for Planning and National Development** (Mr. Lesrima): Thank you, Mr. Temporary Deputy Speaker, Sir. I want to congratulate the previous speaker for her eloquence and I wish to join the rest of the Members in congratulating His Excellency the President for his policy statement that he delivered the other day.

Mr. Temporary Deputy Speaker, Sir, among the issues said by the President that I would like to emphasise on are basically two issues. One, is the Micro-Finance Bill and the other is on security. The Deposit Taking and Micro-Finance Bill, 2005, has been awaited by Kenyans for some time now and I hope that it will take priority because this promise has remained for quite some time now. I hope the Minister of Finance will this time deliver the promise. As you know in our economic recovery strategy we want to eradicate poverty and in many parts of this country the banking system is not in operation and where it is in operation, the poor among us cannot raise the collateral required to get money to do business. His Excellency the President did allude to 2.3 million enterprises that will rely on this Micro-Finance Bill. So, I do hope that the Minister will take this seriously because out there people have begun to believe that this is just a promise we have been making for the last two-and-a-half years and it is not something that will materialise.

Mr. Temporary Deputy Speaker, Sir, I would now like to talk about security. I know that several hon. Members have spoken on security but I also want to make my contribution as the Member of Parliament for Samburu West because I live in a very insecure environment in my constituency as well as in the country. We are going through a very difficult time as a country. We are experiencing ethnic clashes in various parts of the country, some as a result of resource sharing and others and as a result of sheer ethnicity. I think Members of this House have a responsibility to ensure that this country remains secure. We do not want to be judged like the last Parliament that allowed the state to collapse because when you listen to the pronouncements by a number of leaders, it seems to me that every leader is out there to protect their own community and to give less hearing to the other parties. It is not just the Government's responsibility to take care of security. Of course, the final responsibility for security lies with the Government and we wish hon. Michuki, the Minister of State, Office of the President in charge of internal security all the best in trying to resolve a number of

security problems in the country, but he needs to know that he cannot do it alone. We need each other. He needs us just as much as we need each other as Kenyans.

I know a number of hon. Members have referred to the question of environment. In fact, the best example to show how much we need each other is the way that nature has arranged things in such a way that we have to depend on one another. If you look at the conflict in the Mai Mahiu area, the water that the Maasais use comes from the Kikuyu country. If you look at the shortage of water in the Ewaso Nyiro Basin in the north, the water there comes from Mount Kenya. If the Mau Forest is not protected, clearly the Sondu Miriu project will not survive. So, as leaders we need to behave like parents. If parents are mourning, what will happen to the children? We need to participate in seeking for solutions to the security problems involving all of us. For example, in my constituency, Samburu West, it has become an arena where the best in cattle rustling is displayed not by the Samburu who have long abandoned cattle rustling other than the occasional theft by servant of one cow here and one goat there, but it has become an arena where our neighbours from Baringo East and Turkana South, while searching for pastures engage in battles over livestock. We have been left as neutral observers in this war since Pokots are our blood relatives and the Turkanas are our in-laws.

*(Laughter)*

We do not want to be sucked into this battle. I believe that it is about time the boxing ring moved to either Turkana South or Baringo East or somewhere in the middle. Our people want to settle in that area. We would want to introduce alternative means of livelihood such as eco-tourism. We need the place so that we can keep wildlife which will promote tourism and thereby create jobs and enable us to protect the environment.

Mr. Temporary Deputy Speaker, Sir, the Government should facilitate a meeting between the two warring groups as soon as possible; after all, we have a very good track record as a nation in settling disputes of other nations such as Somalia and Sudan. We also have a good track record of supplying our soldiers to the UN peace-keeping missions in war-torn countries such as Sierra Leone and others. Why should it be so difficult for us to sort out the problems existing between the Garre and Murule in Mandera, the Pokot and Turkana, and the Kikuyu and the Maasai in Mai Mahiu?

The Government should also explore other alternative means of arriving at conflict resolution such as creating peace committees. We have a peace committee in Samburu District and I am glad to know that Baringo District has established one too. There was a meeting in Nakuru at one time of all the district commissioners. The meeting was meant to encourage them to set up peace committees. These peace committees should be encouraged, strengthened and funded so that peace is established amongst communities. The Government and leaders cannot pretend to be final authorities in solving conflicts. Conflicts must be solved at the grassroots level amongst the people themselves.

Mr. Temporary Deputy Speaker, Sir, the Government should respond seriously to some of the requests we make as Members of Parliament because we are on the ground. I have made requests severally to the Government over the last two-and-half years that the Government should establish an Anti-Stock Theft Unit at a place called Baragoi in Merti area which is the gateway to the notorious Suguta Valley where animals are driven into by either the Turkana or the Pokot. My request has fallen on deaf ears. The Anti-Stock Theft Unit is based in Kwanza and Gilgil. I do not know what they do there. Of course, I also realise that poultry also forms part of our livestock and it is possible that they are involved in chicken recoveries in Ukambani and the area around Gilgil. However, the Government will save a lot of money, bullets and lives if it were to relocate the Anti-Stock Theft Unit to my constituency.

Mr. Temporary Deputy Speaker, Sir, we should also strengthen the Kenya Police Reserves along our borders and equip them so that they can have enough strength to match the militia across the

borders.

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

**Mr. Sudi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me time to contribute to this Motion. I would like to join my colleagues in supporting the President's Speech.

After the recess, we have come back to legislate on various issues that we have gathered from our constituencies. We have come here armed to the teeth with the problems which we need to address as Members of Parliament in order to improve the day-to-day lives of our constituents.

Mr. Temporary Deputy Speaker, Sir, one problem that has been existing in the past is that we have always assumed that all Kenyans are equal. As a result of that assumption, whatever we pass here in this august House is supposed to affect everybody in a uniform manner. There are those who live far away in the countryside and who cannot realise development efforts made by the Government. A good example is my constituency. During the recess, I took time to sit down with youth in my constituency. I found out that for the economy to grow--- However, what we promised them has not been delivered.

Kenya is a great country and there are so many things we can do to make our economy grow. Small industries can be established in remote areas so that the 500,000 jobs that were promised to Kenyans are created. For example, we could establish small bakeries. In my constituency, we can grow all kinds of crops since we have big rivers. If the water is dammed, it can be pumped to places as far as the dry Samburu area. The water will be of great use to the Samburu and the Pokot. It will enable them to do away with cattle rustling and invasion of other people's land.

Mr. Temporary Deputy Speaker, Sir, we spend a lot of time quarrelling amongst ourselves. Our President reminded us that this is a working nation; although at one time people walked all the way from Dandora to the City. We are still supposed to be a working nation. Unfortunately we have now become a grumbling nation. Most of the time, the Cabinet Members who are supposed to show us the way forward, keep on grumbling. They have developed a culture of misleading Kenyans. They are not following **[Mr. Sudi]**

in the steps of our President. With such bickering, there will be a lot of insecurity in the country.

**The Temporary Deputy Speaker** (Mr. Poghio): Order, Mr. Sudi! You will have five minutes when we resume again.

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Poghio): Hon. Members, the Chair wishes you a blessed Easter Holiday. It is now time for the interruption of business of the House. The House is, therefore, adjourned until Tuesday, 29th March, 2005 at 2.30 p.m.

The House rose at 6.30 p.m.