

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 27th February, 2003

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

MEASURES TO PROTECT KENYANS FROM VIOLENCE

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

Given the escalating wave of domestic and internationally motivated violence that has hit the country in the recent past, could the Minister explain what security measures the Government has put in place to protect the lives of Kenyans, foreigners and their property from such attacks?

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

The Government recently made appointments and re-deployment of the officers within the police force as one of the several steps towards effective and efficient management of the country's security in general. Specifically, in spite of inadequate and over-stretched resources, the Government has put in place the following measures: It has reinforced security in vital installations and entry points such as sea ports, airports and vital storage facilities. There is increased surveillance over all major highways, tourist hotels and destinations. Exchange of information with neighbouring countries, establishment of hotlines and crime information boxes are other measures that are in place. There are also community policing and public awareness barazas, special units for regular operations and strict control at the border points. The anti-terrorism unit is currently in place to revamp Government efforts in the fight against terrorism.

Thank you, Mr. Speaker, Sir.

Mr. Kaindi: Mr. Speaker, Sir, in December, 1990, the Norfolk Hotel was bombed and 16 Kenyans were killed. In August, 1998, we had an attack on the United States of America (USA) Embassy and the Co-operative House and other buildings were destroyed and about 250 lives of innocent Kenyans were also lost. Late last year, the Paradise Hotel in Mombasa was also bombed. At the domestic front, we have had skirmishes involving the illegal *Mungiki* and other groups and lives of Kenyans have also been lost. When I look at the answer that the Assistant Minister has given in this House, I do not see any concrete measures which will forestall and put at bay some of the terrorist activities. For example, is the Assistant Minister satisfied that the police road blocks which we see on our major highways are sufficient measures to deter any terrorist carrying, for example, an SM7? This is because the only thing that the policemen who man these road blocks do is to open the boot, inspect it and then they tell you to drive on. I think the Assistant Minister should come out and explain to Kenyans the concrete measures they have put in place rather than outlining guidelines which he has itemised here.

Mr. Tarus: Mr. Speaker, Sir, other than the police road blocks, the Government has put in place, it has also established the anti-terrorism unit which has been receiving training on how to handle terrorist activities. So, I would like to inform the hon. Member that the Government has taken the issue of security and terrorism very seriously and the necessary measures as outlined will be followed strictly.

Mr. Haji: Mr. Speaker, Sir, the hon. Assistant Minister has told us that among the measures that the Government will take to fight terrorism is to hold barazas. We know that the terrorism has arisen as a result of the Middle-East situation and the USA. Could he tell us how he will hold barazas in Middle-East and the USA?

(Laughter)

Mr. Tarus: Mr. Speaker, Sir, the issue of terrorism does not only concern those in office, because it involves every Kenyan. When we talk of barazas, it is a question of sensitizing members of the public so that

information regarding personalities with questionable behaviour can be handled by all the sectors.

Mr. Wetangula: Mr. Speaker, Sir, the history of terrorist attacks in this country revolves around Israel and the USA. The Israel Embassy in this country is situated in an area which is frequented by many Kenyans, especially those from the National Social Security Fund (NSSF) Building. Could the Assistant Minister tell us whether the Government has any plans to re-locate the Israel Embassy from where it is; where they have closed roads ostensibly to give security to that Embassy, to an area where in the event of any attack, the casualties may be minimised?

Mr. Tarus: Mr. Speaker, Sir, as we all know, the issue of terrorism is one of international concerns. On the Israel Embassy, I would like to say that some of the information is confidential and we would like to accord every country that confidence. We would not like to appear as if we are isolating them from Kenyans. However, the effort to fight terrorism is the effort of everyone, including other governments.

Mr. Sasura: Mr. Speaker, Sir, the Question explicitly asked about domestic violence. In northern Kenya, acts of banditry are worse than internationally motivated violence in this country. The Assistant Minister, in his answer has said very clearly that one of the steps they have taken to curb insecurity and reduce violence is to re-deploy and appoint security officers. We know very well that North Eastern Province has been haunted by banditry and only one former Provincial Commissioner (PC) succeeded in curbing the vice in this province, but this Government removed him just because he refused to give a NARC campaign team a cup of tea in the Government Guest House in Garissa.

(Applause)

Is he really satisfied that they will curb banditry in this province?

Mr. Tarus: Mr. Speaker, Sir, Government officials are transferred frequently in order to improve their efficiency. The transfer of the officer referred to by the hon. Member was not meant to frustrate the efforts that had been put in place with regard to banditry. However, it was an effort to utilise the potential of our officers and I would like also to make it clear that the Government is tackling the issue of banditry more seriously than before. That is why the issue of surveillance, sharing of information and resources between various police stations has been put in place.

Mr. Kaindi: Mr. Speaker, Sir, I appreciate the efforts the Assistant Minister is trying to put in place in order to curb insecurity. However, if you listened to what hon. Wetangula has said, there is a section in Nairobi Valley Road called a "friendly checkpoint", where a driver or a pedestrian is forced to move in a zig-zag manner through huge concrete blocks that have been put on that road under the pretext that that is the only way you can put security measures to deter any terrorist activity against the Israeli Embassy there. Could the Assistant Minister ensure that in implementing the measures he has outlined here, that they do not inconvenience Kenyans both drivers and pedestrians?

Mr. Tarus: Mr. Speaker, Sir, the Government will do exactly that.

Mr. Speaker: Next Question, Mr. Sasura!

PAYMENT OF LEVIES IN BOARDING SCHOOLS

Mr. Sasura: Mr. Speaker, Sir, I beg to ask the Minister for Education, Science and Technology the following Question by Private Notice.

(a) Could the Minister explain the Government's programme on free primary education with respect to boarding schools in the country?

(b) Could he table the levies payable by parents in order to clarify the current confusion in our schools?

(c) What criteria was used to distribute about Kshs519 million amongst the public primary schools in the country to enable each school to receive Kshs28,000?

The Assistant Minister for Education, Science and Technology (Mr. Gumo): Mr. Speaker, Sir, I beg to reply.

(a) The Government effected the implementation of free primary education with effect from January this year. In the case of boarding primary schools which have been receiving grants, the Government will enhance the grants to be disbursed to the schools in order to meet the needs of the larger numbers of children expected to enrol.

(b) As a result of implementation of free primary education programme, levies of any kind will not be charged in all the public primary schools. The grants to be issued by the Government will replace the levies formerly paid by the parents. Appropriate guidelines have been issued to all the public schools in the country.

(c) The Government has already released to each public primary school Kshs28,871, as an initial grant to support free primary education while awaiting for the approval of Supplementary Estimates. Additional funds will be provided to the schools before the end of this financial year and the subsequent financial years based on actual enrolment in schools. In the case of semi-arid areas, slum areas and pockets of poverty in high and medium potential areas, information provided by the Central Bureau of Statistics will be utilised, as an additional criteria in targeting support to the needy.

Mr. Sasura: Mr. Speaker, Sir, it was only yesterday that this Question came up and it was deferred to today because of the unsatisfactory answer that was given by the Assistant Minister. Yesterday, we raised this issue of the grants to boarding schools and we disputed that no grants were being sent to boarding schools and the Assistant Minister has repeated the same. That notwithstanding, could the Assistant Minister tell us besides the Kshs28,000 that was sent to all public primary schools in this country, what monies were sent for the purpose of the boarding schools because they all have been closed down and the money the Ministry has sent was only meant for the day schools? What monies were sent to the boarding schools because you are saying you sent grants?

Mr. Gumo: Mr. Speaker, Sir, in respect of boarding schools, there is no money that is going to be sent. However, in respect of boarding schools in Arid and Semi-Arid Lands (ASAL) there is some money which has been put aside amounting to about Kshs16 million. It will be sent very soon to boarding schools particularly those in ASAL areas only.

Dr. Godana: Mr. Speaker, Sir, I think the hon. Assistant Minister had better take this Question very seriously. The Government promised and gave free primary education and all Kenyans welcomed it. However, in most of the ASAL districts, primary education is not possible except through boarding schools. Students are not in boarding schools but they want to be in boarding schools. It is because of the nature of the lifestyle. If kids have to access primary education, they have to be boarders. The practice hitherto has been that every child who goes to boarding school pays, in addition to the levies authorised in the past by the Ministry, between Kshs600 and Kshs1,000 in ASAL districts. Every boarder pays between Kshs600 and Kshs1,000 in addition to the levies which the Government has abolished. Now, could the Assistant Minister not accept that if, indeed, the Government is not writing off those levies and paying for them, then it amounts to discrimination against those areas?

Mr. Gumo: Mr. Speaker, Sir, I understand that, but the Government cannot fund all boarding children in these areas. What is going to happen is that there is a grant of about nearly Kshs80 million which has been put aside which will be disbursed to these schools on the basis of the number of children in these particular schools. So, for the moment we are still determining how many children are in each school so that we can allocate this money to every child instead of just sending money to schools as such. This is because before, this money used to be sent to education officers, but this time we want to determine how many children are in each school so that when we send money we know how much we are going to send---

Mr. Speaker: Mr. Gumo, for the benefit of the House, while you are keeping that money aside in Jogoo House or wherever, what is supposed to be happening to those children?

Mr. Gumo: Mr. Speaker, Sir, this money is going to be made available after the approval of the Supplementary Estimates. We have not yet received it, but when we receive it, we are going to distribute it to schools.

Mr. Biwott: Mr. Speaker, Sir, is the Assistant Minister really answering the Question or misleading the House? The Question is on free primary education and the money which we have calculated amounts to Kshs406 million which was calculated by the Government before it came to power. The question is: What are you going to do with boarding facilities in ASAL areas in order to provide that basic free primary education? It is not the question of how much money you have in your kitty or something like that. What are you going to do? Could the Assistant Minister confirm that his Ministry will build those schools so that the kids in ASAL areas can now benefit from the free primary education or at no cost?

Mr. Gumo: Mr. Speaker, Sir, free primary education takes care of tuition fees, activity fees, mock examination fees, teachers tours, uniform fees, building fund, medical fees, PTA funds, electricity bills, water bills and so on. But for boarding fees, that is an extra cost. It is only in semi-arid areas, where the hon. Member comes from, that the Government is considering doing something about boarding fees. But in these other areas, parents have to pay boarding fees.

Mr. Leshore: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead this nation by deviating from what the President said? The President stated very clearly that his Government was going to offer free and compulsory primary education to our children. Is he in order to tell us that free education covers books, chalks and so on? We need free and compulsory education. He should tell us what programme there is for our children in the pastoral areas?

Mr. Gumo: Mr. Speaker, Sir, boarding does not constitute education. Boarding covers eating and sleeping, which is different. But we are considering areas---

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Order, Mr. Assistant Minister! Order! I think it is apparent on his face that you have actually hit a terrible code with people from ASAL areas. Have you ever been to ASAL areas?

An hon. Member: No! He has been to Westlands!

Dr. Galgalo: Mr. Speaker, Sir, we know the President in good faith said that he was going to give special consideration to northern Kenya, and one of the services that he mentioned very categorically was education. Our communities are pastoralists, meaning that they move around with their livestock; they are not settled in cities and big towns like other Kenyans. So, whenever they go to graze their cattle, they go with their children. The only way the children in northern Kenya and other hardship areas can get free education as promised by the Government is by providing boarding schools. Can the Assistant Minister categorically say that it is not possible for the Government to give free education to northern Kenya, or give us an assurance that they are going to provide those boarding facilities and enable our children enjoy free primary education as promised by the Government?

Mr. Gumo: Mr. Speaker, Sir, if I can remember the President's Speech, areas like North Eastern, were going to be given priority. But parents must also contribute some money. But these other---

(Several hon. Members stood up in their places)

Mr. Speaker: Order!

Mr. Ethuro: Mr. Speaker, Sir, this Assistant Minister cannot afford to discriminate particular areas, especially the ones that we believe are more deserving than the rest. So, if the Government is committed to providing free education in this country, it must be committed to providing free education in all the areas of the Republic. Can he now ensure that pastoralist areas get free education that includes free boarding facilities?

Mr. Gumo: Mr. Speaker, Sir, free education is for everybody throughout the country. We are saying that the Government will pay something reasonable, but parents must also subsidize.

Dr. Ali: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead Kenyans by saying that the Government does not want to provide boarding facilities to nomadic children under the policy of free and compulsory primary education? We are telling him that there is no education without boarding facilities in northern Kenya. Are they going to provide boarding facilities, otherwise, he should admit that they are segregating Kenyans, as they have disadvantaged us all along?

Mr. Gumo: Mr. Speaker, Sir, these parents have been paying for boarding facilities before and even for these other facilities, which are now being removed. As I said before, universal education is free. The only problem they have is over boarding facilities.

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Order, Mr. Assistant Minister! This Question came up yesterday morning and the Deputy Speaker was seated here. I listened to the Question and the order made by the Deputy Speaker then. I think the Deputy Speaker, yesterday, ruled that the Minister himself be available to answer this Question because of the nature of its effect and impact. Listening to the hon. Assistant Minister and the concern of hon. Members, I am tempted to agree with the Deputy Speaker. Under the Children's Act, education is not only supposed to be free in Kenya, but it must also be compulsory unless the Assistant Minister says you are free to opt for a free education, or you can also be free to opt out. I really do not know what it is but I think this is a crucial issue. Quite frankly, some Kenyan children, today, because their parents cannot pay boarding fees and they cannot be day scholars because of the nature of the aridity of their areas; must be forced out of school. So, what is the position? Would you like me to give you time to address this issue and come to this House and say, for sure, as far as boarding is concerned, pay for yourselves? Then the parents will go and pay because you are also telling teachers not to accept any payments. So, what happens to these children, Mr. Gumo, and they are Kenyan children? Would you like time to address that issue?

Mr. Gumo: Well, Mr. Speaker, Sir, for now, the Government policy is that for other areas, boarding facilities are paid for by the parents. For semi-arid areas, there are some grants which will be paid, but a certain

percentage of that will have to be paid by the parents. I do not think the Minister, Prof. Saitoti, will give you a better answer than that because if there is no money, where is he going to get it and pay for it? I am also, a Minister by the way, so you must also accept that there is no way boarding facilities will be paid by the Government. But a certain percentage will definitely be paid by the Government. So, let us tell the parents to be prepared to pay something also.

(Several hon. Members stood up in their places)

Mr. Speaker: Would you all sit down?

Prof. Kibwana: Mr. Speaker, Sir, from the President's Speech, it was clear that there would be special treatment for North Eastern Province. One of the facilities in which there was going to be that special treatment is education. It is clear to those who are educators that in North Eastern Province, it is not possible to have free primary school education if the children are not boarders. Therefore, free primary education in North Eastern Province means boarding primary schools. Could the Assistant Minister, therefore, tell the House whether within the President's Speech there was no acknowledgement that there would be free boarding primary education in North Eastern Province?

Mr. Gumo: Mr. Speaker, Sir, it is not only North Eastern Province that has this problem. We also have other areas like Turkana, Eastern Baringo and some parts of Meru. So, as I said, the Ministry should be given time to consider the problem and see whether it will be possible.

Mr. N. Nyagah: Mr. Speaker, Sir, I heard the President say that the Government was going to build many schools in the country, based on the fact that there was some presentation and some commitment that were done by none other than the President. Could the Assistant Minister confirm whether the parents are going to pay for boarding facilities in the interim period as we wait for the Government to put up primary schools?

Mr. Gumo: Yes, Mr. Speaker, Sir.

Dr. Godana: Mr. Speaker, Sir, it is evident that the hon. Assistant Minister cannot comprehend the issues. I would want to believe that he is certainly sincere, but I think he cannot comprehend the issues. Would I be in order to ask as you had intimated, that the Minister himself comes here with a clear policy statement expounding the policy which was given by the Government, indicating to us how many DEB supported schools; the few which he talks of receiving grants--- In Marsabit District, for instance, there are 20 boarding schools and only two receive minimal grants. That is the old Government African School, which is now County Hall School and Loglogo Primary School which is the second primary school in the district. In all the rest, parents foot the whole cost of education. The cost of educating a child in a boarding primary school in that area runs to about Kshs2,000 a year. We would want a clear statement on whether free primary education means free primary education for all including those who cannot go to school except through boarding facility or it is free primary school education for the former high potential areas?

Mr. Gumo: Mr. Speaker, Sir, before the grants used to be channelled through the district education officer or AIE. As you may know, maybe some of these money was not reaching the schools at that time. But now we want to get the proper number of children, so that if each child is allocated a certain amount of money, we ensure that that amount reaches the schools instead of going through the district education officers.

Mr. Speaker: Order! Order! I reiterate and now order--- By the way when the Chair makes an order, it must be obeyed. Yesterday, the Deputy Speaker ordered that the Minister himself comes to answer this Question. In total disobedience of that order by the Deputy Speaker you came back almost with the same answer and this is a matter of great concern to the children of Kenya. I, therefore, order that on Tuesday, Prof. Saitoti appears personally to answer the Question.

Mr. Kajwang: On a point of order, Mr. Speaker, Sir. Borrowing from your ruling, does it mean that tomorrow when an Assistant Minister answers a Question and we are a bit unsatisfied with the answer which has been prepared by the experts in the Ministry, we would ask for the Minister to come and then tomorrow we will ask for the President to come and give the answer?

Mr. Speaker: Order! I think we have to be serious. We have never asked the President to come and answer a Question here. But also, there is actually nothing wrong if he came. There is provision in the law for the President to participate in the debates in this House. If he can, the Front Bench will be his and every other hon. Member will be pushed back. But we have not got to that stage. It is just a question of the gravity of this issue involving as it does, small children of this Republic. The ultimate responsibility, in the end, on a Question of a Ministry, rests with the Minister himself and that is why he is the Minister. He signs Questions. It is not everyday we will do that, but if it is necessary we will do so. In any case, one may ask what would stop a Minister from

coming to the House to give an answer?

I have ruled that it will be.

Mr. Gumo: On a point of order, Mr. Speaker, Sir. I do not remember the Deputy Speaker ruling that the Minister should come personally today and answer this Question. I do not think that is the right impression.

Mr. Speaker: Well, I think that is what he said!

Mr. Gumo: He did not!

The Assistant Minister for Home Affairs (Dr. Machage): On a point of order, Mr. Speaker, Sir. We have heard your order that the Minister comes here on Tuesday to answer the Question. What if the Minister is out of the country on official business?

Mr. Sungu: On a point of order, Mr. Speaker, Sir. Since we are now in charge of the Government, may I ask the Assistant Minister to go into the records and find out why previous Governments did not give us free primary education that they are asking for now? They have been in charge of Government!

Mr. Speaker: Well, that is one advice that Mr. Gumo may wish to take to the Minister and the Minister may follow if he wishes.

The Assistant Minister for Livestock Production (Mr. Osundwa): On a point of order, Mr. Speaker, Sir. Previously you have ruled in this House that Assistant Ministers are Ministers according to the Standing Orders. Now the answer given by Mr. Gumo has come from the Ministry. I do not think Prof. Saitoti will come with an answer that is different from what Mr. Gumo has given to the House. I am seeking your guidance whether an Assistant Minister is a Minister or just an Assistant Minister.

Mr. Speaker: Order! Can I ask the hon. Member one simple question: Are we doing this as a matter of contest or are we doing it in the interest of the children of Kenya?

Hon. Members: In the interests of the children of Kenya!

Mr. Speaker: So, why get into technicalities? Let us proceed to the next Question!

LOSSES INCURRED BY PUBLIC HOSPITALS

Maj. Madoka: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Could the Minister inform the House how much loss has been incurred by the following public hospitals as a result of her directive on release of securities surrendered by patients in lieu of unpaid hospital bills: Eldoret Referral Hospital, Coast General Hospital, Kenyatta National Hospital, Nyanza General Hospital and Voi Hospital?

(b) Could the Minister assure the House that services in public hospitals will not be compromised as a result of this directive?

The Assistant Minister for Health (Mr. Konchella): Mr. Speaker, Sir, I wish to answer this Question next week on Tuesday because certain information is still coming from hospitals outside Nairobi, and we should compile a comprehensive report to be able to answer this Question on Tuesday.

Maj. Madoka: Mr. Speaker, Sir, we did ask this very Question yesterday and, in fact, I have got an answer from them. I do not know what else more they would like to add.

Mr. Konchella: Mr. Speaker, Sir, looking at the Question, I realised that we need to do more homework. I do not think the answer is proper and that is why I want to answer it on Tuesday.

Mr. Speaker: I think that is fair; is it not? Unless you want to do something in futility.

Maj. Madoka: Mr. Speaker, Sir, there were going to be many supplementary Questions and, therefore, I will give him that opportunity to respond next week.

Mr. Konchella: I am most grateful, Mr. Speaker, Sir.

Mr. Leshore: On a point of order, Mr. Speaker, Sir. Mrs. Ngilu took this decision in January. Why is the Assistant Minister saying they need more time to go and find out how much has been incurred? He should give us the answer now because the Minister took that decision two months ago. If they are tired of being in the Government they should retire and then we can take over again.

Mr. Speaker: Let us give him time.

Mr. Konchella: Mr. Speaker, Sir, I want the hon. Member who asked this Question to know the following: Many people are dying in this country because they cannot go to hospitals. They have to wait until the last minute simply because they have to pay bills. In the process of waiting, they end up dying.

Mr. Speaker: Order, Mr. Konchella! You cannot have it both ways. You cannot want to answer the Question now and want it to be postponed to next week. Do you want to answer now or to postpone it?

Mr. Konchella: I want to postpone it.

Mr. Speaker: To what date?

Mr. Konchella: To Tuesday, next week.

Mr. Speaker: Granted.

(Question deferred)

Mr. N. Nyagah: On a point of order, Mr. Speaker, Sir. We must create a difference. We saw what used to happen on the Government side when we were on the Opposition side of the House. We must create a difference as the NARC Government. There is a PS in that Ministry, who is in charge of answering Questions. Could they also lessen the number of press conferences that they hold and concentrate on preparing answers to Questions of this House instead of doing irrelevant things and accusing people without knowing which direction to go?

(Applause)

Mr. Speaker: Order, hon. Members! That is from the Government Chief Whip, and I think the Government must listen.

Next Question!

(Loud consultations)

Order! In spite of all that, we require to hear Mr. Muiruri.

MANUFACTURE OF UNHYGIENIC BREWS

Mr. Muiruri: Mr. Speaker, Sir, I beg to ask the Minister for Trade and Industry the following Question by Private Notice.

(a) Is the Minister aware that Kiroche Industries, situated in Naivasha, is manufacturing and selling various types of unhygienic brews which are poisonous and contain very high percentage of alcohol?

(b) Could the Minister take urgent action to close down the factory and prosecute the management?

Mr. Speaker, Sir, I do not have a written answer.

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Speaker, Sir, I have consulted with the other Ministries on this Question and I beg to reply.

(a) I am aware that Kiroche Industries Limited of Naivasha is manufacturing various brands of wines and spirits bearing the names: Viena Wines, Viena Special, Vatican Special and Cheers Wine. Due to the outcry on counterfeit products and failure by the products of Kiroche to meet the specified standards, the Ministry has been monitoring the activities of this manufacturer and other manufacturers around the country. The Ministry, through the Kenya Bureau of Standards (KBS) organised a concerted investigative survey of the various manufacturers of wines and spirits in the months of April and August, 2002. The departments involved were the KBS, Kenya Police and the Kenya Revenue Authority.

During these survey visits Kiroche Industries was visited and samples of the products drawn. The KBS tested these samples and some failures as regards to the relevant Kenya standards for fortified wines were detected. Action was immediately taken to close the factory pending substantive tests. As a result, the factory was closed on 9th August, 2002. The KBS instituted charges against the factory in August 2002, and the court at Naivasha through case No.2406 meted out sentences of Kshs10,000 per each of the three charges. The factory, however, resumed business on 14th October, 2002, after conviction. In mitigation, the company pleaded with the court that it would ensure that the products met Kenyan standards in the future.

(b) In view of the seriousness of this matter, and the alleged fatality involved due to the products, the Ministry has already deployed officers to Naivasha and other areas to carry out further investigations. After we get the report, appropriate action will be taken.

Mr. Muiruri: Mr. Speaker, Sir, the Assistant Minister has given a very long answer which is terribly misleading. He has admitted that the company has actually been convicted for selling these illicit drinks. I have four analyses from the KBS which falls under the Ministry of Trade and Industry. These analyses confirm that the following products were manufactured by this Kiroche Industry: Kulta Special, Cantata Pineapple, Sun Wine, Tornado, Premier Wine, Medusa and Pilot wine in addition to the others mentioned by the Assistant Minister. The

results from the KBS say that these products are made using a chemical known as methanol which makes people blind. Could the Assistant Minister, as a matter of urgency, tell us what action the Ministry is taking because these drinks are killing our people? In my constituency about three people per day die as a result of taking these drinks. Could the Assistant Minister take this matter very seriously in view of the fact that this company has been convicted before and ensure that the factory is closed immediately? This is a matter of importance to this country and the Government must protect its own people. Any factory which is producing harmful substances, especially poisonous drinks, must be closed without hon. Members necessarily bringing Questions into this House.

Mr. Miriti: Mr. Speaker, Sir, I agree that this is really a serious matter and that is why we have deployed officers in the field to take samples. The samples the hon. Member is referring to were research samples supplied by the manufacturer. Those samples were not drawn from the products. Manufacturers usually send samples to the KBS so that it is ascertained whether they are fit for consumption. When those samples were tested---

Mr. Muiruri: On a point of order, Mr. Speaker, Sir. The Assistant Minister is misleading the House. These analyses of samples were given to me by Mr. Kaguthi, who is in charge of the Kenya National Drug Council, contrary to what he is talking about.

Mr. Speaker: Order! Again, it comes to the same question we had with the Ministry of Education, Science and Technology. When it is a question of lives of people, it is not a contest. It is a question of getting a problem sorted out. Does it really matter whether those analyses on samples were given by the proprietor or taken by your officers; even more so, when the samples given by proprietor have been proved by your officers to be poisonous?

Mr. Miriti: Mr. Speaker, Sir, I agree, it does not matter. There is a weakness in legislations because the Minister does not have any legal backing to close down any industry.

Mr. Muite: Mr. Speaker, Sir, this is a very serious matter, not just in Gatundu North because people are dying across the entire country because of illicit brews from Naivasha. Is the Assistant Minister seriously saying that the Government does not have power to close down that factory when Kenyans are dying? What is the Assistant Minister telling us here in this House? You cannot go on mopping water on the floor when the tap responsible for that water is still running. You must turn off the tap. If you still keep the tap on, there is no use mopping up the floor. Could the Assistant Minister assure this House that the Government will close that factory now?

Mr. Miriti: Mr. Speaker, Sir, as I said before, this factory was closed down in August last year for two months. Officers from the Office of the President, the Ministry of Trade and Industry and the Ministry of Finance visited the factory. With concerted effort, it was agreed---

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

Mr. Speaker: Order! I can understand why you are aggrieved, but truly we would like to know because he was going to give the rationale of what happened. We truly are waiting with bated breathe to hear the reasons why those various departments of Government would meet and ultimately reopen a factory that has caused the death of many Kenyans. Let us hear.

Proceed, Mr. Miriti.

Mr. Miriti: Mr. Speaker, Sir, thank you for your intervention. The Ministries concerned visited the factory and the factory was closed down. The matter was taken to the court and it was only reopened after the court's ruling.

Mr. Haji: On a point of order, Mr. Speaker, Sir. All the three Ministries that went to inspect that factory do not have the technical capacity to do so. The right Ministry would have been the Ministry of Health. Could the Assistant Minister get in touch with the Ministry of Health and ask them to inspect this factory on their behalf? Meanwhile, could order that this factory be closed?

Mr. Speaker: Mr. Miriti, I am interested to hear this. I would like you to help the House. I can tell you that what Mr. Muite is saying is not fiction; people are dying because of these illicit drinks. You are now talking for Government. The whole Government is sitting next to you. What do you want to do to save Kenyans from death?

Mr. Miriti: Mr. Speaker, Sir, I agree it is a very serious matter; people are dying everywhere even in my constituency. We have already sent officers to that factory. We want to test samples. There was a code which was gazetted in January. It gives the Minister authority to inspect that factory. Very soon, hon. Members, will hear the results.

Dr. Manduku: Mr. Speaker, Sir, I would like to ask the Assistant Minister whether he knows the seriousness of the chemical called methanol. Methanol is a chemical that poisons blood, and when the blood circulates it lands first in the brain. The brain dies and that is why our people go blind. When the Assistant

Minister says his Ministry cannot close down that factory, it means he wants people to die in this country. If this factory was reopened, I think it was reopened through the *magendo* of the previous KANU Government. The NARC Government should not condone this. They should close that factory immediately because it is killing our people.

(Applause)

Mr. Miriti: Mr. Speaker, Sir, I would urge the hon. Members to be patient.

Mr. G.G. Kariuki: Mr. Speaker, Sir, this matter is extremely serious. Could the Assistant Minister deny or confirm that this factory is not sustained by corruption, and that is why he cannot do anything beyond what he is talking about?

Mr. Waithaka: On a point of order, Speaker, Sir. I come from Kinangop and it so happens that Kiroche factory, the subject of this Question, is in my neighbourhood. I would like to ask the Assistant Minister whether he is in order to address the issue of Kiroche factory and yet there are several factories in Naivasha which manufacture these illicit brews. There is Textian Beverages, Amario and Cantata, among others. There are about eight factories which manufacture these illicit brews in Naivasha. We do not know what miracle happened that those factories are situated only in Naivasha. On 6th May, 2002, the former President Moi went to Naivasha and, with the mandate of the people, ordered the closure of those factories. However, the owners of the factories met that evening and raised Kshs4 million which they took to Government officers in Nakuru to bribe them to continue manufacturing these illicit brews. The former President is aware that those factories in Naivasha were actually closed down. I am concerned because when I go to Kinangop, I have to pass through Naivasha. If you go to certain constituencies and you are offered a chicken during the day, you cannot eat that chicken since young men cannot catch chickens these days because they cannot run. You will come back to Nairobi without a bite of a chicken, especially in my constituency. This is a very serious matter and the Assistant Minister should not treat this matter very lightly. Further, we have seen our women demonstrating day after day against the effects of these brews. They say that they are now living with other "women" in their houses because of these brews. We used to say these brews were controlled by the KANU Government to finish people of Mt. Kenya region. Now that we are in Government we must ban the brewing and sale of these illicit brews. As Mr. Muite said, we must close with immediate effect the factories in Naivasha. Send a squad to close them down immediately.

Mr. Speaker: Order! Now you have turned it a debate. Now the House can see that all Questions are not just Questions. There are some Questions that do affect the very livelihood of the Kenyan people. When they do affect the livelihood of the Kenyan people, then let us treat them seriously. It is not a routine of coming to just score points. We must address the root cause of the problem. This House is not oblivious of the fact that a lot of Kenyans have lost their lives as a result of consuming these illicit brews. We have also heard that after drinking these brews, so many Kenyans have lost their eye sight; their use results in "power outages".

(Laughter)

Hon. Members, this is very serious; they cannot see any more. Mr. Muiruri is trying to save Kenyans from this disaster.

Mr. Assistant Minister, would you like to proceed, or would you like to seek my indulgence, which I will readily give, for you to consult all these Ministers and others to be able to come and give us the correct answer?

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Speaker, Sir, this is a very grave matter. I accept your indulgence, and I will consult.

Mr. Speaker: Mr. Assistant Minister, I want to be generous and give you sufficient time to consult, so that you can come back with a proper answer to this Question. Will Wednesday be okay?

The Assistant Minister for Trade and Industry (Mr. Miriti): Mr. Speaker, Sir, Wednesday afternoon will be okay.

Mr. Speaker: Very well.

The Member for Saku (Mr. Sasura): On a point of order, Mr. Speaker, Sir.

Mr. Speaker: What is it, Mr. Sasura? I have finished with this matter!

The Member for Saku (Mr. Sasura): Mr. Speaker, Sir, this is a matter of life and death. Between now and Wednesday people will be drinking these illicit brews. If there are no powers vested in the Assistant Minister to close down the factory, would I be in order to ask him to seek the executive powers, which are readily available?

(Applause)

Mr. Speaker: Very well. We will leave the matter there.

Mr. Leshore: On a point of order, Mr. Speaker, Sir. I think you are very lenient with these Ministers. The Assistant Minister should stop torturing Kenyans. You have just said that Kenyans' lives are very precious. If the Assistant Minister does not have the right answer to the Question, could he consult his colleague, the Minister for Justice and Constitutional Affairs. Mr. Murungi should rise and give us the Government position on this matter. Kenyans' lives are very precious. It is a constitutional right of every Kenyan to live.

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Order, all of you! As I have said, there is no contest here. In fact, a Question like this one must be of bipartisan interest to us. We must all look at a matter like this one, not from a political point of view, but rather with a view to saving lives of Kenyans. That is why I have given my indulgence to the Assistant Minister.

Hon. Members, most of the Ministers here, and their assistants, are new in their positions, but they must learn one thing, which is that although the Chair has been quite accommodative, this is just a training Session. Ministers, there will be a time when the Chair will be very firm and demand that you do the job for which Kenyans pay you; it is exactly what you asked the Government to do when you were in the Opposition.

Hon. Members: Yes!

Mr. Speaker: So, we want you to do exactly what you demanded of the Government while you were in the Opposition. For the time being, the matter rests there. The Assistant Minister will come back with a comprehensive answer to the Question on Wednesday at 2.30 p.m.

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

Mr. Speaker: Not any more on this Question!

Let us proceed to Mr. Sambu's Question.

OWNERSHIP OF KCC

Mr. Sambu: Mr. Speaker, Sir, I beg to ask the Minister for Co-operative Development the following Question by Private Notice.

(a) Could the Minister inform the House who owns the Kenya Co-operative Creameries (KCC)?

(b) Could he table the list of all the shareholders and how much the KCC 2000 Limited shareholders paid in order to acquire the whole of KCC?

(c) What steps is he taking to urgently re-open all KCC factories and ensure that the original shareholders are not dispossessed of their rightful ownership of KCC?

The Assistant Minister for Co-operative Development (Mr. Kenneth): I seek your indulgence as the Question was misdirected to the Ministry of Lands and Settlement; I got it this morning. I consider the issues raised in this Question weighty. So, I wish to bring a comprehensive response next week.

Mr. Speaker: Mr. Sambu, what is your reaction to the Assistant Minister's request?

Mr. Sambu: Mr. Speaker, Sir, it is unfortunate that my Question, which clearly indicated that I was directing it to the Minister for Co-operative Development, was misdirected to the Ministry of Lands and Settlement, and yet officers in the Clerk's Chambers are literate. Be that as it may. I will accept the indulgence sought by the Assistant Minister. On which day and time does he intend to come with the answer?

Mr. Speaker: Mr. Assistant Minister, which day suits you?

The Assistant Minister for Co-operative Development (Mr. Kenneth): Mr. Speaker, Sir, I will bring a comprehensive answer on Wednesday.

Mr. Sambu: Mr. Speaker, Sir, will he bring the answer in the morning or afternoon?

Mr. Speaker: On Wednesdays, the House sits in the morning and afternoon. So, be on guard. You are paid to be here in the morning and afternoon. It does not matter.

(Laughter)

(Question deferred)

Hon. Members, that brings us to the end of Question Time for today.

MINISTERIAL STATEMENT

DISBURSEMENT OF DRC FUNDS

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): On a point of order, Mr. Speaker, Sir. Yesterday, when I was contribution to the Motion on the Presidential Address, I promised hon. Members that I would distribute copies of the records on the first tranche of money that was given to constituencies by the Kenya Roads Board (KRB). As hon. Members may be aware, when Parliament was dissolved, some Kshs2 million was received by each District Roads Committee (DRC). However, during that time, the DRCs were not operational. So, District Roads Engineers were left to do whatever they wanted with the Kshs2 million. In January, we realised that something had gone wrong, and we asked all constituencies to give returns on how they had spent the Kshs2 million.

I am glad to say that we have received the returns, and the Ministry is far from satisfied with the explanation given regarding the way the money was spent. Hon. Members will find the returns in their pigeon holes. The returns are laid out on two pages of paper. The first page shows the total expenditure in each province. This is to enable hon. Members compare the work done in their respective provinces to that done in other provinces. It also shows the amount of money used per kilometre for grading roads, which varies from one province to another.

The second sheet shows the details for every constituency. The compilation has been done per district, so that hon. Members can compare the amount of work done in their respective constituencies with what has been done in other constituencies. You will realise that although a district has only one district roads engineer, the cost of grading roads per kilometre vary from one constituency to another in the same district. I would also like to request the new Members of Parliament to read the Kenya Roads Board Act, so that they can be conversant with their roles in the DRCs. I would also like to request hon. Members to ensure that the DRCs are formed again. According to the Act, elected Members of Parliament are supposed to be the chairpersons of those committees.

Mr. Speaker, Sir, the second tranche of Kshs200 million has been released by the KRB. I urge all hon. Members to ensure that before the money is used, they discuss in their respective DRCs with the road engineers and district works officers to ensure that the money is going to be used in a proper way. The Ministry has given directives to all district road engineers that the second tranche that has been sent to them will not be used for bush clearing. You will notice from these returns that about half of the money that was sent to the districts in November last year has gone to bush clearing. So, we have issued directives that the money should be used specifically for grading roads, and where there are no graders, the Members of Parliament are requested to create employment by use of labourers.

Thank you very much.

Mr. Sambu: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House when the Kenya Roads Board Act is very clear? It states very clearly that the District Roads Committees (DRCs) can only have quorum if there are, at least, half of the elected Members of Parliament in that particular district. Is he in order to mislead the House when he knows very well that the money was spent? There is no proviso in the Kenya Roads Board Act stating that when Parliament is dissolved, the provisions of the Act are suspended for the time being. So, why was the money spent? In my view, the Assistant Minister is misleading the House. The money should not have been spent when Parliament was dissolved.

Mr. Speaker: Very well! Let us not make this a debating session. But the way I understood the Assistant Minister wanting to make the Ministerial Statement is to let the House know whether he was or was not satisfied with the way those funds were spent and, if he was not satisfied, in what respect and to what extent. But I do not think you actually covered that. Did you?

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): Mr. Speaker, Sir, the returns will be provided to all Members of Parliament. That is why I said that the money was sent when Parliament was dissolved. The NARC Government did not send that money; it was the KANU Government!

Mr. Speaker: Order! As a matter of interest, it is very good to score political points. Does it matter whether the officer who misused the money was, or was not in KANU? Is he still not there? Does it really matter at the end of the day?

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro): Mr. Speaker, Sir, they are there and we are trying to introduce transparency. That is why, for the first time, we are holding them accountable for whatever they do. We want Members of Parliament to know what the district roads engineers are

doing with the money. The information was voluntary and it was not demanded by Members of Parliament.

The Member for Gatundu North (Mr. Muiruri): On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Is it on this one? I think that is enough now! Sign me for refusing!

The Member for Gatundu North (Mr. Muiruri): Mr. Speaker, Sir---

Mr. Speaker: Order, Mr. Muiruri! I do appreciate that sometimes, I can be very generous, but do not force generosity unto me! Anyway, I may just be generous for now.

Proceed!

The Member for Gatundu North (Mr. Muiruri): Thank you, Mr. Speaker, Sir. I would like to thank the Assistant Minister for the information that he has availed to all the Members, as far as their District Roads Boards are concerned. But civil servants are civil servants; there are no KANU or NARC civil servants. They are all Government civil servants. There was a District Roads Board at Thika under a previous Member of Parliament and we never met one single day! That money has been "eaten" by the DC and the district roads engineer. Could the Assistant Minister be kind enough, just as he has tabulated, instead of giving us the figures for two months, to go back to the time the boards were established, so that we could compare district by district. That would help us to know what is going on.

Mr. Speaker: I think we have had a fair amount of representation about this issue. I am sure we will have the opportunity to do it again.

Next Order!

BILLS

First Readings

THE CONSTITUTION OF KENYA (AMENDMENT) BILL

THE ANTI-CORRUPTION AND ECONOMIC CRIMES BILL

The Minister for Justice and Constitutional Affairs (Mr. Murungi): Mr. Speaker, Sir, I beg to move that, in accordance with Standing Order No.101(A), the Anti-Corruption and Economic Crimes Bill, be referred to the relevant Departmental Committee.

Mr. Speaker: They will be referred as soon as the committees are formed, and I hope as quickly as possible. So ordered!

*(The Bill was read the First Time
and referred to the relevant
Departmental Committee)*

THE PUBLIC OFFICER ETHICS BILL

The Minister for Justice and Constitutional Affairs (Mr. Murungi): Mr. Speaker, Sir, I beg to move that, in accordance with Standing Order No.101(A), the Public Officer Ethics Bill, be referred to the relevant Departmental Committee.

Mr. Speaker: So ordered! Maybe, the Minister may be interested to get in touch with the Clerk because we had also prepared rules of ethics for Members of Parliament. I think it is right that they come together or *in tandem*; following each other, so that there are rules of ethics for public servants and rules of ethics for Members of Parliament. I think you agree with me, Mr. Minister! The rules are ready and the Clerk can give them to you to lay on the Table on our behalf.

The Minister for Justice and Constitutional Affairs (Mr. Murungi): Yes, Mr. Speaker, Sir.

Mr. Speaker: So ordered!

*(The Bill was read the First Time
and referred to the relevant*

Departmental Committee)

Next Order!

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday, 18th February, 2003.

(The Vice-President and Minister for National Reconstruction on 19.2.2003)

(Resumption of Debate interrupted on 26.2.2003)

Mr. Speaker: Mr. Olweny was on the Floor! Where is Mr. Olweny? Sorry! I got it wrong. I beg your pardon. It is Mr. Noah arap Too. You have five minutes. Are you still interested?

The Member for Ainamoi (Mr. Too): Yes, Sir. Thank you, Mr. Speaker, Sir, for giving me the opportunity to continue from where I left my contribution yesterday, when I was caught up by time. I had covered most of what I wanted to say in my contribution, but I was in the process of contributing on the agricultural sector.

Mr. Speaker, Sir, dairy farmers are in a big problem. Those farmers are hawking their milk all over the country because of the collapse of the Kenya Co-operative Creameries (KCC). I would like to ask the Ministries concerned, that is the Ministry of Agriculture and Livestock Development and the Ministry of Co-operative Development to see whether the KCC could be revived.

With regard to education, while we appreciate that the NARC Government is going to provide free and compulsory primary education, there is a very serious shortage of teachers. I am sure the situation is going to be worsened by the children who are now taking advantage of the free and compulsory education. So, I would like the Ministry of Education, Science and Technology to take that matter seriously because in some schools, where there are 1,000 children, we have as few as only 10 teachers.

Mr. Speaker, Sir, I would like to assure the NARC Government that I will support it whenever it comes up with good policies.

The Assistant Minister, Office of the Vice-President and Ministry of National Reconstruction (Mr. Mungatana): Thank you, Mr. Speaker, Sir. First of all, I would like to take this opportunity to thank the people of Garsen Constituency for electing me to this honourable House. My names are Danson Buya Mungatana, the Member of Parliament for Garsen Constituency.

I support the sentiments that were expressed by the President in his Presidential Address. I would want to say that one of the things that the President said is that we need to have institutional reforms in the country. He mentioned the Judiciary as one of the institutions which need to be reformed. I want to say that we also need to have reforms in this House. In 1963, we used to have regional assemblies and members of the public used to have an opportunity to listen to hon. Members debating issues and making policy decisions on behalf of the people of this country. Many people, for example, in Garsen Constituency, and in other parts of the country, would like to see this House making provincial visits, so that people out there can have an opportunity to see how business is conducted in this House.

Mr. Speaker, Sir, this has been done in other countries. South Africa is a good example. People in the provinces make submissions to the regional assemblies. This is important for this country because some hon. Members, as we have witnessed today, have never visited some of the disadvantaged areas and have suffered from Nairobi centralism. Such hon. Members cannot appreciate the problems experienced in Arid and Semi-Arid Lands (ASAL). It is important that this House considers to have regional assemblies, so that hon. Members can appreciate the problems experienced in different parts of the country. When we say that people in our areas are in darkness, hon. Members from advantaged constituencies do not understand what we mean.

I also agree with the President that the issue of the environment is absolutely important. The principle that guides us in this century is sustainable management of our environment. The environment is not just about forests, cities and urban areas which have received a lot of publicity from the Press, but it also covers the rural areas. In the rural areas, we have some of the most heinous environmental crimes being committed. In Garsen Constituency, we had a rogue culture by corporates; people who even tried to divert the course of River Tana. The

policy of sustainable environmental management must be extended to the rural areas. I hope the Government will come out very strongly against rogue corporates which are committing crimes in the rural areas unabated.

I also to support the President when he says that we must have infrastructure developed in all areas. The same policy should be applied to the rural areas. In Garsen Constituency, we have only one tarmac road that crosses Tana River. During the rainy season, people of Garsen Constituency suffer tremendously. The Garsen/Hola Road has been under construction for the last ten years. To date, this road has not been completed. I hope that the policy of constructing roads, which is being implemented in towns as shown on television everyday, will be implemented in the rural areas.

Mr. Speaker, Sir, I wish also want to support the President in his assurance that we will have security for all Kenyans. The National Rainbow Coalition (NARC) should have a proactive approach towards security issues rather than a reactionary approach. The Government does not have to wait for members of the *Mungiki* sect to attack members of the public for it to react. We would like to have a situation where more police stations are built up in the rural areas. Support should be given to the council of elders who meet without any pay to discuss security issues. More money should be allocated to the rural areas, so that we can have a proactive security approach.

Finally, I would like to ask this House to remember that Garsen Constituency is one of the constituencies which are not provided with electricity. Garsen Constituency is only 40 away kilometres from the electricity lines. The constituency is not so much in the hinterland like other constituencies, yet it has not been supplied with electricity. I hope that this time round, we will not be forgotten.

(Several hon. Members stood up in their places)

Mr. Speaker: Order, hon. Members! Mr. Mungatana's time is not yet over. Will you sit down all of you?

The Assistant Minister, Office of the Vice-President and Ministry of National Reconstruction (Mr. Mungatana): Mr. Speaker, Sir, in Garsen Constituency, apart from not having electricity, we also do not have telecommunication services. Mobile phone service providers have not come to our area. In fact, when people of Garsen Constituency see mobile phones, they think they are toys. We do not have phones there. This has been caused by the monopoly that Telkom Kenya Ltd enjoys. In supporting the President in his bid to have these services provided in the rural areas, I ask this House to consider breaking the monopoly that stops investors from investing in the rural areas. There are investors who have the proper technology, yet we are forced to depend on Telkom Kenya, which does not invest in the rural areas.

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

Nominated Member (Ms. Mbarire): Mr. Speaker, Sir, first of all, I would like to take this opportunity to congratulate all the hon. Members who were either nominated like myself or elected to this august House. For those who do not know me, my names are Cicily Mbarire and I am a nominated Member of Parliament from the NARC party. I also wish to thank the NARC party for nominating me. I am here to represent young people, women and children who have not been at the centre stage of this country's development for a very long time.

Let me begin my contribution by reminding this House that I represent the highest number of the Kenyan population, who are the youth. I would like to point out that the youth constitute 80 per cent of the population of this country, but they have been at the periphery of decision making in this country. The only time young people ever receive praise is when they help the politicians to get to where they are. They are praised when they campaign for politicians and remain as party wings to political parties. The youths are recognised when they sing praises in honour of the big men and women of this country. But when it comes to listening to them, understanding their problems and realising that they cannot live on handouts, nobody seems to listen to them. I am here to put the agenda of the young people in this country to the centre stage of development in this country.

Mr. Speaker, Sir, may I also remind this House that during the early years of Independence, the same hon. Members who are sitting here today and have been here long enough came in as very young Members of Parliament. They contributed to the development of this country as Ministers. That time we had very young Permanent Secretaries and it is through their youthful energy and new ideas that this country grew.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

While I appreciate the fact that the NARC Government is working towards ensuring that young people participate in decision-making in this country, I feel we have not had enough. We deserve more as young people in this country and we want to see a conscious effort of bringing on board young people in decision-making from

the grassroots level to the national level.

I feel that this House will fail greatly if it does not make sure that there is a national youth policy which will look at the youth as a special sector which needs to be looked into. We also need a national youth council, like the one in many other countries, for example, Uganda and Tanzania. These countries have an official body recognised through an Act of Parliament to implement issues affecting young people. I would also like to say that I feel

sorry that we have some hon. Members of Parliament, whom I look at as my generation, but their thinking worries me. What they say in public rallies worries me. Young people must rise above tribal lines.

(Applause)

Young people must be able to differentiate between personal and collective responsibility. If people have committed an offence, they may be young or old, that is their personal responsibility. Do not drag tribes or put regions into this. We expect better things from young Members of Parliament in this House. We want to see open-mindedness. We do not want closed up minds in this House.

Mr. Deputy Speaker, Sir, allow me also to say that I really support the President on the issue of HIV/AIDS pandemic. Currently, the highest number of HIV/AIDS victims ranges from 15 years to 29 years. I remember in 1999, the then President of Kenya, Daniel Toroitich arap Moi, declared HIV/AIDS a national disaster. When you declare something a national disaster, you expect action to be taken, but in this case, no action was taken. I remember I attended that particular conference in Mombasa and presented a statement on behalf of young people and I remember all Members were called upon to join in the campaign. The National AIDS Control Council was asked to give money to Members of Parliament so that they can initiate campaign programmes at the constituency level. To date, I do not remember any campaigns which were carried out unless Members of Parliament who were there then and are here today will prove me wrong. I know that no serious campaigns have been done. Everyday young people are getting infected and the most productive age in this country is dying. We need to see serious action being taken by the National AIDS Control Council. We want to see countrywide campaigns being done even by the Members of Parliament. When they hold rallies, we would like to see them speak about HIV/AIDS pandemic. We want to see a national campaign on HIV/AIDS pandemic.

I will also speak on behalf of women. A gender commission will be established and that is most welcome. But we hope that it will not just be a gender commission which will be seen, but we would like to see action on the part of women. I also hope that in this House, we will see hon. Members support Motions whose aim is to empower women in this country. In the past, we have had Members of Parliament make some remarks which have been very unfortunate on women. I would like to remind them that the Bills which come before this House to empower women will not only empower their wives, but will also empower their daughters and sisters. So, they should look at it beyond themselves; look at it as helping all women in this country.

Mr. Deputy Speaker, Sir, I would also like to say that it is very unfortunate that the youth issues are just a small desk in the Ministry of Gender, Sports, Culture and Social Services. The youth also want a fully-fledged department to look into their issues. We have always been seen as an appendix of the main body. We have always been a wing of the main body. I would like to say that the era of youth wingers is long gone. This is the era of the youth taking up their rightful place in this country and we look forward to the support of all Members in this House. I would like to ask the hon. Members of this House to support me in this agenda. I would like hon. Members to think about the many young people out there who go to them on a daily basis for handouts. I would like the hon. Members to think about these young people who have degrees and certificates but have got nowhere to go. I would like the hon. Members to think about the time they left university in the early 1970s or 1960s and they had something to do for themselves; they had a job awaiting them. I would like hon. Members to put themselves in the shoes of that young man who cannot even get married today because he cannot feed his family.

(Applause)

I would like hon. Members to think about those people who have brought this country down and have caused the loss of a whole generation. I would like us to put those people on the spot. The young people are suffering today. We continue to misuse them because they do not have any means. They would rather get that Kshs100 so that they can go and cause mayhem---

Mr. Deputy Speaker: Time up!

The Member for Keiyo South (Mr. Biwott): Thank you, Mr. Deputy Speaker, Sir. I rise to support the Speech by His Excellency the President. In doing so, I would like first of all to begin by referring to the good

things---

An hon. Member: Who are you?

Mr. Deputy Speaker: Yes, could you please introduce yourself?

The Member for Keiyo South (Mr. Biwott): Mr. Deputy Speaker, Sir, for the benefit of any Member who wants to know me, I am hon. Nicholas Biwott, the Member of Parliament for Keiyo South.

Hon. Members: Or "Total Man"!

The Member for Keiyo South (Mr. Biwott): And then you have completed by rounding it up with what you have said. Then I will begin my contribution again.

Mr. Deputy Speaker, Sir, first of all, I would like to refer to the good things that this country has had. These are the 24 years of sustained

peace, stability and unity in this country which nobody will take away from His Excellency, the former President of this country, the democracy that existed throughout that period and the smooth and efficient manner in which transition was effected to the extent that you were just given the "baby" in a cradle. This is something which nobody can deny and one which has been acknowledged throughout the world and in the immediate vicinity. It is only here that that acknowledgement was not recognised. However, it is no wonder because nobody can be a king in his own house. You may be a king but your own wife, children and so on will know you so well that sometimes they forget that you are the king.

Mr. Deputy Speaker, Sir, I would also like to add one other good thing that has happened in this country. We have now elected a President with enormous experience; somebody who has cumulative knowledge of this Government; somebody who has been the Leader of Government Business in this House and somebody who has also worked in KANU.

(Applause)

Mr. Deputy Speaker, Sir, I would like at this point also to congratulate our hon. Speaker whom we have elected here to lead us in this Ninth Parliament. So, it is his experience that has been helpful in guiding the hon. Members who needed that help. Had we elected somebody else with less experience, I think this House would have been that much poorer.

Mr. Deputy Speaker, Sir, the same goes to you because we know you and that you have got enormous experience in this country. For those who do not know, you were chairing proceedings of the House from time to time in the Eighth Parliament. So, those are the good things that have happened.

Mr. Deputy Speaker, Sir, the last good thing which I would also like to highlight is the fact that on the Government side are people who were trained by KANU and are now able to come to the rescue of those Ministers who cannot deliver such as hon. Professor Saitoti who will come and help us on Tuesday.

(Applause)

Mr. Deputy Speaker, Sir, coming to the main speech, let me take a tangent from what the Vice-President and Minister for National Reconstruction, hon. Wamalwa, mentioned. He said that KANU got tired and this is how it was dispatched to this side of the House. I must hasten to say first that we were very happy because the load we used to carry is no longer on our shoulders. We are now able to look at those who are carrying the load so that we can guide them properly because we know how they should be feeling.

(Applause)

By saying "tired", I think the Vice-President and Minister for National Reconstruction meant well because we were just about to get to the hill having come from downhill and climbing up. It was just when we were just about to get to the top of the hill, that some of us who have come to sustain you on the other side, turned around and went downhill and you arrived at the tape just in time for you to win and score the goal. So, I think we can now be rest assured that we will continue doing things well.

Mr. Deputy Speaker, Sir, I would like to also talk about the good things that God has done to this country. These are the good things that are done through miracles like what God did to save those Ministers and the Members of Parliament in that Busia plane crash. These also include the good things also that God has done to give His Excellency the President good health so that he can be able to discipline those Ministers such as hon. Karisa Maitha who completely disregarded rules on the nomination and gazettement of councillors. I hope that now that the President is able to discipline him, he will gazette the correct names and not the ones he imagines.

Mr. Deputy Speaker, Sir, the President's Speech touched on many issues; it was comprehensive. It touched on the rule of law, education, governance, unity, economy, security and everything that needed to be said.

So, like everything, the proof of the pudding is in the eating; it is in the implementation itself. However, going by what we have seen this afternoon when the Ministers were answering Questions, we do not know whether that good governance and efficiency is really going to materialise. I hope it is something that we will see as we go along because mwananchi expects results and no doubt we will try whatever it is. So, it is in the implementation because the devil is in the details. So, if we have the true implementation, we will be able to do the right thing and build schools in the North Eastern Province and all the Arid and Semi-Arid Lands (ASAL) so that free and compulsory primary education can be enjoyed by all Kenyans. However, the rule of law should apply to all; that it must be universal and that there will not be discrimination on the implementation.

The Assistant Minister for Lands and Settlement (Mr. Ojode): Are you "born again?"

The Member for Keiyo South (Mr. Biwott): Mr. Deputy Speaker, Sir, I have always been born again and I have always been the hon. Nicholas Biwott. Hon. Karua, the Minister for Water Resources Management and Development talked of employing the people we want in order to carry out our own policies. It is true and it happens and I think time may come now when we should examine and decide whether or not we will go the British way, where the Civil Service enjoys the security of tenure or we will go the American way, where if you come in, you bring all your friends and when you leave, you leave with all of them so that we do not mix the two because in that way, the wananchi will know exactly what to predict.

Mr. Deputy Speaker, Sir, also a government of the day is a government of everybody and there should not be any discrimination especially in the *shamba* system which has been used for many years in forest plantations and settlement schemes. This is because the sanctity of property is the first thing that any investor will look for and nobody is going to invest if he knows that he cannot subject his disputes to a certain class of people. As we have matured now as a democracy, we should live up to the standards of, say, the United Kingdom (UK) and other mature democracies because we have got that class factor which we must guard jealously.

Mr. Deputy Speaker, Sir, the Vice-President and Minister for National Reconstruction talked about the stagnation in the KANU administration. Let me now say, for his own good and for the good of those who would like to know, in the last one and half years, before they came into power, 30 new apparel companies to manufacture clothes were created as a result of the Africa Growth Opportunity Act (AGOA) and six of them which had collapsed were revived. That has brought about enormous growth in employment and also in exports to America.

With these few remarks, I beg to support.

The Member for Hamisi (Mr. Khaniri): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to make my contribution on the Address of His Excellency the President during the official opening of Parliament on 18th February, 2003.

But, Mr. Deputy Speaker, Sir, just before I do that, with your permission, allow me to take the earliest opportunity to thank the Almighty God for having saved my life during the tragic plane crash in Busia. I never knew that I would stand on the Floor of this House and address the Ninth Parliament again, but through the grace of the Lord, I am here, vibrant as usual. We thank Him for having saved our lives. I would also like to take this opportunity to thank the people of Hamisi for having re-elected me to Parliament for a record third time. This is history in Hamisi. There is no single individual person who has ever been elected in Hamisi three times in a row except the hon. George Munyasya Khaniri. I made that history. I just want to assure them that they will not regret their decision of giving me a chance to serve them in the Ninth Parliament.

Coming back to the substantive Motion, Mr. Deputy Speaker, Sir, I want to join my colleagues who have spoken earlier in congratulating His Excellency the President for his very well focused Speech. The Speech was not only well focused, but inspiring and comprehensive. I say it was comprehensive because it touched on all aspects that affect Kenyans today. I must admit that for the long period that I have been here, this is just the best Speech that I have ever heard in this House during a State Opening of Parliament.

(Applause)

Mr. Deputy Speaker, Sir, I want to vouch that, if just 70 per cent of what was contained in that Speech is implemented, then the lives of Kenyans will change and change for the good. I am confident that the NARC Government has men and women who are not only willing to implement what His Excellency has said, but they also have the capability to do so. So, we are confident that this will be done. We are also confident that there will be light at the end of the tunnel.

Mr. Deputy Speaker, Sir, top on the Agenda was the issue of the economy. We know very well that for us to adequately address the issue of the economy of this country, we have to find out what brought the economy to

its knees, and we all know the causes. First on the list is corruption; two, diminished investor confidence; three, poor infrastructure; and, last but not least, insecurity. I was glad that the President addressed all these issues. On corruption, he came out very clearly and said that our Government will be zero-tolerant on corruption. In addition to that, he stated very clearly that a department will be established in the Office of the President to specifically deal with matters concerning good governance. We want this department to be established as soon as possible.

Mr. Deputy Speaker, Sir, on diminished investor confidence, I think the reason why our relationship with donors and other investors was strained was because of lack of commitment from the previous Government. Whenever we were asked to implement certain policies so that the donors would bring in the aid we needed, the previous Government always looked at it as conditionalities and yet they were things that were meant for the good of this country.

Dr. Ali: On a point of order, Mr. Deputy Speaker, Sir. What is Mr. Khaniri telling us? Has he forgotten he was part of that previous Government?

Mr. Deputy Speaker: Dr. Ali, that is a point of argument; it is not a point of order. Continue, Mr. Khaniri!

The Member for Hamisi (Mr. Khaniri): It may be in his interest to know that when I resigned from that Government, I stated very clearly that I could not continue serving in that Government because it was dictatorial and it was a one-man show; nobody was allowed to make any contribution. Therefore, we could not continue serving there.

(Applause)

Mr. Deputy Speaker, Sir, I was saying that whenever we were asked to implement some policies, the previous Government always looked at them as harsh conditionalities and yet they were things that were good for us. For example, when we were asked to entrench the Kenya Anti-Corruption Authority (KACA) in the Constitution and strengthen it, we looked at that as a conditionality. When we were asked to reform our Judiciary, we looked at that as a conditionality. I think it is wrong and I hope that the NARC Government will bring these Bills to the House so that we can implement these policies and have good relationship with the donors.

Mr. Deputy Speaker, Sir, on the infrastructure, we all know what our good Minister, Mr. Raila, is doing to improve the roads and we are hoping to see the results very soon.

Mr. Deputy Speaker, Sir, I was very elated to note that the President re-affirmed his commitment to the process of constitutional reform. There had been a rumour all over the country that now that President Kibaki has tasted power, he does not want to change the Constitution and that it is not in his interest. But during his Speech, he came out very clearly and said that we are going to set up the select committee on constitutional reform. Therefore, the process will pick up from where it stalled in the last Parliament. So, that dispelled the rumours and we hope that the select committee will be formed as soon possible so that the process can get back on track. The biggest gift we can give to Kenyans, as the Ninth Parliament, is to get them a new Constitution as soon as possible.

Mr. Deputy Speaker, Sir, I was also happy that the President mentioned the plight of farmers in Kenya. We all know that farming is the backbone of our economy and yet, the farmers are the most oppressed people in Kenya today. They put in so much time and resources, but they do not get the returns. If we have to revive farming in this country, there are a few issues that we have to address and I am glad that the President mentioned them. First, to protect them from unscrupulous traders who bring in cheap imports to compete with what the farmers produce locally. They even avoid paying taxes and, therefore, the farmers are unable to compete with these people in terms of prices. I am very confident that the NARC Government will bring this to an end.

Another thing we should do to revive farming is provision of affordable credit to farmers. I am happy to note that the Minister for Agriculture and Livestock Development is addressing this issue very seriously, particularly with the Kenya Farmers Association (KFA).

Mr. Deputy Speaker, Sir, the other problem the President mentioned is proper utilization of land resources. I think the laws that we have on land in this country are archaic. When we shall be amending our Constitution, we must put great emphasis on the laws that relate to land.

Mr. Deputy Speaker, Sir, lastly, I would like to wish the NARC Government and the NARC Ministers well in implementing what the President said here. I hope that the NARC Government will desist from what the previous Government used to do; starting projects doing them halfway and abandoning them. A good example is a road in my constituency where a lot of money was invested in the project Road, but it was not completed. That is the Gambogi-Serem-Kipsigak. Over Kshs500 million was set aside for tarmacking the road. It was then done

halfway and abandoned.

I beg to support.

The Member for Kitui West (Mrs. Mwendwa): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to support and comment on the President's Speech. This was a very special Speech because so far not a single hon. Member has complained that an issue has been left out. We had every issue included so much so that we cannot touch on everything that was mentioned.

Mr. Deputy Speaker, Sir, in my comments, I would like to dwell on the free and compulsory primary education, security, the rule of law, our economy, water and health. Before I do so, I would like to comment on the spirit I have seen in this House. I had the opportunity to serve the Government during the one party era. I had also an opportunity to serve in this Parliament at the advent of the multiparty era, and now I am back. I would like to comment on the spirit in the House at the moment. Initially, during the one party era, we used to have a lot of fear of what we were going to say and what the consequences were going to be. During the first multiparty Parliament, normally we used to have accusations and counter-accusations. Whatever was said by the Government was bad for the Opposition. I am gratified that we have a lot of common ground, and what is good for the Government is also good for the Opposition. That is a lot of maturity, and I hope we continue like that as Kenyans; to say and do what is good for our country regardless of which side of the House we are.

Mr. Deputy Speaker, Sir, before I go very far, I would like to comment and congratulate our young lady hon. Member of Parliament, Ms. Mbarire, who has talked very well on behalf of the young people. I commend her because she is like my daughter. I was also in this Parliament with her father. It is good to have young people representing themselves in this House. I hope next time we are also going to nominate a young man of the same age to represent the young men so that the gender consideration does not just mean ladies.

Mr. Deputy Speaker, Sir, I would also like to commend the free primary education which was touched on very well in the Speech. We have the new compulsory free primary education, and I am very gratified because during our campaign, this was our main campaign tool. We promised Kenyans free primary education, and I would like to thank the NARC Government for implementing this. We have had occasions where what we tell people during campaigns is not what we live up to. Of course, there are a lot of problems, but it is easier to solve them rather than saying that we shall do it when the money is available or when the manpower is available. We should deal with the problems everywhere. I am very sympathetic to the North Eastern Province people, and I support the idea of having free boarding primary school education there. If they do not have boarding schools and there is war, it is mainly the girls who will be affected.

On the same token, I would like to request the Ministry of Education, Science and Technology to also consider other areas because we have very large classes. In some areas, we have got 70 children in a class. There is no teacher who can manage a class of that size. The community may not be in a position to build classrooms. Is the Government going to step in and help in the construction or the expansion of the facilities for free primary education?

Mr. Deputy Speaker, Sir, I would like to comment on the rule of law that affects everybody. I am very glad to have heard this being echoed by none other than the President. So far, we have not heard of any comment of the President being above the law. He has put himself under the law and he is ready to declare all his wealth. I hope we are all going to live up to that. When we talk about the law, it also applies to hon. Members of Parliament. Sometimes after we have been elected, we tend to take shortcuts. I think we have to live by example and lead the people by following the law. One of the problems in Kenya and Africa is people trying to bend the law or applying it selectively. It is only when we live by the law that we are going to develop to be serious nations where everybody feels secure.

Mr. Deputy Speaker, Sir, on the same subject of security, I would like to comment on the insecurity the women have in their own homes. This is also an area where the law is applied selectively. If I am beaten by my husband - thank God at the moment I do not have one - and I go to the police, they would tell me that this is a domestic issue and they would not take any action. Surely, by the time a lady gets out of their home to report a case of assault, it must be a serious matter. We hope this is also going to be applied according to the law. If anybody complains to the police the issue of it being a domestic matter should not arise. Every citizen; male or female, should be secure in their own homes. If perhaps there should be any disagreement or divorce, the law should be applied.

Mr. Deputy Speaker, Sir, water is life and water is needed in marginal areas and other parts of Kenya. When some of us were campaigning we promised the people that we were going to move out of handouts. So, we do need irrigation schemes and clean drinking water for domestic use. We hope that the Ministry of Water Resources Management and Development will be allocated enough funds to develop these arid areas. In fact, the money which is used to provide relief food should be used to give people water so that they can grow their own

food.

Mr. Deputy Speaker, Sir, on infrastructure, our roads are very poor, especially those in the rural areas. I hope that the Ministry of Roads, Public Works and Housing will be allocated enough funds to develop roads. If there is lack of machinery, let us have rural roads constructed manually because our people have no jobs. By so doing, we will create employment. Another area which disturbs me is housing. It is very sad to see a lot of poorly constructed structures. The structures found opposite Utalii Hotel were meant to house our police force, but construction has stalled for over ten years. Our own people are sleeping in shanty houses and yet we have structures whose construction is almost complete being left in that poor state for years. I hope the Office of the President will look into this issue. If construction of these buildings cannot be completed then they should be sold so that people can buy them, complete construction and move out of their shanty dwellings.

With those few remarks, I beg to support.

The Member for Kiambaa (Mr. Karume): Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to say a few words concerning the President's Speech during the State opening of Parliament on 18th February. I was not present on that day, but I have read the Speech.

First of all, I would like to congratulate His Excellency, President Kibaki, for being elected the third President of this Republic. I would also like to thank the former President Moi for the good manner in which he handed over office to the new President. I would also like to thank God because this was the most peaceful election we ever had in this country. People thought that the change of Government would be the end of Kenya, but this did not happen because of the grace of God. It was very peaceful and that is why we are happy.

Mr. Deputy Speaker, Sir, the President's Speech touches on many issues especially corruption. I have been talking about corruption for a long time. Corruption is a bad disease in this country and it has ruined people and the economy. The President assured Kenyans that he would fight corruption and he has already started doing that. I am supporting the move to fight corruption because it has caused many problems in this country. A good example is the National Social Security Fund (NSSF) which I have been talking about even when I was a Member of the Democratic Party. Even now when I am in KANU, I am still the same Njenga Karume who has been talking about corruption. The NSSF belongs to workers who earn very meagre salaries. Workers normally contribute towards the NSSF every month so that they can claim the benefits when they retire. This money is normally used to build a small house, buy two cows to keep the retiree going or for other purposes.

Mr. Deputy Speaker, Sir, I know of so many cases where retirees have been going to the NSSF to claim their benefits month after month, year after year, and each time they are told to come the following year. Some of them even die before they receive this money. The reason why they do not get this money is because most of this money has been taken by individuals which is very bad. You might find that someone buys land worth Kshs10 million and goes to the sell it to the NSSF. He might find some people there and make an agreement to sell it to them for Kshs100 billion instead of Kshs10 million. These people are not ashamed. Instead---

Mr. Shitanda: On a point of order, Mr. Deputy Speaker, Sir. You heard Mr. Karume say that there are people who bought land and sold it to the NSSF. Could he be specific and name those people?

The Member for Kiambaa (Mr. Karume): Mr. Deputy Speaker, Sir, I know of one Kamau, a Wanjiku and many others, but I do not have the details here with me. They are very many and I know them. I am inviting the hon. Member to come to Kiambaa and I will call them to tell him how far they have gone there. Even some children will tell you that their parents died without receiving their NSSF benefits. This institution has been used in a bad manner. You will find someone selling land worth Kshs10 million at Kshs1 billion to the NSSF and this happened recently. I would like to ask the Government to ensure that this practice is curbed because that money belongs to workers. Some of this money has been used to fight other people. I would like every Kenyan to know that Kenya belongs to all of us. This company known as the "Kenya Republic Company Limited" is for everybody. You do not even have to contribute to buy shares. It is a birthright. As long as you are born in this country you are a shareholder whether you do not have eyes or legs. So, we should not allow a few people to take other peoples' money and pretend that it belongs to them. I think the Government should set up a commission to investigate such incidents. They should find out what happened to the money because such actions are wrong and we cannot support them.

There are some sugarcane farmers in Western and Nyanza Provinces who have never been paid their money from the year 2001. They cannot afford to pay school fees for their children because some people are allowed to import sugar without paying duty for it. It is up to the Government to ensure that these things do not continue happening. This must be stopped. I have been fighting corruption for a long time and I will continue doing so. We must do this together as MPs regardless of which side of the House you are because we are all Kenyans. We must have a peaceful country and foster unity. Whether you are in the Government or the Opposition, we must fight for peace in the country.

I would like to say a few things about Kiambaa Constituency. I must thank Kiambaa people for re-electing me. Since I am sure I will complete this term in Parliament, I will have served in Parliament for 30 years. The main problem in my constituency is about water. In Kiambaa, there is a big dam near a place called Rwaka and the farm surrounding the dam was acquired by the Government many years ago. The owners of the land were paid compensation for acquisition of the land. I would like the Ministry of Water Resource Management and Development to find ways of funding the construction of this dam. They could even try to get a donor who could help. I am sure that if that dam was built and we pumped water into it, this water would be used by almost three-quarters of Kiambaa Constituency. The people of Kiambaa are hardworking and they would use this water to grow crops. It will also be used by people who live in the City of Nairobi. I urge the Ministry of Finance when they prepare the 2003/2004 Budget to take this into consideration.

Mr. Deputy Speaker, Sir, roads in Kiambaa Constituency are in a very poor condition. I would urge the Government to improve them.

The other thing I would like to ask the Government to take seriously is the security. The security situation in this country is very bad. We hear of people being killed by thugs. The NARC Government must do all it can to protect the lives and property of Kenyans.

I would like to remind the NARC Government that they promised to pay the contentious teachers' salary award in the shortest time possible if they ascend to power. We know teachers do a very commendable job in this country and we must reward them accordingly. You cannot be elected to this House if you have never gone to school. Any profession that we acquire in school must be taught by teachers. However, our teachers are earning very low salaries. The NARC Government must pay teachers their contentious salaries because they promised to do so during the campaign period. I would like to ask them to honour their promise.

Mr. Deputy Speaker, Sir, the other area I would like to address myself to is the tourism industry. The tourism industry is the number one foreign exchange earner in this country. We all know that the inflow of tourists into this country has declined in the past few years. I would like to urge the Ministry of Tourism and Information to advertise our tourism industry abroad because we have a bad name there. I do not know why there are double standards. If something bad happens in South Africa or other African countries, tourists will still go there. They do not take it very seriously as they would do if it happened in Kenya.

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

The Member for Shinyalu (Mr. Khamasi): Mr. Deputy Speaker, Sir, thank you very much for giving me the opportunity to contribute on this Motion. First and foremost, I would like to introduce myself for the benefit of those hon. Members who were not in the Eighth Parliament. My names are Daniel Khamasi, Member for Shinyalu in Kakamega District.

First of all, I would like to thank the people of Shinyalu Constituency for giving me an opportunity to represent them for the second time in this august House. Secondly, I want to express my gratitude to His Excellency the President for a very well balanced Speech which he delivered during the State Opening of this House.

Mr. Deputy Speaker, Sir, I have heard with keen interest what my colleagues had to say on the Floor of this House, particularly so, from the other side of the House. I am very impressed by what some of them say because sometimes I do not believe they really mean what they say.

Mr. Deputy Speaker, Sir, there is a notion that we will forget all the past and start afresh. It is not possible to forget everything. There are a lot of wrongs which were committed in this country. Those wrongs must be put right. Unless we put them right, we shall be pretending to move forward.

Mr. Deputy Speaker, Sir, the NARC Government made promises to Kenyans and we intend to deliver. Now we are hearing too much noise from the other side saying: "Do it today because you promised only two months ago." I want them to be patient. I want them to be ladies and gentlemen and wait to see how we deliver.

Mr. Deputy Speaker, Sir, we have had a Civil Service that has been very highly politicised. Therefore, we must do something about it if we have to deliver. I would like to request our President not to use the vehicle which was used by KANU to get to their destination. If we have to get to the destination where we promised the people of Kenya, then he must re-invent the wheel. That is why some of those civil servants must go and give way to people who can perform and deliver. Too many wrongs were committed in this country.

I want to support Ms. Karua that if there are people in the Civil Service or parastatals who cannot perform, they must give way. They must give His Excellency the President the option to appoint other people that he can trust and rely on to deliver. We have heard too much talk about the Judiciary. God is with Kenya because Justice Chunga resigned. That is very good. He just had to do it. We want to advise others to do the same. For example, there is the Office of the Attorney-General which has let us down very badly. Leaders in that office

must resign and pave way for His Excellency the President to appoint somebody else who will deliver according to our promise and speed.

Mr. Deputy Speaker, Sir, some wrongs which were committed have to be put right. For example, there are cases where monies were withdrawn from the Consolidated Fund without the approval of this House, contrary to the Constitution of Kenya. That must be put right. There was also some gerrymandering with constituency boundaries so as to create constituencies to favour certain individuals to come to this House. Some people were elected to this House with 3,000 votes. Those wrongs must be put right.

Mr. Deputy Speaker, Sir, the previous Government established administrative units. There are constituencies which form districts, divisions, locations and sublocations. These are very unviable units of administration. These are the things we must put right because they cost citizens of this country a lot of money to run. We must make sure such units are scrapped.

Mr. Deputy Speaker, Sir, His Excellency's Speech dwelt very substantially and very firmly with the question of corruption. We must start from the top. We must clean our country from the top. We, as legislators, must lead by example. We, on this side of the House, will not behave in the same manner that the KANU backbenchers behaved in the previous Parliaments. We will support our Government only if it is doing what Kenyans want and if it is delivering what we promised to the people of Kenya. We will not sit here and behave like "voting machines." We know of situations where people used to come from out there; they did not know what was being discussed. Then they were told "when the Question is put just say "Aye"". They used to say "Aye" and walk out without even understanding what the subject of the matter was. That is not going to be the situation here. We want our Ministers to be accountable; we want them to perform. We will come here to support them on only those issues which will be beneficial to Kenyans.

Mr. Deputy Speaker, Sir, a lot has been said about education. Hon. Members from Kenya African National Union (KANU) are behaving as if they are from Heaven, and that they do not know what has been going on. They feel that everything that was promised by the National Rainbow Coalition (NARC) party during the electioneering period must be fulfilled today and not tomorrow. Let them be patient. What the NARC Government has done can be seen. It is worth noting that the Government has already started fulfilling some of the promises it made to the people.

Completion of the review of the Constitution is a promise which the NARC Government cannot fail to fulfil. We promised the people of Kenya a new Constitution. We, on the Back Bench, will insist that a new Constitution be put in place as quickly as possible because that is the basis on which Kenyans gave us votes. We cannot backtrack on that promise. I would like the responsible persons in the Government to know that we will not come here and support them on matters which will delay the completion of the Constitution review process. That is a matter which must be given priority. I would like to assure my colleagues in the Opposition that when they raise the issue of the review of the Constitution, we will vote with them, because the exercise is of great importance to this country.

Mr. Deputy Speaker, Sir, lately, we have heard how the previous Government tortured some Kenyans. They were arrested and prosecuted on framed up charges. I am talking about the alleged FERA movement in Bungoma, and the infamous *Mwakenya* movement in the country. That was a great shame. It was one of the worst things that have happened in this country. We are not going to excuse anybody who is in the current Government, and who may have participated in the excesses of the previous regime. The best they can do will be to resign from the Government, and give the President an opportunity to choose clean people. I would like Mr. Murungi to ensure that we visit other facilities which may have been used by the former Government to torture innocent Kenyans. I am talking about the torture cells at Nairobi Area Police Headquarters and Plantation Building.

With those remarks, I beg to support.

Mr. Deputy Speaker: Mr. Kimunya, you have the Floor.

The Minister for Lands and Settlement (Mr. Kimunya): Mr. Deputy Speaker, Sir, my name is Amos Kimunya from Kipipiri Constituency. I am the Minister for Lands and Settlement.

Mr. Deputy Speaker, Sir, I stand here as one of an excited generation of Kenyans. I am excited with new hope, anticipation, aspirations and confidence, which were well captured by His Excellency the President during his Address to this House. I stand here to support the professionalism, all-inclusiveness and the comprehensive nature in which His Excellency the President captured all the pertinent issues in his Address. I particularly liked the conclusion of his Address. I would like to quote some two sentences from his Address, which read: "Our moment in history has arrived. The journey towards renewal and prosperity for our beloved nation has begun."

Also, the President rightly indicated that the journey towards bettering the lives of our people will not be won in a 100 days. I dare say that it will not even be won in one year or five years, but will take a concerted effort by all of us irrespective of our political affiliation, in rough and difficult circumstances until we get where we

should be. I believe that this task is so enormous, complex and diverse to be left to the Government side alone. I call upon hon. Members on both sides of the House to work together in discharging this great responsibility. I look forward to a strong partnership between the two sides, a partnership built on mutual trust, and recognising the fact that the people of Kenya come first. I look forward to one side providing the leadership and other side the monitoring. I do look forward to a strong Opposition, actively opposing, not just for the sake of opposing but because hon. Members believe that it is the right thing to do.

Mr. Deputy Speaker, Sir, I believe that this responsibility cannot be exercised with some of the noises we have been hearing of late. I would like to relate this to some emotions that have been evoked on land issues and the current repossessions we are undertaking as we right the wrongs of the past. I would like to appeal particularly to hon. Members to avoid confusing *wananchi* by making statements that are likely to divide them. I would like hon. Members to avoid creating situations which might misplace the energies of our people or even lead to anarchy. I believe that doing so is bad politics and, even worse, economics. It is more so when records in the past are so clear on some of the people who may be making noises that not even the perfumes of Arabia or the waters of the Aberdares would clean their little hands.

As a responsible Government, we have committed ourselves to the settlement of all landless Kenyans irrespective of where they are. We are also committed to ensuring that the wrongs that were committed in the past, and which the President referred to in his Address, are righted for the benefit of this country's future generations. We will aggressively pursue the policy of putting back to the public domain what was public, and was unilaterally taken by a few people, while misusing the trust that had been bestowed upon them by the Kenyan people. We will be doing that to safeguard public interest and to ensure that proper precedents are set up for the future. I would like also to share with this House that we are in the process of compiling a list of all the parcels of land that have been allocated, with special note on those that have been allocated irregularly. I would like to appeal to Members of this House that, in the unlikely event that any one of you would be holding land that should not have been in your possession, you have two weeks to voluntarily surrender the documents and the title deeds before the public knows that you are one of the beneficiaries and you are sitting in this august House.

(Applause)

Mr. Deputy Speaker, Sir, I also believe, when we eventually embark on our exercise of computerising all the land transactions and reconciling them with tax records, I expect that we will have many more people either bringing back the land or paying to the Government the right taxes that are currently being evaded. I do look forward to enjoying my first term in the House and hope that, during this time, as we all work together, we will see fairer distribution of the natural resources across the entire country. I also hope to see proper compensation going to the sources of those natural resources. For example, I have in mind all the water flowing from the Aberdares into Nairobi and Nakuru. I would like to see fair compensation to the people of Kipipiri, Kinangop and Ol Kalou for the water that is sold by the Nairobi City Council and Nakuru Municipal Council. I also do hope that with a responsible Government that we have in place now, we will see the farmers enjoying the benefit of better prices for their milk, pyrethrum and all the other agricultural products that this country has been so well endowed with by nature.

Mr. Deputy Speaker, Sir, in conclusion, I look forward to enjoying richer debates in this House. With those few remarks, I beg to support the Motion.

Mr. Deputy Speaker: Hon. Members, just before Mr. Mutula Kilonzo takes the Floor, I think my ears have heard some cellphones ringing. I just want to caution hon. Members that no cellphones are allowed in the Chamber and if you have them, they should be switched off. So, please, ensure that you are not caught up.

Proceed, Mr. Kilonzo!

Nominated Member (Mr. M. Kilonzo): Mr. Deputy Speaker, Sir, if you allow me to introduce myself, my names are Mutula Kilonzo and only a very generous person would call me a maiden. But your traditions and practices require that I make a maiden speech. Accordingly, please forgive me because even I myself do not consider myself a maiden!

The Minister for Roads, Public Works and Housing (Mr. Raila): On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: He is making his maiden speech!

The Minister for Roads, Public Works and Housing (Mr. Raila): He says he does not need it!

Mr. Deputy Speaker: It is a maiden speech!

Nominated Member (Mr. M. Kilonzo): For the benefit of Mr. Raila, whom I respect---

Mr. Deputy Speaker: It would be maiden to us! So, it is maiden!

Nominated Member (Mr. M. Kilonzo): Mr. Deputy Speaker, Sir, I only said that I do not consider myself a maiden. Let me say this: That, first of all, I wish to recognise the glory of God and power of his authority for the peaceful nature in which this country held its elections. There were enormous prophecies, some of them self-serving, and they did not come to pass. I also wish to recognise the power of God and his authority, for the peaceful manner in which a serving President in an African country peacefully handed over power and the instruments of authority to a new President. With your permission, Mr. Deputy Speaker, Sir, I would also like to take this very unique opportunity to congratulate His Excellency the President for his election as President of this country. There can only be one President at any time; sometimes only one in a generation. I think his success at the top is a well deserved credit for the recognition of the Kenyan people that he can lead them. I would also like to congratulate NARC, although it is an amorphous body, for winning the elections. I would also like to thank my party KANU for nominating me - I was actually amazed and because of that very act, I am standing before you, Mr. Deputy Speaker, Sir. I would also like to thank His Excellency the President himself for appointing me a senior counsel in this country, and only one of the three in this honourable House.

Now, having said that, it is fair to say, wherever the President is, he does not expect his senior counsel Mutula Kilonzo to join in the flattery that has been coming across, particularly on the Government Bench on this Motion. I am also totally convinced that the President expects me to, as a senior counsel, to speak the truth. So, in front of you, is a Motion that requires to record thanks for exposition of public policy. But when you examine the Speech itself, you do not see any exposition. In fact, what you see is cover-up, as I would demonstrate in a few minutes! Similarly, public policy nearly 200 years ago was defined as an unruly horse. The situation is that if you are riding an unruly horse, you must expect that it can land you anywhere. So, let us examine on the ground what this public policy is, that the President is supposed to have exposed in his Speech.

First of all, he said that the Government will recognise private property. We have just heard one of his Ministers threatening people and telling them: "You have two weeks to surrender your titles", without judicial authority. By so doing, he does not discriminate against those who got their titles in 1963, 1905 and other years. We have, in fact, witnessed a situation where the same Minister has selectively gone to Banita and Lanet in Nakuru and said, without any inspection or judicial authority, that he is going to abolish those settlement schemes. I ask you, Mr. Deputy Speaker, Sir: What wrong has the settlers who have been allocated the land done? If there was a mistake, it was done by the person who did those allocations. The people who were in Lanet and Banita should be respected as Kenyan citizens and accorded due process of law.

Mr. Deputy Speaker, Sir, let us look at the rule of law. The President said that we will respect the rule of law. In consequence, he has established a Ministry of Justice and Constitutional Affairs. Examining that Ministry, you will notice that the offices of the Attorney-General, the Chief Justice and the Electoral Commission of Kenya have been placed under a Minister. Which is the public policy? Is it the statement in the Speech of the President or is it his actions in setting up the Ministry? To make matters worse, only this week, the President appointed an acting Chief Justice, contrary to the provisions of the Constitution---

The Member for Kilome (Mr. J.M. Mutiso): On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order, Mr. Mutiso! Mr. Kilonzo is making his maiden speech! He has got an immunity of five minutes to exercise.

Nominated Member (Mr. M. Kilonzo): Mr. Deputy Speaker, Sir, the section of the Constitution is very clear that an acting Chief Justice can only be appointed from sitting judges. He appointed a judge from a Court of Appeal. I have a lot of respect for that judge and he is an upright man. But the law is the law and when you say public policy is to uphold the law, then you better uphold the law.

Mr. Deputy Speaker, Sir, let me go into the issue of private property. The Commissioner of Lands has stated that repossessions of illegally allocated property will be done in accordance with the law. Contrary to that, a Minister has stormed a private property in this country and purported to take it over on the basis of an executive order that has no recognition whatsoever, either in the Constitution that the President is now in power under, or the Constitution that we are envisaging. It is my submission, and I say this with no apology whatsoever, because it is the truth, there is no provision for executive order under Kenyan law.

Mr. Deputy Speaker, Sir, the President said that his Government will respect environmental issues. Yesterday we saw on television Cabinet Ministers, including the Vice-President and Minister for National Reconstruction, allocating and purporting to surrender a portion of Karura Forest to an American company for purposes of setting up a hotel. This is the same Karura Forest where one of the Ministers, whom I will not name, was accosted by members of the public and told that it is a public forest. I expected the President to say that his Government will support legislation that will declare all forests national forests and not Government forests, so

that if it is the National Rainbow Coalition (NARC) Government or KANU in power, they will not consider the forests theirs, but national forests. That law will require that whenever the country wants to touch an inch of our forest land, it will require a unanimous resolution of this august House. I would also have expected the President to say that his Government will introduce a policy for giving awards to Kenyans who have given special attention and commitment to the preservation of the environment, particularly to reforestation.

Again I want to ask whether it is the policy exposed in this Presidential Address that the Government will be a creature of the law. Why do Government Ministers tell the public that they will not respect a court order, and that they will regard it as a piece of paper? Which is the policy? Is it the action of the Minister, the statement of the Minister or the Presidential Address? These are cases of contradiction. Hon. Members of the Cabinet should stop flattering the President. There is confusion in the President's exposition of public policy as I have demonstrated.

I want to touch on something on the issue of family values. The President in his Address talked about family values. What did he say or not say? He has not acknowledged that this country is applying a law that even the Britons who invented it would be ashamed to admit that it exists when it comes to divorce. If a Kenyan wants to have a divorce he has to prove something called "matrimonial offenses". Way back in 1975 the late President Mzee Kenyatta established a Commission to look into the law on marriage and divorce. The Commission's recommendations were also adopted by Tanzania.

With those few remarks, I beg to oppose.

The Member for Mathira (Mr. Gachagua): Mr. Deputy Speaker, Sir, my names are Mr. James Gachagua, Member of Parliament for Mathira Constituency.

May I take this chance to thank the Electoral Commission of Kenya for having conducted a fair general election. Even before that, I want to thank members of the National Rainbow Coalition (NARC) Elections Board for having nominated me as a NARC candidate. The seat was hotly contested and I thank the members of the NARC Election Board for being just and fair. That accounts for my presence in this august House today.

Let me commend His Excellency the President for an Address well delivered. It is an Address that touches on all aspects of Kenyan life. I also want to commend him particularly for having singled out the North Eastern Province for special treatment in the coming years, during which the NARC Government will be in power.

In the area of education, as was discussed earlier in the House today, it is the intention of the Government as indicated in the Presidential Address, to accord free and compulsory primary education to all Kenyans. I would hasten to say that, the free and compulsory primary education programme will not succeed in North Eastern Province and the pastoral areas without the provision of boarding facilities. Our commitment to offer free and compulsory primary education stems from an international commitment to the rights of the child through an international convention.

The noble objectives that His Excellency the President sets out in his Address will not be achieved unless a few areas are addressed. One of the areas that need to be streamlined is the personnel that will implement these objectives; the personnel, particularly teachers, must be well remunerated. The NARC Government knows very well that it owes its existence to the commitments that were made to the teachers. This was a commitment by the NARC Government to honour the obligation inherited from the former Government by implementing the teachers' salary increment. I hope that the NARC Government will ensure that, that committed is undertaken. Otherwise, there will be no difference between the NARC Government and the former KANU Government.

Let me talk on civil servants in this country. We are in an era of zero-tolerance to corruption. It would be naive to think that you can declare zero-tolerance to corruption without looking into civil servants' remuneration. We must remunerate them properly in order to discourage their involvement in corrupt activities. While on this issue, I cannot ignore the remuneration and pay packages that have been proposed for hon. Members of Parliament. This matter is now open to public debate. You have heard the cries out there---

Mr. Deputy Speaker: Order, Mr. Gachagua! I do not want to interrupt you, but that is anticipating debate. You should not discuss the contents of the Report of the Tribunal because the Report will be debated in the House.

Proceed!

The Member for Mathira (Mr. Gachagua): Thank you, Mr. Deputy Speaker, Sir.

While on that subject, I will touch on something closely related to it. I would like the Government to consider our colleagues in civic authorities. These are politicians who deal with members of the public on a day to day basis. They are leaders who are confronted on a daily basis by people with all kinds of problems and, inevitably, most of these problems relate to financial help for the wananchi. I am making an appeal that, even as we look into the remuneration of the various cadres of staff in the Government, we should also consider the

possibility of also increasing the salaries and allowances of councillors. We should look at the possibility of the central Government making a provision to increase the salaries and allowances of councillors, so that during this era of zero-tolerance to corruption, councillors will be able to discharge their duties without being tempted to engage in corrupt activities. This is only fair. One of the justifications for the pay that we get is that our salaries and allowances are part and parcel of public expenditure.

I would like to talk about the illicit liquors, which issue was raised earlier. It is a considered fact that our young men and women out there are totally incapacitated by some of the brews in the market. I am happy to hear that very soon, the police may be cracking down on the manufacturers of these brews. However, there is a lot that can be done by the Provincial Administration and the Ministry of Health to stop the manufacture of illicit brews. By this I mean that you have some of these power-generation brews which are issued with a liquor licence by the DC. I do not see any contradiction because the Liquor Licensing Act allows the DC to revoke some of the licences which are not desirable or which have a bad effect on the people who take these brews. Before legislation is brought in to close down the source of these brews, there is no reason whatsoever why the Provincial Administration cannot take action, through the DOs and the chiefs to eradicate some of these brews from the shelves. After so many people have been killed by these brews the Government should not hide behind a statement that it has no power to remove these brews from the shelves. That is clearly not acceptable.

Mr. Deputy Speaker, Sir, let me now turn to some of these so-called "Mount Kenya region appointments", because this is a matter which is being discussed out there. I am a bit disappointed that we have not had any rejoinder from the Government to address a situation which is untrue. Before that statement got into the electronic and print media, there was nothing like that. To me, this seems to be just a veiled way of referring to tribalism. Let us look at the so-called "Mount Kenya region" and look at the appointments which have been made district by district and you will clearly see that this is a fallacy. If you do this, you will find that there are no preferred appointments from that region. I would like to challenge anybody to name them and say who they are. In any case, although no appointments have been made on that basis, even if that were the case, it is a fact that perhaps people from that region of this country are the majority in our jails, hospitals and everywhere. Perhaps, it is only fair that they be majority in the Government.

Hon. Members: No! No!

The Member for Mathira (Mr. Gachagua): Mr. Deputy Speaker, Sir, although I have said that, it is not true. I think it is not good for this House or for Members of this House to take us back to the old days where everything in this country was viewed from a tribal angle, so that if Mr. Kilonzo is appointed a Minister, you see him as a Kamba and if Mr. Kariuki is appointed a Minister, you see him as a Kikuyu. As a NARC Government, we have a commitment to "kill" tribalism in this country. We cannot do away with tribalism in this country as long as Members of this House continue to be the champions of seeing everything in Kenya from a tribal angle. We must stop that.

Finally, let me touch on resettlement of squatters. I come from a constituency where the squatter problem is nagging us. We have people who have lived on the roadside for the last ten years. This place is commonly known as "Muoroto". These are Kenyans who have been free since 1963. They live on the roadside notwithstanding that we have Kenyans who own thousands and thousands of acres of land. There was a proposal that when the NARC Government comes into power, in fact, none other than His Excellency the President, when he passed there on 24th November, last year, made a commitment that some of those people would be resettled. However, I do acknowledge that we have a policy of respecting our forests because the initial plan was to settle these people in some of the forests there. However, if that plan is not feasible, it is right that a Motion is brought in this House for Government to create settlement areas for these people so that they can be settled somewhere.

Mr. Deputy Speaker, Sir, I support the Motion.

The Assistant Minister for Foreign Affairs (Mr. Mwakwere): Thank you, Mr. Deputy Speaker, Sir. I am the Member of Parliament for Matuga Constituency and this is my maiden speech. Kenyans in Matuga Constituency are extremely delighted that the NARC Government was elected and is in power. The last 39 years of Independence have been a nightmare for the people of Matuga. They have been a nightmare because out of all the districts in this country, Matuga in Kwale District, has been the most marginalised. These people have been denied their development rights; they have been robbed of their land; they have been denied access to the ocean where they used to carry out fishing; they have been abused in the sense that even clashes were created or instigated from outside in 1997 and many people were killed, jailed, women were raped and there were all sorts of torture that the Matuga people experienced.

Mr. Deputy Speaker, Sir, I am standing here to support what His Excellency the President presented in his Speech. The President's Speech gives us a lot of hope in Matuga, that there is light at the end of the tunnel. Before that, we had not even seen the tunnel let alone the light. The points that he raised that touch on

development give us hope that our lifestyles will improve. The points that were raised by His Excellency the President give us hope that we shall now join the rest of Kenyans in enjoying development as an independent country.

Mr. Deputy Speaker, Sir, I will go into a few details. When you look at the question of land, way back in 1963, having realised that Kwale District was one of the richest districts in the country, potentially with very good agricultural land - but unfortunately in 1963 the level of education was very low, somebody came up with the idea of land adjudication. When that was done, there was no regard to the tradition of the people of Kwale. The Digos, Durumas and Kambas who live there do not sell land; they mortgage their land. In total disregard of their tradition and culture, these people who were slightly better schooled, came up with the notion of selling land. I now put it to this House that the Kwale people did not sell their land; they only mortgaged it in accordance with their tradition and they will pay exactly what they received because that is what their tradition stands for. We call it "*Kubwaga Rahani*" in my language.

Mr. Deputy Speaker, Sir, in the process, people decided to come up with laws that empowered the former Head of State to apportion beach land. That was done in total disregard of the lifestyles of the people and, in the process, our fishermen do not even have access to the ocean and we have really been constricted in a situation where there is food insecurity as a result of those decisions.

Mr. Deputy Speaker, Sir, our land has been taken and not just public land but even private land. I have a case in point of Chenze Ranch - a co-operative ranch which was taken by some senior people in the previous Government and it must be brought back and we shall, indeed, present details to the Minister for Lands and Settlement who has given us hope that the matter will be addressed and fairness will prevail.

Mr. Deputy Speaker, Sir, when I talk of the clashes in 1997, I am referring to the situation where the people of Kwale, Matuga and those who live south of Likoni Ferry did not start the clashes. They were instigated for reasons best known by whoever instigated them. However, in the process, I can now tell you that people of Kwale sympathise with all those people from upcountry who were tortured in chambers which have now been exposed and we know how they suffered. We feel very sorry for them and it is right and proper that they put forward their case for fairness to prevail.

Mr. Deputy Speaker, Sir, the people of Matuga, through the *Kaya Bombo* clashes which were instigated from elsewhere, do not have chambers to show the torture they underwent. They have torture bushes and graves to show where our people were killed. Children were even killed and women were raped. Men were jailed, from Ali Said Chizondo, Rahim Mwawassa, Omar Masumbuko to Omar Bora and many others just to mention a few and we can provide a list of the people who were tortured and they must be compensated fairly.

Mr. Deputy Speaker, Sir, we have been living in fear over the last 39 years. The Government created Shimba Hills National Reserve, but that reserve carries more elephants than anyone wants to see. As a result of that, those elephants have been terrorising the people of Matuga and they are not doing their farming with any confidence any more. It was reported in the newspapers recently that the Kenya Wildlife Service (KWS) were even unable to put the elephants back into the reserve. We are saying that the people of Matuga will be prepared to ensure that their crops are not destroyed by elephants. They do not want to take the law into their own hands, but they cannot live in a state of fear. We were encouraged by His Excellency the President, who I caught to say, "when fear rules the hearts of a people, no form of real development can take place." We have been living in fear, but we are telling the country, also, that Matuga and Msambweni constituencies have the biggest deposits of titanium and we, people of Matuga, are ready to see that, that natural resource is exploited for the benefit of all Kenyans. However, we must have the benefit of development as a result of that exploitation of the mineral. We are saying that the mineral should not be refined in South Africa, and that the prospecting of the mineral must create jobs which will, first, go to the people around that area. As I am talking now, the people of Matuga do not get jobs anywhere in this country because they are branded *Kaya Bombo* people. We are living in a situation where it is only the NARC Government that can save us. We are living in fear and that is why the people of Matuga voted in NARC en masse and rejected the KANU Government that oppressed us for 39 years.

However, we are very patriotic and we have always been regarded as people who are not tribal or tribalistic in our tendencies. That is why Matuga Constituency is the only place where you will probably find every Kenyan tribe living happily with the indigenous people; the Digos and the Durumas. We still remain peaceful and friendly, but we are saying enough is enough and we would like to share that cake of development with the rest of the country. Unless that is done, then we shall make a very loud statement that will send a strong message. But we have every hope from the President's Speech that the people of Matuga like the rest of the Kenyans, who suffered, will enjoy the fruits of development for the years to come and never again will they suffer the way they did.

Mr. Deputy Speaker, Sir, water catchment areas are in plenty in Kwale District, but you will be surprised

that all that water from Marere and elsewhere is channelled to Mombasa, to the beach hotels and people do not get piped water in Matuga Constituency. Instead they are sharing water in some water points with monkeys and some wild animals including pigs. This is totally disappointing, but in support of the Speech, we know the future is bright and we know we shall have our place in development.

Mr. Deputy Speaker, Sir, as I said, we are not a poor district, but we have been marginalised by people who are hungry, people who came over to take advantage of the people's low level of education. However, I am pleased to say that, unlike what was reported in the papers recently, we now have very well schooled men and women who can take responsibilities or jobs at any level in this country.

(A mobile phone rang in the Chamber)

Mr. Deputy Speaker: Order! Order! Did I hear a cell phone ring? Whose was it? Could the hon. Member own up?

An hon. Member: It is from the Press Gallery!

Mr. Deputy Speaker: I understand it is from the Press Gallery. May I warn members of the Press that we do not entertain cell phones in the Chamber. For today, whoever has done that is forgiven. Let it not be repeated.

The Assistant Minister for Foreign Affairs (Mr. Mwakwere): Mr. Deputy Speaker, Sir, may you give me two more minutes because of your useful intervention?

There is a problem that is engulfing the whole country. My colleagues have talked of illicit brews that are being sold in many parts of the country, and particularly upcountry. In Matuga Constituency, maybe because of the tourism industry, with the hotels in Diani and elsewhere, we have the problem of cocaine being sold along the road in the villages. As I talk now, it is a matter of great worry to the people of Matuga Constituency. Our young men are actually turning into zombies, because somebody somewhere in this country; a very rich person whom I have not identified yet is actually importing hard drugs into this country. He has targeted the people of Matuga Constituency because he knows that once that young generation is destroyed and the older people die of natural causes, then we will have a country that is rich in resources open for grabs since they already have the title deeds which they acquired illegally.

I support the Motion.

The Member for Wajir East (Mr. M.A. Mohammed): Mr. Deputy Speaker, Sir, I would like to congratulate my colleagues on the opposite side of the House who resisted the KANU and FORD-People waves. Similarly, I would like to thank my colleagues on this side of the House for resisting the NARC wave in the last General Elections. It is very clear that the men and women or hon. Members in this House are all "total men and women" because of resisting those very strong waves.

Mr. Deputy Speaker, Sir, I would like to join my colleagues in recording my thanks and appreciation to His Excellency the President on the wonderful Speech he gave during the opening of the Ninth Parliament. The Speech contained detailed Government policy on various sectors of the economy. It also gave hope and inspiration to Kenyans because it addressed their problems and also the solutions to those problems. Above all, the Speech clearly spelt out a deliberate attempt to bring development to North Eastern Province and the ASAL areas in general.

This policy statement came at the right time after people have suffered for a long time. It is, therefore, our hope that the NARC Government does not just make empty promises. We would like the NARC Government to honour the promises they have made particularly with regard to North Eastern Province and all the ASAL areas in the Republic. The areas highlighted in the Speech included education, health, security, water, communication and et cetera. I think he has mentioned nearly all the sectors; that are very important. I would have included two other important sectors these are livestock development, which is the backbone of this region, and also rural electrification. The other day everything came to a standstill in this House because of a power blackout. That shows the importance of power everywhere. You cannot even start a small industry anywhere without energy. I would like to call upon the Government, particularly the Minister for Energy to provide power in Northern Kenya so as to enable people to improve their lives and free them from poverty.

Mr. Deputy Speaker, Sir, about 75 per cent of the land in Kenya is found in ASAL areas and Northern Kenya as a whole. Almost three quarters of the population of Kenya lives on the remaining 25 per cent of land. Therefore, only a quarter of the population lives on this 75 per cent of the total land mass. If this area is given all the necessary infrastructure and developed adequately, then we would be able to settle all landless Kenyans. We have other potentials like minerals, wildlife, oil and so on and we would like the Government to exploit all these

resources.

Mr. Deputy Speaker, Sir, secondly, I would like to touch on security. Security is one of the issues contained in the Government policy and its importance cannot be overemphasised. It is the role of the security forces to protect our lives and property. The other day the President said that the police and other security services will have their terms and conditions of services improved. We hail the Government for doing that. However, if these security forces are going to turn against the tax payers and start torturing, killing and maiming people, there is no need of increasing their salaries and improving their terms and conditions of service. For example, the other day we saw what used to happen in Nyayo House. Some of us never knew that such cells existed. People were tortured, maimed and made to suffer other atrocities. There were a lot of other human rights abuses outside Nyayo House. The one I have in mind is the infamous Wagalla Massacre which took place between February 10th to 14th, 1984. More than 10,000 people were rounded up by the security forces in Wajir. These were harmless, defenceless, old and sick people. They were rounded up and put in concentration camps at a place called Wagalla, which is about 15 kilometres from Moyale Road. They were kept there for four days and, as a result, more than 500 people died. Others were killed by the security forces. Some were doused with petrol and set ablaze, others were hacked to death while others were stoned by the security forces. More than 5,000 people were maimed. If you go to Wajir today, you will see thousands of orphans and widows. Up to today, nobody has told us why those people were killed. The then Government admitted to have killed 57 people. Even the 57 people killed were not compensated. Out of the 57 people killed, 50 were civil servants. The Government even refused to release the death certificates to the families of those killed so that they could seek compensation. Up to today, their families have never been compensated.

Mr. Deputy Speaker, Sir, the NARC Government seems to be moving very fast in axing people like Justice Chunga and the rest. I would like the NARC Government to arrest the small people because Justice Chunga is a very big man. They should arrest those people who killed our people and bring them to justice. I would like them to face the music if the NARC Government is really serious. I would like them to set up a commission to investigate the Wagalla Massacre. I would like to see a monument of shame build by the NARC Government in Wagalla. It was the late hon. Khalif who highlighted the Wagalla massacre and because of that he was almost detained in 1984. I would like a school build in Wagalla in honour of the late hon. Khalif who died recently.

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

The Member for Rangwe (Eng. Okundi): Mr. Deputy Speaker, Sir, my names are Eng. Philip Okoth Okundi, Member for Rangwe Constituency in Homa Bay District.

Mr. Deputy Speaker, Sir, first, I would like to thank you for allowing me to make a maiden speech. I also want to thank the Rangwe constituents for electing me to this august House. I will represent their views and argue their cases for the development of Rangwe Constituency.

Mr. Deputy Speaker, Sir, when I look at the Speech of His Excellency the President that he delivered on the State Opening of the Ninth Parliament, I feel it was extremely inspiring. The Speech was very visionary and full of very clear missions. In almost all paragraphs, it summarises the main problems which have contributed to the economic decline in this country. These are corruption, insecurity and mismanagement of public funds, enterprises and resources. For example, corruption has permeated almost every sector of the society. However, it is important to establish a specific authority with the necessary powers to deal with corruption. As far as the war against corruption is concerned, I want to thank His Excellency the President because he has taken immediate steps to introduce instruments that will address this particular area. The Government has already published the Anti-Corruption and Economics Crimes Bill, the Public Officer Ethics Bill and the Constitution of Kenya (Amendment) Bill. These Bills prescribe measures that will help us to bolster our economy without allowing this decline to take place in future.

In the area of insecurity, we have seen a number of actions taken. The National Rainbow Coalition (NARC) Government is actually taking quite a lot of action. If you allow me, I will explain later how insecurity actually affects my constituency.

Mr. Deputy Speaker, Sir, we have cases where rural enterprise loans, which are only accessed through the voucher system, seem to have collapsed because you have to bribe somebody in order to access these loans. So, corruption has permeated into our society so much that when you are engaged in it you may not realise that you are actually in it.

Before I conclude my contribution to the Motion on the Presidential Address, I would like to say that in the area of HIV/AIDS, there was a mere mention of it. We do not see very specific action in the area envisaged in the Address. I wish to say that this is, perhaps, the most crucial area today in this country. It will actually determine how we shall survive. It is said that in some districts - somebody told me about Migori District in

particular - the death rate, because of HIV/AIDS, is now higher than the birth rate. If that happens in other districts, we can envisage a situation where we will not have people who can develop particular areas of our economy. The HIV/AIDS problem is so serious that instead of arguing about where this portfolio should be placed, I would suggest that the President himself handles it for the time being until the situation improves. Otherwise, money might end being corruptly spent when people are dying. It is part and parcel of the poverty problem, which is all over the country.

I would now like to talk about my constituency, Rangwe. In terms of resources and benefits that people get from the Government, my constituency has not benefitted for the last 20 years. The road network in the area has collapsed, water is polluted, there is no electricity, and farming has also collapsed. Rangwe Constituency is bordered by Homa Bay, which is part of Lake Victoria. When I was a child, the Homa Bay used to have clean water. However, water in that bay is now dirty and stagnant because the causeway at Mbita, which is in Suba District, was, some time back, closed because the Government was doing some work in that area. So, the water does not flow. Therefore, the bay itself is silting; the water is further polluted by the sewerage plant in Homa Bay Municipality, which also stopped working many years back. Raw sewage is discharged into that small bay. So, the people are constantly being fed with bacteria-infested water. Therefore, in the circumstances, nobody can rightly say: "As a Government, we are working for your future and wellbeing." The effluent that goes into the place from where they draw their water for life is likely to terminate their lives. Water and sewerage treatment projects were being implemented by Scandinavian countries. As you know, when there were the allegations of Mwakenya by the former Government, those countries were banned from this country. As a result, all those projects stalled. The situation is so bad that we will have to put across those cases now and then, till we see the benefits that the people expect from the Government.

Mr. Deputy Speaker, Sir, I would like to touch on the area of farming. In those parts of South Nyanza, many people do fishing. We also grow cotton, tobacco, pineapples and engage small businesses. Those businesses have collapsed either because of the mismanagement in the co-operative sector or because of poor prices in the market. There are efforts to revive them but, as you know, like almost everywhere else, that area is not working at all. I know that in the Eighth Parliament, there was the Cotton Bill. It lingered until the whole five years ended. This time, in the Ninth Parliament, and because of the activeness of the NARC Government, I would suggest that the Cotton Bill be passed, so that it can direct the way that cash crop could be revived in the region. On fishing, you have heard that we churn out nearly 20 million tonnes of fish per year in that area alone.

But that is dwindling because of the polluted and stagnant water due to reasons that I have mentioned. Because of poor prices and lack of rural electrification which would enable us to store the fish in a freezer until the prices stabilise, the fishing industry is almost collapsing. That also goes for pineapples and other products. By about midday, a fisherman gets almost nothing for his fish!

Mr. Deputy Speaker, Sir, the President's Speech touched on all those areas.

With those few remarks, I beg to support.

The Member for OI Kalou (Eng. Muriuki): Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to say a few words with regard to the magnificent Speech by His Excellency the President. I wish to start by introducing myself. My names are Eng. Karue Muriuki, Member of Parliament for OI Kalou Constituency in Nyandarua District. I wish to start by congratulating Kenyans for seeing the wisdom to elect an *unbwogable* Government, *unbwogable* Members of Parliament, an *unbwogable* President and before very long, an *unbwogable* economy. I wish to admire the President's will and effort to wipe out corruption. As I speak, I am happy to be wearing a badge on which it is written: I love Kenya and I hate corruption. All Members of Parliament were given a badge like the one I am wearing by the Anti-Corruption Police Unit. I would recommend that everyone wears a badge like this, at least, every so often.

Mr. Deputy Speaker, Sir, when we talk about corruption, we often focus on the police and petty corruption. I am, by no means, suggesting that it is alright. But the real corruption is happening in the posh offices of the Government, parastatals and other organisations.

I am a civil engineer with a very long experience. I have been a consultant on roads, buildings and water projects. For a long time, the engineering fraternity has known that tenders in the private sector are awarded through a proper procedure while tenders in the Government are irregularly awarded. As a Government consultant, you will do your job and value a project at Kshs100 million, only to find that the contract is awarded at a cost of Kshs500 million. Some of the contracts in Government Departments and parastatals are no longer contracts. We should call them "eating programmes". We should arrest all the people who have been involved in such corrupt practices.

Mr. Deputy Speaker, Sir, during the last Parliament, I was an hon. Member of the Departmental Committee on Energy, Communications and Public Works, and I hope I will have another chance to serve in the

same Committee during this Parliament. Members of the Committee realised that we not only have a very big variance in the price of tenders in the Government as opposed to those in the private sector, but there is also a variance in the cost of tarmacking a kilometre of road by various contractors awarded work by the Ministry of Roads, Public Works and Housing. You will find that a contractor is paid Kshs5 million to tarmack a kilometre of a road while another one is paid Kshs40 million to do the same job. We are very happy that His Excellency the President, in his wisdom, has appointed a Minister and an Assistant Minister who are engineers. We hope they will curb looting at the Ministry of Roads, Public Works and Housing.

The other sector where corruption is rampant is the co-operative movement. Again, I must say it is commendable that we now have a full-fledged Ministry of Co-operative Development. I want to talk about the Ol Kalou Farmers Sacco Bank. Members of the Sacco have been asking the Government to step in and solve the problem of embezzlement of funds. Funds were being misappropriated left, right and centre by members of the Sacco Committee in collaboration with Government officials. Last year when I called a public meeting to discuss this issue, the former KANU Government sent police officers armed with batons and tear gas canisters to disrupt the meeting. The NARC Government formed an inquiry to investigate the matter, and it has found out that, in a period of 12 months, Kshs36 million belonging to poor farmers has been embezzled by individuals and officials of fake companies, in collaboration with the Commissioner of Co-operatives. We have a Provincial Co-operatives Officer and a District Co-operatives Officer in Ol Kalou. The report gives a breakdown of the people who owe the money to Ol Kalou Sacco Bank. The General Manager and the Chairman of the Sacco owe the bank Kshs1.7 million and Kshs2.6 million respectively. The report by the inquiry recommends that the Anti-Corruption Police Unit should step in and investigate the matter, yet the Commissioner of Co-operatives has not taken any step. What interest does the Commissioner of Co-operatives have to destroy the Ol Kalou farmers Sacco Bank? People who have stolen this money are still around.

While still talking about corruption, I will touch on a different subject which is closely related to what I have been talking about. This is about money Laundering, which happens when you get very "dirty" money from very "dirty" sources and then find a way of "cleaning" it. People who have stolen Kshs36 million from poor farmers' savings in Ol Kalou are around there. They have bought shambas which they have registered in the names of their wives, sons and unborn children. They have bought maisonettes and other properties, yet there is no law which provides for the Sacco to attach their properties. They have bought assets which cannot be traced because they are not registered in their names. Others married extra wives who cannot be auctioned to recover the money. I would like to ask the Minister for Justice and Constitutional Affairs to bring a Bill to this House which will be anti-laundering, so that when you steal money, we follow you. Kenyans are happy that His Excellency the President has set up a Commission to look into the Goldenberg scandal. In the 1780s when the French decided to clean their country in the so-called "French Revolution", they started cleaning from the top and eventually, the cleaners got cleaned. In due course, even the brooms which were cleaning were also cleaned. We should start cleaning our country now. Word should reach His Excellency the President that Kenyans are fully behind him and they would like to see the cleaners being cleaned.

Mr. Deputy Speaker, Sir, last but not least, we cannot continue pretending that all is well when the person who is in charge of collecting our taxes in the Kenya Revenue Authority is the same person whose company, behind the scenes, has taken a total of Kshs256 million from public coffers. This is shameful and it is time he resigned so that he can lay the ground bare for us to look through. As the French said, when you start cleaning, you have to clean thoroughly. Let nobody deceive himself. Everybody has to carry his cross. When we start cleaning, do not say that your brother from Mount Kenya, the lake region or from wherever is being targeted.

Mr. Deputy Speaker, Sir, I would like to make those few remarks.

I beg to support.

The Member for Turkana South (Mr. Achuka): Ahsante sana Bw. Naibu Spika. Jina langu ni Mhe. Francis Ewaton Achuka, Mbunge wa Turkana Kusini. Ninakushukuru sana kwa kunipatia nafasi hii ili nichangie Hotuba ya Rais. Hotuba ya Rais ilikuwa nzuri na kama yale mambo ambayo yaliguziwa yatatekelezwa, yatanufaisha Wakenya.

Katika Bunge la nane, tulikuwa na Hotuba kama hiyo, lakini yale mambo ambayo yaliguziwa hayakutekelezwa. Ningependa kuwapongeza Wakenya kwa kuamua kulingana na maoni yao. Hata hivyo, ningependa kuliambia Bunge hili na Wakenya wote kwa jumla kwamba si vizuri kukilaumu chama cha KANU. Hii ni kwa sababu, chama cha KANU kilifanya mambo mengi mazuri katika nchi hii.

(Applause)

Kama kuna mtu mmoja, wawili au watatu ambao waliharibu mambo, basi, watu hao ndio wangelaukiwa badala ya kukilaumu chama cha KANU. Chama cha KANU, kama mjuavyo ni chama ambacho kimekomaa, kilipigania uhuru mwaka wa 1963 na kimeongoza nchi hii kwa miaka 40.

Kulingana na jinsi nyinyi Waheshimiwa Wabunge mlivyoona Wakenya, KANU imepiga hatua kubwa kimaendeleo. Mimi nimetembelea nchi nyingi za Afrika Mashariki kama Uganda na Tanzania. Hata nimeenda mpaka Ethiopia na nchi za Mashariki ya Kati. Hizi ni nchi ambazo zimejitawala kwa miaka karibu 3,000 mpaka 5,000 na Kenya imejitawala kwa miaka 39 peke yake, lakini imefanya maendeleo kubwa kabisa. Kwa hivyo, haya mambo ya kulaumu KANU kwamba imeshindwa na imepeleka nchi nyuma, siwezi kukubaliana nayo.

Bw. Naibu Spika, wakati NARC ilikuwa ikifanya kampeini zake---

The Assistant Minister for Labour and Human Resource Development (Mr. Odoyo): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to say that KANU is going down when, in fact, its libido is now beyond control? It is going up! KANU cannot control their libido!

Mr. Deputy Speaker: Order! Mr. Odoyo, please give the hon. Member his time since it is moving fast.

Prof. Oniang'o: On a point of order, Mr. Deputy Speaker, Sir. Surely, the word "libido" is unparliamentary!

(Applause)

Mr. Deputy Speaker: That is not a point of order; it is a point of information.

The Member for Turkana South (Mr. Achuka): Bw. Naibu Spika, Mheshimiwa Mbunge huyo ametaja neno ambalo ni la kukosa heshima na nidhamu. Huyo Mheshimiwa Mbunge ni mtoto wa KANU. Amenyonya maziwa ya KANU ndipo---

(Laughter)

Mr. Deputy Speaker: Mr. Odoyo, could you be gracious enough to withdraw that word?

The Assistant Minister for Labour and Human Resource (Mr. Odoyo): Mr. Deputy Speaker, Sir, under the indulgence of the Chair and the House, I humbly withdraw any reference to the word "libido" connected to KANU!

(Applause)

The Member for Turkana South (Mr. Achuka): Bw. Naibu Spika, KANU ilipiga hatua kubwa. Wakati ilinyakua Uhuru haikulipisha kisasi mbaya kwa wabeberu. KANU iliwasamehe wabeberu kwa vitendo vyao mbaya. Mzee hayati Kenyatta alitawala nchi kwa miaka 15 chini ya KANU. Alitawala kimaendeleo. Aliwagawia wananchi ploti na mashamba na wakati alipoaga dunia, Rais wetu mstaafu, Moi, alichukua uongozi wa nchi na akapeana ploti na mashamba. Aliongoza nchi hii mpaka pahali tuko sasa. Wakati alipostaafu, alipatiana uongozi kwa heshima na kupenda nchi hii iendelee mbele. Kwa hivyo, hata yeye alikuwa na haki yake ya kupeana mali ambayo alikuwa nayo. Pia wakati NARC ilipokuwa ikifanya kampeini, ilisema tufuate haki na sheria. Kwa nini wakati NARC imepata uongozi inakimbilia KICC bila kufuata sheria na haki? Je, hiyo ndiyo kazi Rais Kibaki alikuwa anataka kufanya wakati alipochukua uongozi wa nchi hii? Sisi hatuwezi kuamini maneno kama hayo. Hatuwezi kuamini kama NARC itakuwa ni serikali ya kufuata haki na sheria. Tuko na hofu kwa sababu kile kitendo kimetendewa KANU ni kutoheshimu wale waliopigania Uhuru pamoja na hayati Rais Kenyatta.

Dr. Kwalale: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to discuss the issue of the Kenyatta International Conference Centre (KICC) when we know that the matter is in court?

Mr. Deputy Speaker: I am not aware that it is in court. In any case, you have been discussing it. Continue, Mr. Achuka!

The Member for Turkana South (Mr. Achuka): Bw. Naibu Spika, ninaongea juu ya jambo ambalo linaendelea na tuko hapa Bungeni kurekebisha makosa. Wanasema NARC, NARC, ilhali karibu robo-tatu za waheshimiwa Wabunge katika upande ule walikuwa katika KANU! Ikiwa tunataka kuchukuwa mashamba au rasimali za Serikali zilizonyakuliwa, tutaanzia enzi ya wakoloni, kisha enzi ya Mzee Kenyatta na Mhe. Moi. Kwa nini wanalenga tu Chama KANU na mhe. Moi? Jinsi Serikali ya NARC inavyoshughulikia jambo hili inaonyesha madharau makubwa kwa Chama cha KANU na hasa kabila fulani. Hiyo si haki hata kidogo. Kwa hivyo, mimi sitaunga mkono Hotuba hii ya Rais kwamba Serikali yake itaheshimu utawala wa sheria mpaka makosa hayo yatakaporekeshwa.

Kwa hayo machache, ninapinga.

(Applause)

Mr. Deputy Speaker: Mr. Kingi, I have a few minutes for you.

The Member for Ganze (Mr. Kingi): Thank you very much, Mr. Deputy Speaker, Sir. My name is Joseph Kingi Kahindi, and I am the Member of Parliament for Ganze Constituency in Kilifi District. Ganze Constituency, as you might know, for the last 40 years or so, was almost the preserve of KANU and for about 29 years, the Member of Parliament was Mr. Noah Katana Ngala. I am giving you this information with a purpose. The purpose is, maybe, we would expect that a constituency which has been a preserve of the ruling party for 40 years and has had the opportunity to have a Cabinet Minister for all that time would be one of the most developed constituencies in this country. But come to Ganze today and you will be surprised and even shocked. In fact, when my colleagues from North Eastern Province and Kwale District stand up here to say that their areas are some of the most underdeveloped constituencies in this country, I get the feeling that, perhaps, these hon. Members have not been to Ganze yet. Let them come to Ganze and see for themselves what an underdeveloped constituency is. That is why I stand here to thank the people of Ganze for having voted for change, and also, for having joined other Kenyans in this country to vote for change.

(Applause)

Mr. Deputy Speaker: Order! Order! Mr. Kingi, you have eight minutes more. You can continue on Tuesday next week.

The Member for Ganze (Mr. Kingi): Thank you, Mr. Deputy Speaker, Sir.

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, it is now time for interruption of business. The House is, therefore, adjourned until Tuesday, 4th March, 2003, at 2.30 p.m. I wish you a happy weekend.

The House rose at 6.30 p.m.