

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 23rd March, 2006

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

POINT OF ORDER

RIDICULE OF THE HOUSE BY A MINISTER

Mr. Weya: On a point of order, Mr. Speaker, Sir. Yesterday, the Speaker thanked the House for having conducted its business in an orderly manner and for operating within the law. Yesterday, a Cabinet Minister said, and he was referring to hon. Members: "You have gone to the voting process and then you start---" He went on to say that we were throwing tantrums like spoilt brats. I do not think it was in order for a Cabinet Minister to say such a thing in the premises of Parliament. It is not in order for him to refer to hon. Members as "young spoilt brats". I think this House requires an apology from that Cabinet Minister.

Hon. Members: Who is he? Name him!

Mr. Weya: Mr. Speaker, Sir, the Cabinet Minister is Mr. Raphael Tuju, the Chairman of the People's Progressive Party (PPP).

Mr. Speaker: Order, hon. Members! I really thank the hon. Member, because for a long time, we have sunk this low. Hon. Members have left their rightful duty of policing honour and decorum in this House. It is the hon. Members who must police the application of the rules of honour to this House. It is a question of privilege. Indeed, yesterday, the very first sitting of this House after the State Opening of Parliament, this House conducted itself with uttermost decorum, although there was active disagreement on issues of principle. That is how it ought to be. I do not expect any hon. Member to use the kind of language that was used by the Minister yesterday in reference to the conduct of business in this House or hon. Members. If there is any complaint, it should be brought to the Floor of the House or to the relevant Committee of the House. I hope that not only the concerned Minister is hearing me right, but also everybody else. I would like to remind this House that there is the Powers and Privileges Committee that is empowered to deal with these matters. My only sadness is that many bad things are said between hon. Members, and yet they do not refer those matters to the disciplinary Committee. Let all of us be vigilant. Any lowering of the dignity of this House is tantamount to lowering the dignity of each one of us. I am sure hon. Members know the kind of attitude Kenyans have towards this House. That goes down to us as individuals. So, let us guard very jealously, the integrity of this House and that of each hon. Member. There is no heroism or honour in being an insulting adult!

Thank you.

(Applause)

Mr. Munya: On a point of order, Mr. Speaker, Sir. I rise to seek your guidance because those remarks were made at the Press tent. There are so many hon. Members accompanied by strangers, who hold Press conferences under that tent, to make such remarks.

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

Mr. Speaker: Order! Order, all of you! First, let us get things right. That was not the case. The remarks were made in a Committee. Even if the remarks were made in a tent or stadium, every hon. Member is expected to carry his or her dignity and integrity with him or her wherever he or she goes. I am complaining about some hon. Members insulting others. Hon. Members must be honest and respect one another. That was the gist of my Statement during the State Opening of Parliament. So, it does not matter one iota, whether the insult is hurled in Lokichogio, Lamu, Lunga Lunga or in Kisumu. The fact is that an insult has been hurled by an hon. Member at the collective integrity of this House. So, let us forget about that tent. If that tent will be misused by hon. Members--- I am the one who put it there, and whoever can put can remove! So, please, be warned!

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

Mr. Speaker: Now, let us finish that matter please! I think you will dilute my message. I do not intend to dilute it any further.

Dr. Godana: On a point of order, Mr. Speaker, Sir. I think you have handled the matter well and we need to cheer you for that. I would like you to assure the House that in line with your comments, when Mr. Tuju shows up here, he has a duty to withdraw those remarks and apologise to the House.

Applause)

Mr. Speaker: Hon. Members, this is the first time this issue has been raised. I have made a statement which I hope everybody respects. If Mr. Tuju does not, I will deal with him firmly.

Let us move on to the next Order!

PROCEDURAL MOTIONS

LIMITATION OF DEBATE ON PRESIDENTIAL ADDRESS

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

THAT, the debate on the Motion on the Presidential Address be limited to a maximum of seven days, with not more than 10 minutes for each Member Speaking; 20 minutes for the Leader of the Official Opposition---

Mr. Ojode: On a point of order, Mr. Speaker, Sir. I rise to seek a clarification from the Chair.

Mr. Speaker: On what?

Mr. Ojode: Mr. Speaker, Sir, is this Motion properly before the House? If the answer is "Yes", the Chair is aware that the Procedural Motion before us is for the Fourth Session and not for the Fifth Session, and yet we are in the Fifth Session. So, the Vice-President and Minister for Home Affairs should not move this Procedural Motion.

Mr. Speaker: Order, Mr. Ojode! You are now becoming frivolous.

Mr. Ojode: But, Mr. Speaker, Sir---

Mr. Speaker: Order! Mr. Ojode, please, do not get a distinction of being the first hon. Member to be dealt with. Look at your Order Paper. It states clearly: "Ninth Parliament, Fifth Session."

Mr. Ojode: Mr. Speaker, Sir, that is why I sought a clarification from you. This is because the Speech by the President which we will debate says: "Fourth Session".

(Applause)

So, we need a clarification from you. In any case, what is contained here---

Mr. Speaker: Order! Order, Mr. Ojode! Please, you are creating a mountain out of a very small ant-hill. If you look at the body of the Motion, you will find that it does not state the Session upon which the Speech was made, but it states the date when the State Opening of Parliament took place. In any case, if the Speech says the Fourth Session, Mr. Ojode, you know like I do that it was made on 21st March, 2006.

Hon. Members: There is a mistake!

Mr. Speaker: Order! I think there is something that I must clarify here. Sometimes, people do not count the very first sitting of the House to elect the Speaker as a Session. Indeed, it is a Session. So, in 2003, we had two Sessions. One Session lasted exactly one day and the House was prorogued. We came in March, 2003 for the Second Session; 2004 was the Third Session; 2005 was the Fourth Session. This year is the Fifth Session. All of us now understand that. So, let the matter rest there.

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

Mr. Speaker: Order! Order, Mr. Raila! First of all, let the Vice-President and Minister for Home Affairs move the Procedural Motion!

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

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

THAT, the debate on the Motion on the Presidential Address be limited to a maximum of seven days, with not more than 10 minutes for each Member Speaking; 20 minutes for the Leader of the Official Opposition, and the Mover in moving and replying, who shall be limited to 20 minutes in either case.

Mr. Speaker: Is anybody seconding the Motion?

The Minister for Planning and National Development (Mr. Obwocha): Yes, Mr. Speaker, Sir, I beg to second.

This is a Procedural Motion. I have tried to read and although there was a mention of the "Fourth Session", I cannot see it here on this Motion. However, I agree that it was in the Speech. Slipping is not falling! I believe the House wants to continue. We were elected to transact business in the House and I think we are doing so. My colleagues are constructive and so let us face one another in debate.

With those few remarks, I beg to second.

(Question proposed)

Dr. Godana: Mr. Speaker, Sir, I think we are getting a taste of things to come from this Government that cannot get correct facts even on a major issue such as the State Opening of Parliament; what session they are opening. Be that as it may, we concede that this a Procedural Motion.

With those few remarks, I beg to support.

(Question put and agreed to)

Mr. Speaker: Next Order!

LIMITATION OF DEBATE ON
PRIVATE MEMBERS' MOTIONS

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

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

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

The Minister for Planning and National Development (Mr. Obwocha): Mr. Speaker, Sir, I beg to second.

(Question proposed)

Dr. Godana: Mr. Speaker, Sir, once again we concede that this is a procedural Motion. Indeed, it is a routine Motion for this time of the calendar of every year of Parliament. With those few remarks, I beg to support.

(Question put and agreed to)

LIMITATION OF DEBATE ON
ADJOURNMENT MOTIONS

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

THAT, the debate on any Motion for the Adjournment of the House to a day other than the next normal Sitting Day shall be limited to a maximum of three hours with not more than five minutes for each Member speaking;

Provided that, when the period of recess proposed by any such Motion does not exceed nine days, the debate shall be limited to a maximum of 30 minutes, and shall be strictly confined to the question of the adjournment.

The Minister for Planning and National Development (Mr. Obwocha): Mr. Speaker, Sir, Dr. Godana and I were party to these procedures when we recommended to the House to consider them in our debate. This is basically a Procedural Motion.

With those few remarks, I beg to second.

(Question proposed)

Dr. Godana: Mr. Speaker, Sir, I confirm that with my colleague on the opposite bench hon. Obwocha, we played a part in introducing these procedures. We, therefore, concede that this is a Procedural Motion. I only hope that this Government will not take advantage of what they are

seeking to authorise to run away from their responsibility by adjourning Parliament at the flimsiest excuse.

With that understanding, I beg to support.

(Question put and agreed to)

Mr. Speaker: Next Order!

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

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

(Loud consultations)

Mr. Speaker: Order, hon. Members! Hon. Members to my right on the very far end, I think you better listen to the Vice-President and Minister for Home Affairs. At the end of the day, there will be a vote on this and I want you to vote having heard what has been said. So do not go and learn what has been said in the House from the Press. Hear it first hand here!

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

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

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday 21st March, 2006.

I want to take this opportunity to thank His Excellency the President for the excellent exposition of public policy he made on 21st March, 2006, in this House.

Mr. Speaker, Sir, it is imperative that all of us wherever we are should try to learn to sustain and maintain the policy of constructive criticism and at the same time give credit where it is due.

Mr. Speaker, Sir, the Speech by His Excellency the President was very non-partisan. It touched on very many pertinent issues that are facing us today.

Mr. Speaker, Sir, legislation is the main business of Parliament. The President chided us that, out of the 25 Bills that were presented to this House, only seven were passed. The rest will be dealt with during this Session. It is very important for Parliament to give this country the necessary leadership and that leadership must start right here with us hon. Members.

I will agree with you, Mr. Speaker, Sir, that, yesterday, all hon. Members conducted themselves with decorum. The debate that went on the entire day on the composition of the House Business Committee did not augur well for this House. It is time this House considered the interests of the nation first. We must desist from being political adversaries all the time.

I want to take this opportunity to ask all my colleagues on both sides of the House to reach out to one another. It is time we had dialogue and sorted out little matters that tend to divide us. That way, we will save a lot of time and taxpayers' money.

Mr. Speaker, Sir, over the last three years, Government policies are producing positive results. When we started this Government, one of the priorities was to jump-start economic recovery. At the time, the economy was growing negatively. I am happy to say that, in the very first year, that is 2003, the economy grew by 2 per cent. Last year, it grew by 5 per cent. If all goes well,

we expect it to grow by 7 per cent this year.

That has been as a result of wise monetary policies that this Government has put in place. You recall that we put mechanisms in place to reduce interest rates that were sky-rocketing at the beginning of 2003. Similarly, we made it possible for most entrepreneurs to access credit, particularly small business people.

Mr. Speaker, Sir, we created an enabling environment that has brought investments in this country. For example, right now, we know---

(Loud consultations)

Prof. Olweny: On a point of Order, Mr. Speaker, Sir---

Mr. Speaker: Order, hon. Members! Hon. Members at that very corner, will you please give the House its right to deliberate? Please, keep the peace!

Mr. Awori, please, proceed!

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, I was saying that the Government has created an enabling environment that has attracted investments in this country. We know that right now, our stock exchange is extremely vibrant. It is helping even ordinary people to invest their savings.

Mr. Speaker, Sir, we still have a lot of challenges ahead of us. When the economy grows, its benefits should flow all the way down to our people at the grassroots. While we say that the economy has grown by 4.6 per cent, urban areas tend to benefit more than the rural areas. Unemployment is still fairly high. In spite of that, I believe that we are on the right track. During the period, I know the economy should have grown at a higher rate. However, the vagaries of weather brought about drought in the country. That created a problem whereby nearly 3.3 million Kenyans lacked food. I am, however, happy to say that the Government response to that has been very credible.

Mr. Speaker, Sir, only recently, we created a Ministry of Youth which is headed by a Minister who is a young person. We did that because of the realisation that a great proportion of our people are the youth. Nearly 70 per cent of our population is composed of young people. I am looking forward to see a youth policy in this country. We can debate it and make sure that the youth are taken care of. The youth should not be considered as the leaders of tomorrow. They should be leaders of today.

Mr. Speaker, Sir, in spite of everything that has been written in the media, the fight against corruption continues. There are structures in place to deal with that scourge. As the President mentioned---

(Loud consultations)

Mr. Speaker: Order, hon. Members! It is both sides of the House this time. We cannot hear Mr. Awori! You know, we are going to debate. He is the Mover of the Motion! We need to listen to him, please!

Mr. Awori, please, proceed!

The Vice President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Speaker, Sir. I was saying that, up to now, there are well over 150 cases of corruption that are in courts today. Other people are still being summoned by Kenya Anti-Corruption Commission (KACC) and various other structures that deal with corruption. We need to practise democracy correctly. We do not need to personalize those cases.

Mr. Speaker, Sir, we intend to re-publish all the Bills that were not debated last year. A

good number of the Bills are extremely important. For example, the Minister for Health has, all the time, wished to ensure that all members of our society access health at an affordable price. That means that, we must get the Bill through this House by the middle of this year. Similarly, we would like to turn the National Social Security Fund (NSSF) into a proper retirement body. That Bill will be coming to this House.

A person like me who comes from a cotton-growing area would like to see the Cotton Bill go through this Parliament. There are many more Bills that are extremely important to the welfare of this country. Therefore, I am requesting my colleagues to remain in the House most of the time, so that we do not lose days because of lack of quorum. All of us are being paid to attend Parliament. It would be appropriate, as the President said, to give priority to the business of this House. That is my appeal in particular, to my colleagues on the Government side.

Mr. Speaker, Sir, the East African Community is extremely important to us. I would like to support the integration of this country because I know that when we have a large population then our economy is going to grow at a higher rate.

Mr. Speaker, Sir, I very much want to see that the elusive new Constitution is given to this country. May I appeal to all hon. Members to support the Kiplagat Committee so that it can give us a road-map to a new Constitution. We would like to be using a new Constitution as we move to the next general elections of 2007.

Mr. Speaker, Sir, the President mentioned a very fundamental point that he is going to expand the Judiciary by increasing the number of judges and magistrates. We have been trying to reform the prison service. One of the impediments has been the lack of adequate magistrates and judges that preside over cases. When you go to any of the prisons, you will find that 60 per cent of the inmates are remands. There have been people in remand homes or in remand custody sometimes for as long as five to ten years. There are cases of people in prison waiting for their appeals to be heard for as long as ten years and after they are heard, people are found to be innocent. I want to congratulate His Excellency the President for this move and to ensure that the Ministry of Justice and Constitutional Affairs factors in adequate remuneration for judges. We would like also the terms of service of senior state counsels to be upgraded so that they are not attracted to jobs in the private sector.

Mr. Speaker, Sir, in conclusion, I want to once again reiterate the point I made at the beginning of my contribution that it is time that we looked at ourselves and each other as mere adversaries and not as enemies. We need to pool together so that we can pass through the legislations in order to help our people live well. By doing so, we will jump-start our economy and achieve our set targets. Although the target of 500,000 jobs per year was set by the NARC Government, let us not try to do anything that will make it impossible to achieve it, in order for an alternative government to come in. This is because even when an alternative government comes in and inherits a difficult situation, it takes a long time for its work to be seen.

With those few remarks, I beg to move.

The Minister for Planning and National Development (Mr. Obwocha): Thank you, Mr. Speaker, Sir. I beg to second this Motion and congratulate His Excellency the President for a focused Speech which laid before this House issues which we will discuss.

Mr. Speaker, Sir, first of all, I want to criticise myself and the other hon. Members that we were not able to do what other East African Parliaments have done. Out of 25 Bills, we were only able to pass ten. Three were returned to the relevant Departmental Committees and seven were passed. In terms of performance, that is only 33 per cent. If it was an examination, all of us would have failed. So, I want to urge my colleagues, particularly those in Departmental Committees to scrutinise these Bills and come up with suggestions so that we do not take too long to enact some of these laws.

Mr. Speaker, Sir, secondly, although there has been too much noise on the political arena, the economy has been progressing quite steadily. By the economic growth having risen from 2.8 per cent in 2003/2004 to 4.3 per cent in 2004/2005 and this year it is expected to be 5 per cent plus, I think we are on the right path. The indicators are the interest rates, particularly those of the Treasury Bills which are around 8 per cent.

Mr. Speaker, Sir, the public debt remains almost constant which means that we are not borrowing excessively. The external debt stands at Kshs450 billion and the domestic debt stands at about Kshs300 billion. The total debt for Kenya comes to about Kshs750 billion. Basically, that is about only US\$10 billion. Compared to other countries, this is not significant. In fact, if you consider the 14 countries under "Highly Indebted Poor Countries (HIPC)" in Africa whose debts were granted relief and a country like Nigeria whose half external debt was written off, ours is very minimal. Nigeria's external debt which was written off totals US\$17 billion and our total debt, both domestic and external is only US\$10 billion. So, if these development partners and the Bretton Woods Institutions would understand Kenya's case, we would go places.

Mr. Speaker, Sir, the performance of local companies is encouraging. This is evident from the profits they are declaring especially those in the manufacturing sector. For example, the East African Portland Cement Company declared profits in excess of Kshs1 billion. Parastatals under the Ministry of Energy, where I am the acting Minister, like KenGen, made profits in excess of Kshs2 billion and we have already privatised part of KenGen. We have launched an Initial Public Offer (IPO). So, I ask the hon. Members of Parliament to take advantage of that issue and buy themselves some shares in KenGen.

Mr. Speaker, Sir, finally on the economy, the Ministry of Planning and National Development in tackling the Millennium Development Goals (MDGs) which as the hon. Members know are; the eradication of poverty, maternal health and child mortality, tackling of the HIV/AIDS scourge, universal free primary education, gender and women empowerment and, of course, the environment, has really tried. You can see that many of these issues have been tackled by the Constituency Development Fund (CDF). This is one of the areas that is enhancing the tackling of the Millennium Development Goals (MDG). We can achieve these goals by the year 2015. We intend to double the Constituencies Development Fund (CDF).

Hon. Members: Why not triple it?

The Minister for Planning and National Development (Mr. Obwocha): Mr. Speaker, Sir, if this amount is tripled, we will be very happy because this is an issue we want to tackle. These funds are primarily meant to help our people. On the ground, people are asking us: "Where was this money?" So, we will be very happy to increase the CDF, so that we tackle the MDG.

Mr. Speaker, Sir, we need committees to tackle many of the Bills that have been presented to this House. In tackling the issue of corruption, I would like the Witness Protection Bill passed by this House, so that we are in a position to get information about corrupt people and those supporting corruption in this country. This is a very important Bill. The Political Parties Bill is also very important. We know that many political parties depend on funding from sponsors and leaders. We should tackle the issue of funding of political parties, so that we have viable political parties. Political parties do not need to source funds from individuals and sponsors. We need to have a situation where if someone is appointed to the leadership of a party, his or her appointment is not based on how much money he or she can pump into that party.

The Public Officer Ethics Act should be revised under the Miscellaneous (Amendment) Bill, so that declaration of assets by officers is made public. We need to know how much an individual has today, so that, in future, we are able to query how he acquired what he does not own now. The amendment of the Public Officer Ethics Act will be very important in fighting corruption in this country.

If the issue of money laundering is addressed, then we will know who is getting the "right" and the "wrong" money. There are many people covering up under the guise of money laundering. So, this issue should be sorted out.

The Micro-Finance Bill is equally important. I know that many hon. Members of Parliament would like money to be channelled to the youth and women groups. The Bill will set out procedures of lending this money to those groups who require it. We should set that system moving.

Mr. Speaker, Sir, in this country, the SACCOs have raised over Kshs105 billion. That is a lot of money from one sector. So, I would like to support the streamlining of the SACCOs. We should all support the SACCO Bill.

Mr. Speaker, Sir, I would like to echo what the Mover of this Motion has said, that famine has really affected this country. We have spent a huge part of our resources, which should have been channelled to other sectors, in trying to contain this situation. I would like to thank Kenyan well wishers and various corporate bodies that have come forward to assist our brothers and sisters who are experiencing famine.

Mr. Speaker, Sir, finally, in looking forward to solving the issue of Budget allocation, the agricultural sector should be allocated sufficient money this year, so that we start tackling---

Mr. Speaker: Sorry, Mr. Obwocha, your time is up!

The Minister for Planning and National Development (Mr. Obwocha): Thank you, Mr. Speaker, Sir.

I beg to second this Motion.

(Question proposed)

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

Mr. Speaker: Yes, Dr. Godana!

Dr. Godana: Mr. Speaker, Sir, I seek, through you, the indulgence of the House to receive the apologies of Mr. Kenyatta, the Leader of the Official Opposition, who is indisposed and is unable to give his contribution today. He reserves his rights to do so, hopefully, on Tuesday, next week.

Mr. Speaker: Dr. Godana, that is quite in order. Indeed, the hon. Member called me. He sounded quite unwell. He asked me if he could give his contribution on Tuesday, next week. I will, therefore, defer his contribution to next week. So, the official response will be presented next week when the hon. Member will be well.

Mr. Maore, yours is ordinary contribution. Is that not so?

Mr. Maore: Yes, Mr. Speaker, Sir.

Mr. Speaker: Please, proceed!

Mr. Maore: Mr. Speaker, Sir, one of the promises that we got from this Government is that we would not be having road-side declarations---

Hon. Members: Correct!

Mr. Speaker: Mr. Maore, please, move the microphone closer to you, so that we get you better.

Mr. Maore: Mr. Speaker, Sir, it is in order now. Sometime towards the end of last year, when the "Banana virus" was at its height, we had a pronouncement made creating 34 new districts. Now, if you go to the office of the Seconder of this Motion, who is the Minister for Planning and National Development, and the Ministry of Finance, there was no budgetary provision to back these pronouncements. We used to get criticism from this side of this House when hon. Members from the Government were on this side of the House, about how ridiculous it

sounded for one to go pronouncing new districts just to be cheered by mobs. Politicians are beneficiaries of these districts. This is a very popular game with politicians, but a very ridiculous idea when it comes to budgetary provisions for new districts that are formed without any consideration whatsoever to budgetary constraints. The amount of money required to set up a new district is huge. There has to be a DC, vehicles, security, housing and so on. We now have about 37 Ministries, which means about 37 departmental heads---

Hon. Members: They are 33!

Mr. Maore: Mr. Speaker, Sir, even if there are 33 Ministries, we know that, for example, in a typical police unit there is the OCPD, the DCIO, the Special Branch Officer *et cetera*. Those are many sub-departments. So, we expect some economic sanity to prevail. Mr. Speaker, Sir, the second issue that we used to grapple with is the culture of tribalism. The Government of the day is almost making tribalism a fashion. If you look at the latest three appointments of the three key parastatals namely: The National Social Security Fund (NSSF), the Kenya Ports Authority (KPA) and the Kenya Power and Lighting Company (KPLC), you only need to check on the respective Ministers to get a link on who is heading those parastatals.

Mr. Speaker, Sir, we must get a strong clearing house to enable the youth get jobs. If we do not do that, we will have this struggle for power perpetuated forever. For one to become a managing director of a parastatal, he must have one of his own in a Ministerial position. This balancing does not happen by chance. It has to be done by people. We need to recognize that the national mosaic of this country are youths. It does not make sense for people to almost write Government policies in their mother tongue.

Mr. Speaker, Sir, the other issue I want to raise is about drought, which was mentioned by the Mover and Seconder of this Motion. For many years, we have been aware that after every four years, we must have drought in this country. I would like to ask the Government to make sure that it gets its early warning systems right. When there is a drought, we do not want to have people and animals dying on the first or second month of the onset of drought. Many countries like Egypt have not had rains for the last 20 years, but have utilised the waters of the River Nile. I would like to request the planning section of this Government to utilise our water resources. We have people living in the lower Eastern Province, where the River Tana sweeps away animals whenever it rains, and yet the Government leaves its water to flow into the Indian Ocean. We need to utilise these water resources. We also need to have long-term policies, which will enable us to know that four years from now there will be another severe drought in this country.

Mr. Speaker, Sir, on the issue of youth, it is a pity that the Government has created the Ministry of Youth Affairs, but when you look at the pattern of appointments you find that it does not favour the youths. For you to be a respected chairman of a board of directors in this Government, you must be over 70 years old. For you to be a managing director of a parastatal you have to be older than the chairman of the board.

(Mr. Sirma stood up in his place)

Mr. Speaker: Order, Mr. Sirma! The law is as follows. All hon. Members must be seated unless trans-sitting. The hon. Member has not been trans-sitting; he was standing. Obey, the law, hon. Sirma!

Proceed, Mr. Maore!

Mr. Maore: Mr. Speaker, Sir, the issue of the youth is going to be very critical in the next general election. His Excellency the President put it very rightly in his Address that 72 per cent of the population of this country are people aged under 30 years. If you recall the wave that brought this Government into power, it was from the youth. The youth thought that the old men would take

care of them. They were not aware that the old men were going to take care of themselves. For this reason, the youth of this country are going to be very defiant in the next general election. They will elect themselves into office. It will no longer be an issue of trusting people and putting them in offices.

Mr. Speaker, Sir, at the beginning of the Official Opening of Parliament, one of your invited guests went ahead and displayed what I would describe as "pseudo-christianity extremism" under the guise of offering prayers. This was the head of the PCEA Church. Those of us who go to church every Sunday have gone round these Parliament Buildings and have not seen anything that looks like Satan. We have not even seen how Satan looks like. If somebody has an idea about how Satan looks like, then, he should not force that idea into the minds of other people under the guise of prayers. He was engaging in exorcism in the precincts of Parliament!

(Applause)

Mr. Speaker, Sir, if you could just look at the marks---

Mr. O.K Mwangi: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Maore to say that the head of the PCEA Church said that he saw Satan in the House? The head of the PCEA Church talked about satanic symbols in the House!

Mr. Speaker: Order, Mr. O.K Mwangi. May I put this issue clear and straight? This Parliament of Kenya does not belong to any denomination or religion. Let the church leaders take care of their churches and I will take care of this Parliament.

Proceed, Mr. Maore.

Mr. Maore: Thank you, Mr. Speaker, Sir. I do not want to get near that issue, which you have concluded very well.

Mr. Speaker, Sir, in the Budget provisions of the Financial Year 2003/2004, this Government promised free education and started so many other projects. At that time, there were expectations of support from our development partners. But due to behaviour that has been exhibited by members of this Government, development partners have pulled out. Now that the World Bank, the IMF and the EU are likely to tighten their purses against us, we need the Minister for Finance to give this country a review on how he intends to finance projects now that donor funds are not going to be available.

Mr. Speaker, Sir, His Excellency the Vice-President and Minister for Home Affairs says that 50 corruption cases are in court, but you will remember that from 2003 when they took the first cases of people they wanted to fire from Government to court, no corruption case has been concluded by our courts. I am not trying to insinuate that anything bad goes on in courts, but I am saying that the pattern in the last 20 years has been that no high profile corruption case has been successfully prosecuted in this country. That is why the investors and donors are jittery about the way we rush people to court just because we want to replace them. We have seen this happening very many times.

With those few remarks, I beg to support.

Mr. Speaker: Very well. I think I will go to the Back Bench. Yes, Mr. ole Metito.

Mr. ole Metito: Thank you, Mr. Speaker, Sir, for giving me an opportunity to contribute to this Motion. First of all, I would like to join my colleagues in congratulating His Excellency the President for delivering a very focused Address that outlined the public policies of his Government in this financial year. One of the issues that was serious when we were on Recess, and is still serious, is the famine facing this country. I would like to thank the Government for doing a lot in supplying food and water to famine-stricken areas. But the question we will have to ask ourselves as leaders of this country is: For how long will some of our areas rely on relief food? In my view,

rain failure is not the only cause of famine in our country. I think that we have to do a lot in land utilisation. We need to use our resources properly, because there are some areas where, if resources are utilised properly, frequent famine can actually be avoided. For instance, in areas that are good in agriculture we have to

allocate resources properly and do irrigation. There will be no famine in those areas if this is done. We have to make sure that, through allocation of resources, there is water in those areas. The people of this country are hard working and can irrigate those areas. They can produce enough food for themselves and, in that way, we can avoid reliance on relief food year in, year out.

Mr. Speaker, Sir, in the pastoral areas, what we need to do is to ensure that these areas have adequate water. His Excellency the President said in his Address that last year the Government sunk 162 boreholes. I think if those boreholes were evenly distributed to semi-arid districts in this country, then, this would assist pastoralists and their livestock. The Government has to come out very clearly and find ways and means of assisting the pastoralists. Every time there is severe drought in this country, we supply seeds to farmers when it rains. That is a way of restoring to them what they lost. My concern is how we assist the pastoralists who lose 70 to 80 per cent of their animals. I think the Ministry of Livestock and Fisheries Development should come up with a programme of restocking livestock where pastoralists lose it.

Mr. Speaker Sir, the other issue is about the youth. Seventy-two per cent of the population of this country is made up of people who are below 30 years of age. That shows that it is only 28 per cent of the population which is benefiting from the resources of this country. I think it is high time that the youth of this country are remembered in the distribution of our resources. When we look at the appointments of Government officials, such as those of Permanent Secretaries or any other, you do not see anyone below 30 years of age being appointed, yet we say that the youth make up 72 per cent of our population. It has become a tradition that in any job advertisement, age is a factor. Experience of over five years is required, and one must be over 35 years of age, yet we say that we are taking care of our youth in this country. One cannot get experience before they get a job. It should not be a prerequisite that one has to be 30 so as to get a job in this country.

Mr. Speaker, Sir, I wish to comment on our performance. Just as my colleagues have said, it was below par. Out of the 25 Bills presented to this House, only ten were passed; seven of them were assented to and three returned. However, as much as we may blame the poor performance to politicking, as some people may say, I think we have our rules and procedures to blame because we have only two full days a week to work. We work on Tuesday afternoons, the whole of Wednesday, and Thursday afternoon. It is high time that this House changed its own rules and procedures, so as to allow us to work full time for Kenyans. Even if it means working for three days in a week, I think the days we work have to be full. We should start work at 9.00 a.m and close at 6.30 p.m. on Tuesdays, Wednesdays and Thursdays. If we did that, it would assist us in improving our performance.

I would like to comment on corruption. I think there is no hon. Member here who supports corruption. However, I would like to emphasise one point; that, we should not politicise the fight against corruption. What has been happening of late is that when someone is charged with corruption or abuse of office, we tend to agree with the decision, but when it is someone else, we disagree by saying that a wrong decision has been taken. If all hon. Members in this House were to unite in the fight against corruption, that would allow all the cases to be investigated equally and allow the Judiciary to have its independence, because no one is guilty unless proven guilty.

Mr. Speaker, Sir, I wish to request hon. Members of this House to provide the leadership we were elected to provide and respect all the institutions.

I beg to support.

Mr. Raila: Thank you, Mr. Speaker, Sir. When His Excellency the President addressed

this House the other day, he said that we would have our time. I guess this is our time.

This is the first time that we are debating serious business in this House. I want us to start by congratulating ourselves, on both sides of the House, over the successful conclusion of the referendum last year.

(Applause)

The referendum outcome showed that we need each other as people of the same nation. It is because of that, that I want to appeal to hon. Members on the other side to recognise the diversity of our nation and that we may disagree on very fundamental issues, but we still belong to the same country called Kenya.

At Independence, our founding fathers coined what they called the "Kenyan dream." The Kenyan dream was to create a society that would guarantee freedom, the right of life and pursuit of happiness for each and every citizen of our country. They also wanted to see Kenya being a developed country by the year 1990. I remember that the late hon. Gikonyo Kiano, as the Minister for Water, said that by the year 1990, every household in our country would have running water. The late Ronald Ngala, as Minister in charge of sports, when he led the Kenyan team to Mexico City in 1968, said that Kenya would hold the 1980 Olympic Games. At that time, it was not considered a joke. However, recently, when hon. Ochillo-Ayacko, as the Minister in charge of sports, announced that Kenya wanted to hold Olympic Games in 2016, many people said it was a big joke. Why did that happen? It happened because the Kenyan dream, after Independence, has been betrayed and has never been realised.

Mr. Speaker, Sir, when we sat down to write the NARC manifesto in 2002, we anchored the manifesto on the Kenyan dream. It said that we wanted to bring this nation back on track so that we can realise the Kenyan dream. Unfortunately, we have not been able to steer the course that we charted out in 2002. We have defaulted on our mission and given this country a raw deal. One is on the issue of the Constitution. We all agree and concede that we have failed. The other is the issue of corruption. While I agree with the President that there is a time to deal with "new corruption," there was nothing to stop us from dealing with "old corruption" in 2003, 2004 and 2005. We had no genuine commitment to deal with the "old corruption." I think that hon. Members are not wholly to blame for this. We know that last year, we had the referendum to deal with and, therefore, the House suffered lack of quorum very many times. You can say that there was a *force majeure*. This Parliament has been on recess from November last year, up to now and hon. Members have been kept out of business through no fault of their own.

(Applause)

If the President is really serious and genuine about this Parliament delivering to the people of Kenya, he should have heeded to our advice which we gave to him freely in January to reconvene Parliament in January, 2006. We had January, February and March, and now these lamentations. I see that there is a contradiction of some kind.

Mr. Speaker, Sir, on the issue of security, I can say here that the Government has given the people of Kenya a bad cheque; a cheque that has been referred back to the drawer because of lack of sufficient funds. I refuse to believe that our security forces are incapable of dealing with this issue. I think there is serious laxity on the part of the Government. I want to refer to a very unfortunate incident which is happening in this country. We have got people of dubious nationalities storming our country and threatening our security.

(Applause)

There is a situation of hooded people moving and invading media houses, supposedly in pursuit of their normal duties. I was listening to the Minister for Justice and Constitutional Affairs saying that the police have a right to search even without a warrant. I guess she was referring to Section 20 of the Police Act. Section 20 of the Police Act states very clearly that when the police come to carry out orders to search without a warrant, they must identify themselves. They must carry a certificate of appointment and show it, then a proper record must be kept of whatever they are taking and they must produce those things before a magistrate's court within a certain period of time. Therefore, the police, if they were actually the police because nobody knows why they were hooded, were going into a place which was not dangerous, as far as we are concerned. They invaded it, kicked people and referred to them as niggers. There was something very wrong. They were not acting properly.

Mr. Speaker, Sir, I understand that these characters are said to be Armenians, but we have been told that they are not even Armenians. They are of Czech nationality. You, Mr. Speaker, have demanded that the Government should come out clean and tell the people of this country who these characters are, who brought them here---

(Applause)

Mr. Gumo: On a point of order, Mr. Speaker, Sir. Well, I am surprised to hear from the hon. Member that these guys are not Armenians, yet the Minister for Immigration is on record to have told us that they are Armenians. Where did he get this information? Could he substantiate?

An hon. Member: Who?

Mr. Gumo: Hon. Raila!

(Laughter)

Mr. Raila: Mr. Speaker, Sir, of course, you have heard many contradicting stories about these people; that one of them actually registered as an Indian when he is supposed to be an Armenian. I think the Minister for Information and Communications was first right when he said that these people are of Czech nationality because I have a document here which states clearly that they are of Czech nationality and that they are criminals who have been travelling---

Hon. Members: Lay the document on the Table!

*(Mr. Raila laid the document
on the Table)*

(Applause)

The Assistant Minister for East African Community (Dr. Khalwale): On a point of order, Mr. Speaker, Sir. Am I in order to request the Chair to ask the hon. Member to also lay on the Table a copy of the passports which he showed to the Press? Considering that when you move at all immigration desks in the world, you never leave a photocopy of your passport; it is merely stamped. If he does not have special connections with those people, where did he get those photocopies of their passports?

(Applause)

Mr. Speaker: Order, hon. Members! Order! I am really amazed by this. If you applaud, it means that you support. Does the Government side know these people?

(Loud consultations)

Order! Order! Order! You know sometimes you betray yourselves by your conduct.

I am sorry, hon. Raila, I cannot accept this document because it is not signed. Mr. Clerk, you can take it back to him.

The Minister for Justice and Constitutional Affairs (Ms. Karua): On point of order, Mr. Speaker, Sir. We are seeking your clarification because you have imputed on the Government side that we are applauding those people. We were applauding that Mr. Raila should substantiate under what circumstances he got those documents from them.

(Applause)

Mr. Speaker: That is all right. If that was the reason for the applause, it is fine. But whatever it is, I do not think that these strange looking foreigners should take a lot of our time. I do not know, and let me not get involved.

Proceed, hon. Raila!

Mr. Raila: Mr. Speaker, Sir, you will notice that, that is an e-mail and you know very well that e-mails are never signed.

(Applause)

Mr. Speaker: Order, hon. Members! Order! That makes it even worse because I do not know whether it is true or false. So, I refuse to receive this document. I do not think we have reached that stage.

*(The Chair handed the document
back to Mr. Raila)*

Mr. Raila: Mr. Speaker, Sir, are you implying that Kenya is backward as far as information communication and technology is concerned? E-mails are now even accepted in terms of international business transactions.

(Applause)

Mr. Speaker: Order! Order! Order, please! I will give hon. Raila another two minutes out of this. I do things that I know. I planned to make this House ICT compliant. Therefore, I would have checked this document even from here. In your own collective wisdom, it was held back. So, how do you expect me to be in times that I have not reached? When I get there, I will be there!

Proceed, hon. Raila! I give you one minute.

Mr. Raila: Mr. Speaker, Sir, listening to the President talking about ethnicity and tribalism, I thought that he probably lived in another planet, maybe in Mars. If there is any institution or wing of the Government that is guilty of practising tribalism, it is his Government. We abhor tribalism and we would like this country to be united. We would also like to appeal to the Government to view every Kenyan as a Kenyan citizen and not as members of the various ethnic communities in this country.

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

The Minister for Justice and Constitutional Affairs (Ms. Karua): Thank you, Mr. Speaker, Sir. I beg to support the Motion that is before the House. Indeed, the President expounded on the Government's policies and the direction that we should take. I also agree with those who have said that it is high time we placed the country ahead of our political differences and competition. However, let us lead by example; let us not preach water and drink wine.

Mr. Speaker, Sir, with regard to tribalism, during the referendum debate, leaders were electronically recorded by the media preaching ethnic hatred. We can get 1001 references by some of our prominent leaders here demonising other communities. It is high time we agreed to rise above that.

Standing and claiming not to be a tribalist will not make you a good person if, on record, you have been demonising others. After the referendum results were announced, some of the leaders were captured on television calling other communities enemies. That is most unfortunate. We are all Kenyans and we each have a right to our own opinion. So, whether one was a supporter of the Banana group or the Orange group we should treat each other with respect and try to persuade each other so that we can either agree or agree to disagree amicably. Let us not preach water and drink wine.

For those who have had occasion to serve in the Government before and are now in the Opposition, we can scrutinise what each one of them did in their respective Ministries. You will find in some Ministries lists of people hired reading like a list of who-is-who from one's backyard. Let us be very careful because what we are telling Kenyans is that every time there is a change, people will be looking forward to giving benefits to only a narrow section of Kenyans and not the entire Kenyan nation. This is something we have to guard against. It is right that we be proud of our diversity as many ethnic communities in one country, but let us also promote harmony. We should not pretend to be nationalists when, indeed, we are tribalists.

Mr. Speaker, Sir, concerning the fight against corruption, it is not proper that leaders only blame the Government for the lack of speedy processing of corruption cases when it is the same leaders who go before court to cause obstruction of the hearing of those cases.

(Applause)

Indeed, if you are innocent, why do you not tell that to the judge or the investigator and then you will be acquitted once and for all? From both sides of the House, unless, as national leaders, we support the war against graft, it is not possible for this country to move forward in development. Whether we change this Government or the next one, we all need to have some level of commitment. I am calling upon leaders in this House, our professionals and citizens of this country to support the war against corruption. If you have been called upon to answer questions, why do you not answer them? After all, the investigators are not choosing. They are seeking answers from both sides of the political divide; from the mighty and from the lowly placed. So, let us support them. Where do we want to go as a nation? Do we want to ensure that we change our ethics and then attend to development in a way that can benefit this country?

Mr. Speaker, Sir, Kenyans are watching us. We can congratulate ourselves all we want, but it is the conduct of each one of us that will determine what history records as our contribution, or lack of it, to issues in this country. We are entitled to disagree. We are also entitled to pursue our different political agenda as Government or Opposition. However, there must be a minimum whereupon we are called by patriotism to this nation and where we must be able to work together to get this country going.

We are seeking support from all the Members of this House and from the citizens of this

country on the issue of constitutional review process. We have had calls for dialogue. Sincerely speaking, we embrace dialogue. The Eminent Persons Committee is a vehicle for dialogue. It is not practical to expect that either the Head of State or Ministers will sit down and dialogue with Kenyans. In my view, it is even better when a committee of civilians helps us to channel our ideas, back and forth, so that this House can be informed when it meets to agree on the legal framework that will guide this country.

It is not practical to expect that all sides of the political divide must be asked to bring in members to a committee that is meant to facilitate dialogue. There must be a minimum that the Government can do. However, when it comes to contentious issues, it is a must that consultations be conducted with regard to the different shades of opinion and who must represent them in those negotiations. That is truly critical. However, when it is about facilitating a dialogue, surely, it is not reasonable to seek representation.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, with regard to issues on governance, let us not contribute to confusion and then say that things are not going right. Unless, as leaders, we all contribute to good governance, we shall not succeed. Let us not associate with shadowy figures and then cry foul when relationships with those figures deteriorate.

(Applause)

That is not to say that the Government will abdicate its responsibility of protecting its citizens; whether that citizen has committed an offence or not. It is the duty of the Government to protect all its citizens. This Government will do its best to discharge that obligation.

We are also called upon as leaders to promote positive social values. If, today, you commit a crime against the people of Kenya, or if, today, you are a suspect in criminal matters, can you then preach to the people of Kenya virtues in the area that you are under investigation? Unless we promote positive social values in this country, we are going to confuse the people the very same way we ended up, jointly, confusing them over the referendum. The issues of the referendum, constitution making and corruption have become not a course. We are now treating them as a political weapon and that is dangerous for this country. Serious issues must be treated with the seriousness that they deserve. I, once again, will say that there is a minimum that we must be able to do together, even as political opponents, to be able to move this country's political agenda forward. If, tomorrow, our opponents on the other side of the House will be in Government, they will still need those in the Opposition Benches to move the agenda of the country forward. This is where true leadership is called upon. We shall, therefore, on this side of the Government, be seeking to engage you to develop that minimum agenda which we must work with together. That is why, from the very outset, yesterday, we said that we are open to dialogue and we mean it.

Mr. Deputy Speaker, Sir, I heard hon. Members contribute on the issue of famine and water. The water sector reforms that are currently being carried out by the Ministry of Water and Irrigation are geared towards ensuring that this nation becomes water secure. If we support those changes from wherever we are and if we support the Ministry of Environment and Natural Resources and the Ministry of Water and Irrigation on the matter of reforestation and taking care of our environment, in a few years time, issues of shortage of water or lack of it for essential services will become a thing of the past. We shall also be able to use it economically so that our daily needs

can be served. Let us support development and compete when we should, because in politics, there must be competition.

Mr. Deputy Speaker, Sir, finally, let us also support a free and responsible Press. Let us also support responsible leadership. We are failing this country and if we listen to the words of His Excellency the President and those of the Speaker during the State Opening, we should do some soul searching.

I beg to support.

Dr. Ali: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate. One speaker commented on the issues raised by the Moderator of the Presbyterian Church of East Africa (PCEA). I think there is some truth in what he said because a Government Minister claimed that the Government might be associated with snakes. I think he should be allowed to come and do some gracing here.

Mr. Deputy Speaker, Sir, there is a lot of drought in this country. There are a lot of problems in this country. The Minister for Justice and Constitutional Affairs has stated that the Ministry of Water and Irrigation is trying to do a good job but still there are a lot of problems. I think the President must have been misled to claim in his Speech that there are a lot of water bowsers in Wajir, Mandera and Garissa. I do not know whether they are on the way because they have not yet arrived. The Government should make an effort to bring them there very soon. You do not just go misleading the Kenyan public that there are over 10 water bowsers when there are three old, dilapidated water bowsers in Wajir District. I cannot blame the Ministry because they are doing their best, but the bowsers keep breaking down every day. I think that situation should be corrected.

Mr. Deputy Speaker, Sir, a Ministry of Youth Affairs has been created. It is unfortunate that the Minister has gone out of the Chamber. I do not know whether the Ministry now has a Permanent Secretary because even the Minister himself does not seem to have an office. Seventy-two per cent of Kenyans are supposed to be the youth. I do not think the Government has done anything to help the youth by creating this Ministry. Kenyans are very good at writing very good papers which when presented, everybody will applaud, but nothing is done after that. This is a very sad affair for Kenyans and I think the people in power should realise that. Do not give us good speeches. Give us something tangible on the ground that later, when you come back to Kenyans for votes, you will say: "We have done this and that." I hope this time round the Ministry of Youth Affairs will be given enough money to assist the youth of this country. The Government should ensure that from now onwards, they employ people who are under 30 years of age instead of employing octogenarians who are tired and will not help this country at all.

Mr. Deputy Speaker, Sir, on the issue of corruption, I think some action is being taken, but the Minister should step up her efforts so that we see some people in jail. We do not want to just hear stories. These people are all multi-billionaires. If you release them on a cash bail of Kshs10 million, they will comfortably pay it and stay outside jail for several years. Action should be taken against anybody who has stolen from this country. The region where I come from is suffering because of corruption and nepotism. If there was no corruption in Kenya, North Eastern Province or northern part of Kenya would not be the way it is now. If there was no nepotism we would not be where we are now. If all Kenyans are considered equal, then a Minister should employ a competent person from any region, instead of employing his relatives or people from his village. That is why I want to congratulate Kenyatta University for employing the first lady Vice-Chancellor in this country. She was employed on merit. This lady has been a researcher for many years. She has done a lot of good work. She and her husband have contributed in writing books to help research students of this country. When she was shortlisted, all the university staff said that she deserved to be given that chance.

When you go to the Public Service Commission (PSC) every commissioner wants a person from his or her village employed. Where the hell will my people get any chance for employment if this is the trend? This is the problem of Kenya. If we are serious, we should put politics aside and help the people of Kenya. So many people have lost between 70 to 80 per cent of their livelihood as a result of drought.

Mr. Deputy Speaker, Sir, Mr. Angwenyi told me that he was in Egypt recently and they watched on the Cable News Network (CNN) television channel, a story of a girl who is 11 years but weighs six kilogrammes. She is from Garissa. The Egyptians claimed that they depend on the River Nile alone. They have never had substantive rain for the last 20 years, but they can still feed a population of 75 million. They wondered why somebody would die of hunger in Garissa when River Tana is not even a kilometre away. Let me pose this question to the hon. Members on the other side because they are now in Government. It does not matter what the hon. Members from this side of the House did when they were there. The responsibility is on you to make sure that no more Kenyans die of hunger.

We have been told that several millions of shillings have been collected. If you compare the amount of fuel military vehicles consume and the relief food they carry, it is not commensurate. The amount of money which is used to fuel and repair those vehicles is more than what they carry. Is it worth it? Do our economists even think of what they are doing there? Is it rational to take a vehicle to a place when it is carrying less than what it consumes?

The Minister of Livestock and Fisheries should make sure that people who have lost all their livestock get some funding to re-stock their animals so that they can survive and hopefully change their lifestyle.

Mr. Deputy Speaker, Sir, when we had the CDF meeting at Safari Park Hotel, I suggested that we be given an amount of money for re-stocking but this idea was rejected. If I was given that opportunity I would make sure that half of my money goes to re-stocking and my people would not die. The Act does not allow me to do that but the Minister of Livestock and Fisheries or the Minister for Special Programmes can do it through the livestock department. If these Ministers consider these things, they will have done a good job.

I think we have had enough problems concerning the Constitution. We should learn from the mistakes we made in the past. I would like to urge Ms. Karua to convince the President to reconsider the issue of Eminent Persons. Even if they are very good, the issue has now turned political. It will tie down whatever we do later. We might go back to the days of the referendum. Are we being just to Kenyans? Are we doing what we are supposed to do for this country? I do not think so. Let us do what needs to be done. They are eminent persons, but where did the names come from? They came from the Government. What do the people on this side feel? "These are banana people! These are politics! That is why people are there!" They cannot avoid it. It is the truth and we need to say it. As the Speaker said, many Kenyans do not like the truth. The truth is bitter, but that is a fact of life. I know we can do it because it is not a very big issue.

Mr. Khamasi: Mr. Deputy Speaker, Sir, thank you very much for giving me a chance to contribute to the Presidential Address. What the President said about "things to be done" was a very long list. I really doubt whether this House, that I have served for a number of years, would be able to cope. My advice to the people who are supposed to make it work is to walk the talk. That is because we have never done it. Very nice things are said, but very little is done. I fear that this may just be another list of broken promises like the Memorandum of Understanding (MoU) and others.

Mr. Deputy Speaker, Sir, the Presidential Address touched on several sectors of our economy. He talked about coffee, sugar-cane, cotton, dairy and so on. The Government, over the last few years since it took over power, has looked after several of those sectors. For example, they have paid off some loans for coffee and sugar-cane farmers---

Mr. Osundwa: Where?

Mr. Khamasi: Mr. Deputy Speaker, Sir, I would like your protection from Mr. Osundwa.

This Government has never looked after the interests of tea farmers. Tea farmers continue to suffer because of the liberalisation of the Kenya Tea Development Agency (KTDA). In fact, that liberalisation was the death knell for tea farmers. The Government is doing nothing to save the farmers from the pains that they are going through. It has left them completely at the mercy of the directors of KTDA. The Government is looking aside while the KTDA management is doing what it wishes as if there is no Government in this land. It is high time the Government asserted its authority and looked at the issues affecting tea farmers. That is very important! They have now called for a strike. I want to assure this Government that in my own constituency, I will support the farmers to go on strike if that will help them to earn a little more than what they are getting now. The world prices for tea went up at some stage, but what the farmers get is constant over and over again. We do not know where the difference goes. The tea industry is now controlled by a cartel of a few people, who are very keen to make tea farmers suffer. We would like to see a change in that.

Mr. Deputy Speaker, Sir, the President commented very effectively about the independence of the Press. I believe that the Press must be independent, forthright and reasonable in presenting their news and programmes to the public. What on earth would this Government get by being hostile to the media? I cannot imagine anything, in my humble submission. A government that is hostile to the media cannot get anywhere. If the policemen were doing their normal duties, why did they wear masks? Why would they wear masks and go to raid a media house? We have never been given a reason. Why did they hide their faces if they were doing their duty in the right manner? There is much to hide! The best thing the Minister can do, because it is human to err, is to apologise and save this country. It will not do any good to this country, if the Government continues to fight the media. They learnt a big lesson during the referendum. But even now, they do not seem to have learnt a lot from that. The entire media was against the Government, but they are repeating the same thing. I hope that, that will not be repeated again. It is high time the Minister came out very clearly and said exactly what was right and where they went wrong. Sometimes if you go wrong, it is good to say so.

Mr. Deputy Speaker, Sir, a colleague has mentioned something about the new districts that are supposed to be created. That is a matter of concern in very many areas. Where people need districts, they ask for them. But where they are not required, do not force them down the people's throats. Where people have agreed on the mode of making boundaries, those decisions must be respected. I have a case in point in Kakamega District. We had not even asked for a district, but when they came, we said: "Yes! If you want to give it to us, let us take it. Let us divide it this way!" I understand that some Ministers in the Office of the President are trying to do their own things in Kakamega District. Let me warn them here and now! Let them not dare do what they wish to do. Let them do what the people of Kakamega have decided. If they are not interested in providing with the districts in accordance with the wishes of the people of Kakamega, let them keep the districts. We are not interested in them! The wishes of the people must be respected.

Mr. Deputy Speaker, Sir, let me now turn to the so-called song on corruption. We will never go anywhere until the leadership of this country is keen and practical in the fight against corruption. We need political will! It starts from the top. We were told that there were no sacred cows, but now we can see many of them moving around in our midst. Let us stick to what we say. We said that there will be no sacred cows. We spent taxpayers' money to go to London to talk to Mr. Githongo, because he cannot come here. He is afraid of losing his life. Do we really need to do that if we had the political will? We should not be spending taxpayers' money in that regard. Let us not have sacred cows! Let us see it in practice and not in speeches and addresses to the public. Let us see it in practice.

Mr. Deputy Speaker, Sir, again, regarding the Constitution, we have just started messing ourselves up. There is no way we shall get a Constitution for this country, unless all of us sit together and talk to one another. The chest-thumping ego will never take us anywhere. If we are serious that we want a Constitution for this country, let us put aside our pride and talk to one another. That is the only way. Otherwise, there is no single section of this country that will bring a new Constitution that will be acceptable to Kenyans, unless we sit together, put our differences aside, give and take and come up with a new Constitution. That is the only way forward.

Mr. Deputy Speaker, Sir, I want to appeal to the Minister for Justice and Constitutional Affairs this time round to advise the President in the right manner in order for us to speak together and come up with an acceptable Constitution for Kenyans.

With those remarks, I beg to support.

Prof. Anyang'-Nyong'o: Thank you very much, Mr. Deputy Speaker, Sir, for the opportunity to contribute to this Motion.

Mr. Deputy Speaker, Sir, I would like to remind the House of the hon. Speaker's Speech on the occasion of the State Opening of this Session, when he said that "truth had been criminalised". In the just concluded referendum, 153 constituencies voted against the proposed new constitution. That truth has been criminalised to say that Kenyans were deceived. That says a lot about our respect for the intelligence of the ordinary citizens. When they make a democratic choice, you tell them that they have been misdirected. The truth they exercised by voting democratically is now being criminalised as people who are nincompoops, who do not know what they are doing. Indeed, someone said on television that these people are fools. Truth has been criminalised.

Mr. Deputy Speaker, Sir, let me talk about corruption, in line with what hon. Khamasi has said. If we are going to fight corruption in Kenya, truth must not be criminalised at the top. The Chief Executive of this nation should be an honest and diligent person who remains true to the Constitution of this Republic and who respects policy laid down in the manifesto of the ruling party as well as the development policies of our country. I have been Minister for Planning and National Development. I have gone around the world in my official capacity to try and convince them that Kenya is a democratic country worth investing in. In that capacity, I learnt painfully that, indeed, corruption is aided and abetted from the highest echelons of our Government. I have in my possession a report submitted to the Director of the Kenya Anti-Corruption Commission (KACC), entitled "Status Report on the Anti-Corruption Agenda of the Government of Kenya." It is dated Tuesday, 5th April, 2005. This report is in regard to the allegations of the immediate former British High Commissioner to Kenya, Sir Edward Clay, on 20 new cases of corruption at that point in time. The report says,

"The KACC has now audited the list of the 20 cases preferred as evidence of new corruption and the Government's inaction therein. In our opinion, the dossier does not support a conclusion of Government inaction regarding corruption. On the contrary, the KACC had either already investigated some of the cases or had commenced investigations on others. The current investigation status of the dossier is as follows---

The Assistant Minister for Water and Irrigation (Mr. Wanjala): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to read a document whose authenticity we do not know?

Mr. Deputy Speaker: Order! Mr. Wanjala, Prof. Anyang'-Nyong'o mentioned the origin of the document he is quoting. He is in order.

Mr. N. Nyagah: On a point of order, Mr. Deputy Speaker, Sir. While we are very keen to listen to what Prof. Anyang'-Nyong'o is saying, and we have great respect for him, the tradition of the House is that after he is through with the document, he tables it.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I know the procedures of this House---

Mr. Deputy Speaker: But, Prof. Anyang'-Nyong'o, I hope you are just quoting a paragraph and not treating us to the whole document.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I know the procedures of this House. After I have quoted, I will lay it on the Table. The Chief Whip has no responsibility whatsoever to doubt my knowledge of the procedures of this House.

Mr. Deputy Speaker, Sir, I will continue to quote.

"--- The KACC had investigated to conclusion all the cases, which include the infamous Anglo Leasing matter on CID Forensic Laboratories and terrorist- proof passport system, the NSSF Board purchase matter, and City Hall's waste management matter. This was before the reference of the matters to the President. The action taken by Government was the arraignment in court to answer corruption charges of three Permanent Secretaries, three senior civil servants, the Managing Trustee of NSSF and his deputy, and the Directors of Euro Bank. The CID had, before the reference of the dossier to the President, completed investigations into one case; the supply of 520 vehicles to the Kenya Police, and was already investigating one other case, the procurement of tugboat by the Kenya Ports Authority. The former of these cases has resulted in the prosecution of the Managing Director of Hyundai Motors Ltd---

The Assistant Minister for Water and Irrigation (Mr. Wanjala): That is not true.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, before people come to this House, they should go to university first.

Mr. Deputy Speaker: Order! Go ahead, Prof. Anyang'-Nyong'o.

Prof. Anyang'-Nyong'o: All right, I will.

"---The KACC has subsequently initiated investigations into eight other cases namely, the Kenya Prisons Telecommunication Network---

Mr. Deputy Speaker, Sir, the importance of this quote is that the KACC averred in April, 2005 that investigations into the Anglo Leasing related scandals had been investigated and completed. Now, who do you want to believe that this Government is serious about fighting corruption, when a man, paid Kshs2 million a month can tell white lies to the whole Republic and the President, a year later, could come to this House and still say that this Government is serious about fighting corruption? Truth has been criminalised, right from the top. This House is not going to sit by and see truth being further criminalised by the other side.

Mr. Deputy Speaker, Sir, my friend, the Minister for Justice and Constitutional Affairs has a lot of energy and she is a lady of integrity. I pride myself of being a patriotic Kenyan who has suffered many days in the Nyayo torture chambers, to promote democracy in this country. The enthusiasm with which I championed economic development in this country was finally criminalised by my being kicked out of this Government for standing for the truth. I really feel pity for my friend, the Minister for Justice and Constitutional Affairs, because she has noble objectives. But, unfortunately, she is serving in a Government where truth has been criminalised.

With those remarks, I beg to support.

*(Prof. Anyang'-Nyong'o laid
the document on the Table)*

The Minister for Transport (Mr. Mwakwere): Mr. Deputy Speaker, Sir, in supporting this Motion, I would like to commend the manner in which he highlighted the achievements, commitments and aspirations of our nation. It was, indeed, gratifying to note the much that this

Government has done and continues to do. It was also gratifying to know that our vision and mission as a nation is taking the right trend and perspective.

One of my colleagues here said that at Independence, we had a national dream. That is where we went wrong, and that is why over the last 40 years, this country has suffered under nepotism, tribalism, favouritism, and imbalances in economic development. When you talk of a dream, you must be sleeping. You only dream when you are asleep. For the last 30 years we have suffered because we were treated to dreams. We are now giving a vision and direction. This Government is doing the right thing as highlighted by His Excellency the President in his Speech.

Mr. Deputy Speaker, Sir, we took over a Government which was performing very poorly economically. We are delighted to note that now our economy is growing at a rate that can only be comparable to a very short phase in the early years of our Independence. We take a lot of pride in noting that despite the drought that we have been experiencing over the last three years, we have managed famine in a manner that is commendable, and everyone knows that. With our meagre resources, we have tried to distribute water, even where it is not available in times of rainfall.

But we have a very big problem of having inherited some dreams that are making our vision rather difficult to attain. Let us look at the example of parastatals. Kenya has about 180 state corporations. Because we were sleeping and appointments were made five years ago, there was only one managing director from the whole of the Coast Province. However, with the appointment of the current managing director of the Kenya Ports Authority (KPA), we now have two managing directors from the Coast Province. This is the imbalance of some dreams that have made this country go down the drain, and now we are bringing it up to its rightful position.

At the time this Government took over, as an example of tribalism, nepotism and imbalance, there was only one ambassador from the Coast Province out of 39 ambassadors. The vast majority came from the west of the Aberdares.

Mr. Omingo: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to stand and enumerate his plight in the Coast Province? Is he a Minister for Coast Province alone? Is he not perpetuating tribalism?

Mr. Deputy Speaker: I was just wondering as well! Mr. Mwakwere, you are a Government Minister and you appear to be championing coastal matters. Could you, please, correct that?

The Minister for Transport (Mr. Mwakwere): Mr. Deputy Speaker, Sir, a country is like somebody's body. If you have a headache, then the whole body is said to be sick. Although I speak and give reference to the Coast Province, I can equally give hon. members examples of the same plight besetting the people of North Eastern Province. I can also do so for any other part of this country. Yes, I am a Minister of the Government of this country and I have every right to give examples relating to any part of this country. At this juncture, I feel it is relevant to give an example of the Coast Province. But I can also give examples from Nyanza Province. Out of the 180 state corporations heads - you go and check and if need be I will table the list - the vast majority come from the west of the Aberdares.

Mr. Deputy Speaker, Sir, I abhor tribalism. The people of North Eastern and the Coast provinces stand as good examples of people who do not believe in tribal sentiments. It is on record here in Kenya that we have institutionalised tribalism to the extent that even political parties are now tribal. I need not give you the examples. We all know them. This is a shame to this country. It is a disease that must be fought. This is a weakness that came up as a result of the dream. This is important because the President told us that we should set aside vices that will hurt the development and growth of this country. Tribalism is one of them. I stand here to challenge everyone of us to ensure that we fight tribalism in whatever manner it appears in our great nation.

We, as Members of Parliament and leaders, should go out there and take the challenge that the President gave us. We have the East African Community, the Common Market for East and Southern Africa (COMESA) and border areas where we can do business and improve the economy of this country. Let us go out there, preach development, unity of the nation and economic development.

Mr. Deputy Speaker, Sir, the Constitution of Kenya is in force. Kenyans rejected the draft constitution. That, to many people, is a welcome move. It is welcome in the sense that we are now operating and making use of the Constitution that we had before; but which was misused by others. However, we are using it in the proper perspective. I can assure this House that we shall make greater development in this country. People have a right to make choices. If people choose to reject something, it is their constitutional right to do so and it should be respected. We did respect those who rejected the draft constitution, but that is not the end of everything. We move ahead because we have a Constitution which is strong and respectable. It can make this country even greater than what it is.

Mr. Deputy Speaker, Sir, I feel really ashamed when I hear colleagues making references to issues that they have not analyzed fully. Allow me to be a little bit personal on one or two people, and I will not mention their names. When you talk of foreigners coming to this country and insist that they should be deported, surely, a patriotic Kenyan would say they should appear in court. This is because if we think that they should be deported, then we are hiding something. We do not want them to be here. This is a shame to Kenyans! When we have foreigners in this country, the answer to our predicament; whatever problems or suspicions we have, is to insist that they appear in court, not to be deported. When we deport them, then we will be erasing evidence, which means somebody has something to hide. That is a shame.

Mr. Deputy Speaker, Sir, the Press is destroying this country. I will give two very quick examples. They destroy the characters of people. I am a living example of character assassination by the Press. They know it all. I won the case, but that is not the end of it. The President said the Press must check its facts. They cannot just go out and destroy the characters of people who are upright and an example to others in the world, not just in this country. Beyond that, the Press has got blood in its hands. This time last year, there was the Mulungu Nipa story that 2,100 youths from my constituency had crossed the border to Tanzania, because they had been trained as militia and were preparing to overthrow the Government of Kenya. That was a creation of the Press and it knows it. As a result of that, five youths from my constituency were killed in cold blood, but not by the police. There were reports indicating that they were shot dead. But I have postmortem reports showing that they were clobbered to death. The Press is, in a way, colluding with those who want to destroy this country and create instability. I am challenging the Press to refute those examples. It is responsible for the story of the Mulungu Nipa forest youths and it is still bent on destroying the characters of people who are good examples in this world. I am one of them. Mr. Deputy Speaker, Sir, with those few remarks, I beg to support.

Mr. Deputy Speaker: Hon. Members, before I call upon the next speaker to make his comments, there was a point of order raised, I believe by Mr. Wanjala, on the document that Prof. Anyang'-Nyong'o was reading. I think what Prof. Anyang'-Nyong'o did not tell the House is who had authored the document. I have examined the document and seen that it is authored by Justice Ringera. It is authentic because it is signed.

Mr. Sambu!

Mr. Sambu: Thank you, Mr. Deputy Speaker, Sir. The President, in his Address to this House, said that our economy has been growing at 5 per cent. However, that 5 per cent growth rate is invisible, particularly in the rural areas and the low income areas of urban centres. The growth rate referred to is not trickling down to the ordinary Kenyan. If it were trickling down, we would

not be seeing children dying of hunger in many areas of this country.

In the urban areas, if you go to the slums, you will be ashamed to say that you are in Kenya. We should not boast that we have registered a 5 per cent economic growth rate. That is just a theory given to the President to read here. There is no truth in that economic growth rate whatsoever. The truth is that the population of this country is growing faster than the economy, and that only a few people are controlling the economy.

If we want to increase the growth rate of this country's economy, we should let the power of the economy trickle down to the rural areas. Let us increase the budgetary allocation to the Constituencies Development Fund (CDF) and the Local Authorities Transfer Fund (LATF) as well as the allocation for HIV/AIDS control activities. We want free health services for our people.

When Mrs. Ngilu brought forward the idea of free health services for our people, the Government, for some reasons, refused to implement it. If you go to some district hospitals in this country, you will find people who have been treated successfully, but they cannot be discharged simply because they cannot afford to pay a few thousands of shillings towards their medical bills. I would like to support the fact that a hospital like the Moi Teaching and Referral Hospital in Eldoret, which covers many areas, should be allocated more funds. The hospital got only Kshs400 million in the last Budget, whereas it caters for nearly 15 districts. True economic growth has to be seen to be affecting the lives of our people positively.

Mr. Deputy Speaker, Sir, the price of fuel in this country increases by the day. That increase translates to more expensive transport. An increase in the prices of diesel and petrol affects the public directly. Transport costs for passengers have gone up. The cost of ploughing farms has increased because the price of diesel has increased. If we do not watch out, a time will come when we will not be able to produce food or travel because of the escalating fuel costs.

I am happy that the Minister of State Office of the President in charge of Youth Affairs has come back. This Ministry has been created out of a department. So, I believe that it will get its own funding although it was not in the Budget. We should, however, realise that, that contravenes Section 16 of the Constitution. Nonetheless, things in this country have always been contravened. Let us assume that the Ministry will get its funding from whatever department it has been curved out of.

I would like to appeal to the Minister to fund the youth programmes, starting with the so-called village polytechnics. The Ministry should employ instructors for them. In Kenya, we only want people to get degrees. A nation cannot grow with degrees only. We need artisans such as masons, carpenters and tailors.

Mr. Deputy Speaker, Sir, in North Nandi District alone, we have about ten youth polytechnics but some of them are empty because the youth cannot afford the fees being charged. Some of the committees of those institutions have to charge high fees so that they can be able to pay the instructors. I would, therefore, urge the Government to assist the youth now that we have a full Ministry dedicated to them. The Ministry should start by funding the youth polytechnics to train our artisans and thereby improve the economy of young people.

Mr. Deputy Speaker, Sir, before I talk about efforts being made towards realising a new constitution, I will talk about agriculture. I support the President on what he said about agriculture. We have always said that we have to do something about irrigation. This time round, let us act. When it rains, the lower parts of Western Province suffer from floods, because we do not control the flow of water in our rivers. Let us have dams, so that we control the floods and use the excess water from the dams for irrigation to produce more rice and cotton. We do not have to import these commodities which we used to produce at the collapsed Bura Irrigation Scheme and others, which have been allowed to go to waste.

With regard to free primary education, if you go to a primary school in the rural areas and

in the lower income areas of Nairobi, you will find one teacher attending to a class of 80 pupils. These are lower class primary pupils. Will they really even know how to learn? There is no personal attention given to the pupils.

It is not the books or the RMI money that we purport to supply to schools which will bring up the education standards of our children. Pupils in lower primary need personal attention from their teachers. Let us employ more teachers. Doing so will also help the Government to contribute towards the mystical 500,000 jobs it said it would create every year. Let the Government employ more teachers, so that it can improve the quality of primary education in this country.

Currently, the pupils who make it to good secondary schools after primary education are from the so-called "academies", where fees are astronomical. In an academy, a class can have only ten or 20 pupils. Those are the ones who make it to good secondary schools. They are usually children from families which can afford the fees. The teacher to pupil ratio in public schools is one to 80. So, I would urge the Government to employ more teachers.

Mr. Deputy Speaker, Sir, finally, I will speak about the efforts being made towards writing a new constitution for this country. We have to face the reality. The reality is that when the Yash Pal Ghai Commission was formed, it went round the country, collected and collated the views of Kenyans, which it presented to the National Constitutional Conference at the Bomas of Kenya. What was presented at the Bomas of Kenya is what Kenyans wanted included in a new constitution.

So, we already know what Kenyans want. From the results of the National Referendum on the Draft Constitution that was presented to Kenyans last year, we know what Kenyans do not want. If we do not want to waste any more resources on the constitution review process, let the two sides of this House agree on a team of Kenyans, comprising of non-politicians, let it work on the Bomas and Kilifi Drafts and produce a new constitution for this country.

Mr. Deputy Speaker, Sir, we should let His Excellency the President, Mwai Kibaki, rule up to 31st December, 2007 on the current Constitution and have the next Government rule under a new constitution. We should not go back to the people. The people have spoken. They gave their views to the Constitution of Kenya Review Commission. The people further spoke at the Bomas National Constitutional Conference as well as during the National Referendum on the Draft Constitution that was finally presented to them. So, we know what they want and what they do not want.

Mr. Deputy Speaker, Sir, let us, therefore, start writing a new constitution. I have no problem with what those eminent Kenyans are doing now. They are showing us where we went wrong. However, Kenyans themselves; 153 constituencies, said what they did not want. I want to urge this Government to listen to the voice of the people. These hon. Members are the voice of the people. The voice of the people is the voice of God! If we do not listen to the voice of God through the voice of the people; their elected representatives, then even if we come up with a new constitution, it is cursed because what is not blessed here cannot be blessed in Heaven. What is blessed here is blessed in Heaven! If we want the Almighty God to bless us, we need to listen to the voice of the people.

An hon. Member: Amen!

Mr. Sambu: Mr. Deputy Speaker, Sir, the voice of the people are hon. Members because they were elected. They were not rigged in. We are not saying that they should be the ones. However, we are saying that the so-called ODM and the Government should select a group of eminent Kenyans that will write the new constitution.

With those few remarks, I beg to support.

The Assistant Minister for East African Community (Dr. Khalwale): Mr. Deputy Speaker, Sir, I would like to start by declaring that I believe that, as I sit here, I am not sitting in a

satanic place. I believe, as a Christian, that I am sitting in a very holy place and, therefore, I would like to exonerate only one symbol whose meaning I understand that is out there. There is a symbol of a bull there and in my culture, a bull is not Satanic. Therefore, the preachers should not condemn my bull.

I would also like to pass my condolences to the people of Kasipul-Kabondo for the unfortunate loss of Mr. Owidi. I would like to congratulate the new Member, hon. Ahenda, who has set the distinguished record for being the first LDP Member in the House.

(Applause)

Mr. Deputy Speaker, Sir, I would like to congratulate the President for the excellent Speech that he treated us to. I also want to say the same about the short speech by the Speaker of the National Assembly.

The issue of the economy, as evidenced in the President's Speech, captured my imagination. For the economy of Kenya, over a very short period of three years, to grow from negative to 2.8 per cent in 2003 to 4.3 per cent in 2004 and finally, to 5 per cent in 2005, is not a mean achievement. However, I believe that we can do better. I believe that if we really must applaud and be proud of this economic growth in the country, we must see the effects of that growth trickling down to the people who brought us to this House.

I believe that we still have a very big opportunity in seeing this economy growing even better if emphasis can be put to the known. As espoused by Mr. Khamasi, it is known to all of us that the No.1 agricultural commodity that brings in foreign exchange is tea. It is important that we ask ourselves: Why are we concentrating on coffee which last year earned us Kshs7 billion as opposed to tea that earned us Kshs41 billion? We must put emphasis on tea. Doing this is not too difficult because farmers are going to get discouraged in improving their tea because they do not get returns. The returns have been dwindling because there is a lack of imagination in the Kenya Tea Development Agency (KTDA).

Mr. Deputy Speaker, Sir, what is crucial is to expand the market. It is pathetic to note that the best consumer of our tea, Pakistan, has a paltry population from which we are trying to attract in terms of consumption of our tea. The world market still remains open for tea. The USA, which buys very little tea from us, has a population of 300 million. If we target that market, we shall create a good market and our farmers will get better returns. China, which consumes less tea from this country than Uganda here, has a population of 1.3 billion. If only Kenya's foreign missions that are stationed in those countries could move away from the petty and concentrate on commerce, we would reap the fruits of an expanded population.

I forgot to mention Indonesia. It has a population of 214 million and it consumes less tea from us than a place like Egypt which has got a population of only 75 million.

As you might recall, Mr. Deputy Speaker, Sir, His Excellency the President allowed me to deputise for the Minister for East African and Regional Co-operation. I want to report that the EAC has recorded monumental events which the populace of the three member states have no idea about. The Customs Union is operational. The East African Legislative Assembly (EALA) is actually in its fifth year; the East African Court of Justice is operational and even the Lake Victoria Basin Commission has been started off with the headquarters here in Kenya at Kisumu. The German Government has funded the construction of an ultra-modern centre for the East African Community in Arusha on a plot of over 200 hectares. In spite of all these, these many gains have not made sense to the people of East Africa. If we want to go for a political union or federation, it is important that we develop social programmes that will make our people socialise together to realise that we are one nation. Otherwise, if we do it before that, the federation is likely to collapse.

Mr. Deputy Speaker, Sir, we should consider social programmes and projects that will be shared by the people of the EAC to encourage them to realise that they are one people. I have in mind the issue, for instance, of sending sporting teams to international events. It would be interesting before we reach the political union for us to start now by sending an East African team to the African Cup of Nations, the World Cup and many other events.

The other area where we can socialise very easily, and which was tested in the past, is the issue of the education system. We should quickly harmonise the East African education system so that we do the same system and sit the same examinations for our youth to realise they are one. I am reliably informed, Mr. Deputy Speaker, Sir, that you do not hold any Kenyan certificate. In fact, you only hold the East African Certificates. This is why your thinking picture is much wider than the hon. Members here.

(Laughter)

Mr. Deputy Speaker, Sir, I do not want to exhaust my time without commenting on the issue of corruption. This is not a joke! Where we have reached, we have forgotten that corruption is not a political game. It hurts the poor who vote for us to come here; the poor whom we represent. Corruption denies the poor people access to medicine, food and education. We must condemn corruption. We cannot honestly pretend that we want to condemn corruption if we do not want to lead by example. Leading by example means that all those who are adversely mentioned in Anglo Leasing, Goldenberg and the Ndung'u Report should vacate their positions of power and privilege so that the drivers who work under them and the cooks who make tea for them in the office can go forward and say what they saw the boss doing. There is no way you can expect these humble servants to expose these gentlemen and ladies when they are still in those positions.

After we have proven that the ones who have stepped down actually have a case to answer, I would request this country to give a chance to two things. First, let chance be given to truth and reconciliation.

Mr. Deputy Speaker, Sir, that chance should be given to transitional justice. That was done in South Africa and Germany. If we identify the thieves, we should not give chance to those two issues. If we do not do that, we are going to put our country on fire. We must go that route. It will not be enough for you to dance because someone is bleeding or is on fire. Give those two positions a chance.

Mr. Deputy Speaker, Sir, I want to commend the President for the efforts he is making in fighting the drought that is currently ravaging the country. Already, Kshs5.2 billion has been spent. Another Kshs6.1 billion will be spent in sourcing for more food. The most encouraging thing is that, so far, the food has been sourced locally. But in order to encourage farmers who provided the food, the Government should do two things. The first one is to give them free seeds. The second thing is: If a small country like Zambia can produce fertilizer, why can Kenya not have a fertilizer producing factory?

With those few remarks, I beg to support.

Mr. Gumo: Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to contribute to this Motion. The President's Speech was very juicy. He always does that. Even before he became the President, his speeches were very good. The problem is action. He has now given the Government a challenge. It is now the responsibility of the people who are in the Government to take action. I do not know whether they will do it.

Mr. Deputy Speaker, Sir, we have been talking about tribalism. Today, tribalism is worse than ever before. It is the Government that is leading in tribalism. If the Government appoints people on tribal basis--- It makes sure that people are removed from Ministries and replaced by

people from one part of the country! There is no way tribalism will go. If you look at the main Ministries such Finance and the Office of the President, you will hardly get anybody from any other part of this country, apart from the Mt. Kenya region. What do you expect us to do? Do you expect us to clap for them? Do not expect us to say they are doing a good job when our people are being removed from offices! Do you want us to say that there is no tribalism?

I will give an example, Mr. Deputy Speaker, Sir. The other day, the Vice-Chancellor of Kenyatta University was removed from office. When he was appointed in 2003--- The Kenyatta University Constitution states very clearly that a Vice-Chancellor will serve for a five-year term. However, because that particular one was a Luhya, he was given a three-year term only. The one who has replaced him has been given a five-year term. Is that not tribalism? Why was he given a three-year term, when he was supposed to serve a five-year term?

An hon. Member: He was a Luhya!

Mr. Gumo: That is because he was a Luhya!

(Laughter)

The replacement, the one from Mt. Kenya region, has been given a five-year term. Is that fair?

Mr. Kagwima: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to condemn tribalism on one hand and preach it on the other?

An hon. Member: Give an example!

Mr. Kagwima: Mr. Deputy Speaker, Sir, for example, who is bigger; a Vice-Chancellor or a Minister? The Mt. Kenya region lost three Ministers the other day! Why has he not complained of the same?

Mr. Deputy Speaker: Order, Mr. Kagwima! You rose on a point of order and I allowed you to do so! But now, you went on to a point of argument!

Mr. Gumo, please, proceed!

Mr. Gumo: Mr. Deputy Speaker, Sir, I will say more and more. But since he knows that I am saying the truth, I do not have to go further. The reason that is always given is that those people are employed because they are more qualified than others. Today, if you wanted a Vice-Chancellor from Turkana, you will get one!

(Applause)

If you wanted a Director of Medical Services from the North Eastern Province, you will get one. Today, there are qualified people all over the world. Ministers or Permanent Secretaries are nothing. You can have Ministers from one region who are powerless. When the former Vice-Chancellor of Kenyatta University was removed from office, the Acting Minister comes from his area. I doubt whether he knew what was going to happen. He must have read it in the newspapers just like me. I do not understand why he should be on the Government side. He should be with us this side! If I am not saying the truth, let him challenge me. He read the news in the newspapers just like me! He is the Acting Minister for Education and yet, he cannot even protect his voter.

Mr. Deputy Speaker, Sir, we have talked about security. We can never have security in this country when the Police Force is divided. Of late, you can see that the Police Force is divided. One wing of the police is getting instructions from a different force. The so-called Commissioner of Police acts on his own. He has nobody to support him. Maybe, he could be supported by Parliament.

Mr. Deputy Speaker, Sir, Mr. Raila talked about the two Armenians who are in this country. You cannot tell us that those are good people! Those are people whose records, from

wherever they are, are questionable. We have read it from the newspapers. Even the Armenian Government has denied knowing them! We are being told that there are investigations. Those people are so uncouth in their dealings! You even doubt whether they are respectable people.

When a foreigner asks the Minister of State in charge of Internal Security to shut up and he in deed shuts up--- Who is behind those people? That is because for me, knowing Mr. Michuki, for him to shut up, those people must be having a lot of force behind them!

(Laughter)

He, indeed, shut up! He has never talked again since that time. We are being told that they are being investigated. What are they being investigated for? Those people must go! There are a lot of rumours in town because of those people. In fact, people are now saying that they are the ones eyeing the cocaine! Maybe, they have sold some of it. People are talking about it in town. That is because the Government is supporting them. They are not telling us why they are supporting them. Tell us! Tell us why you are supporting them! There must be a reason! You cannot support somebody for nothing. You have either been paid or compromised and so, you cannot talk. Tomorrow we will take there fifty dogs in order to flush them out of that place. If you support these two people we will unleash these dogs on you.

(Laughter)

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the President talked about increasing the number of judges. Personally, up to today, I have never understood why those other judges were sacked. Luyia judges who were sacked were twelve and they were replaced by two judges. Luo judges who were sacked were eight. Kamba judges who were sacked were five. Judges from the Coast Province who were sacked were two. Does it mean to say that only the above judges were corrupt? If they were sacked because of corruption, then the Government should have sacked all the judges and employed new ones. One of those who were sacked has since been reinstated because he could not be proved guilty. For the others, we do not even know when their cases will end. This is a delaying tactic because the Government knows it has no evidence against them. If the Government knows that there is no evidence, why do they not reinstate them instead of employing other judges?

We were told that some of them were sacked because they delayed justice. Today there are election petition cases in our courts which are unfinished. Is that not corruption because election petition cases need to be completed in six months? Elections are conducted and we have new hon. Members of Parliament. I am sure that majority of hon. Members who have election petition cases against them are on the Government side. They want these cases to be delayed for five years so that by the time the next general elections come they will have served their time in this House and yet they were here illegally. That is not fair. So, corruption is still there and it will continue. As long as the Government does not allow civil servants to work independently and Ministers are the ones who make decisions on behalf of civil servants, there will be corruption. If you look at the Anglo Leasing scam, you will find that the people who were involved heavily in it were Ministers. They gave orders and directives although they did not sign anywhere and said---

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Gumo, your time is up!

Mr. Gumo: Thank you, Mr. Temporary Deputy Speaker, Sir.

I beg to support.

The Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda): Mr. Temporary Deputy Speaker, Sir, thank you for giving me a chance to say something about this very important Speech from His Excellency the President.

I want to talk about the youth who form 72 per cent of our population. Hon. Members are misusing the youth for their own selfish gains including myself. That is a fact. One or two hon. Members in this House who are not below the age of 30 are inciting the youth so that at the end of the day chaos erupt in this country. When you look around, some of these hon. Members will flee this country once they have set this country on fire. They have passports, big cars and lots of money. We will be judged harshly by Kenyans as a Parliament which set this country on fire.

Mr. Temporary Deputy Speaker, Sir, I wonder when I see some faces in this House talking about corruption and even accusing the Government. I am not saying that all of us should not fight corruption. All of us should fight corruption. However, some of the hon. Members on the Opposition side were heads of parastatals in the previous government and they mismanaged those parastatals. We also want the Kenya Anti-Corruption Commission (KACC) to pursue PIC and PAC reports so that at the end of the day some Members of Parliament are sacked. If we did that, then Kenyans will believe that Parliament is serious. The KACC should go further and ban such people from vying for any civic or parliamentary seat.

Mr. Temporary Deputy Speaker, Sir, one or two hon. Members in this House and whose names I do not want to mention are not worth accusing anybody about corruption because of their bad records. They know what crime they have committed. They are pretenders. Let us not be pretenders when we are hon. Members of Parliament. We should be---

Mr. Raila: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is referring to two hon. Members in this House whose names he does not mention. The Standing Orders are very clear that if one wants to discuss the conduct of another hon. Member, he or she should bring a Substantive Motion. Is he in order?

The Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda): Mr. Temporary Deputy Speaker, Sir, I did not mention any hon. Member's name. However, the former Minister knows them. He is in the right position to know the people he is grooming. He is leading a very corrupt group!

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Kamanda! We will stick by the rules of the House. Once you open your mouth you better be careful about what comes out of it. You have been challenged and you must be prepared to substantiate your claims. So, take the course that is right.

The Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda): Mr. Temporary Deputy Speaker, Sir, I have not mentioned anybody.

Mr. Ojode: On a point of order, Mr. Temporary Deputy Speaker, Sir. I agree with what you have said but once hon. Kamanda has opened his mouth and alleged that the former Minister for Roads knows the corrupt fellows without substantiation, then he either withdraws his remarks and apologies or he names them.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Ojode, I have already given direction and guidance. So, proceed Mr. Kamanda!

The Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda): Thank you, Mr. Temporary Deputy Speaker, Sir, for cautioning me and allowing me to proceed.

Mr. Temporary Deputy Speaker, Sir, I also want to comment about the achievements of the Constituency Development Fund (CDF). It is true that some hon. Members may argue that this Government has not done anything but are we really sincere to ourselves given the fact that this

Government has done a lot through the CDF? I am of the opinion that the CDF should be increased. We need to amend the laws on how the CDF should be managed and allow other people to participate in it. I may not sound very popular here, but the Constituencies Development Fund (CDF) should be managed by other arms of the Government. It should not be managed by hon. Members of Parliament alone. If we allocate 7 per cent of Government taxes to the CDF kitty, then we need to involve other arms of the Government. This is not hon. Members' money, but it is the Government's money.

Mr. Temporary Deputy Speaker, Sir, I do not want to dwell at length on that issue. I will now focus on the issue of gender because I am the Minister for Gender, Sports, Culture and Social Services. In this country, we need to take the issue of gender equality very seriously. One arm of gender has been discriminated against for a long time. The struggle for women started in 1857. For over 146 years our women have been "colonized". It is high time we, in this House---

Mr. Oloo-Aringo: On a point of order, Mr. Temporary Deputy Speaker, Sir. May be this is a matter of semantics, but did you hear the hon. Member say that "women have been colonized since 1857"? Is it in order for the hon. Member to mislead the House that the relationship between men and women is that of colonization?

The Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda): Mr. Temporary Deputy Speaker, Sir, the hon. Member has already "colonized" three women!

(Laughter)

My Ministry will soon present a Sessional Paper before this House to tackle the issue of gender equality. We want all sectors of Government to address gender issues. We, as a Ministry, are consulting widely with other Government departments. This is because we have realised that issues of gender, particularly those affecting women, have experienced barriers because of bad customs and culture. When I attended the CSW meeting in New York early this month, Kenya was commended for the efforts it is putting in addressing gender issues. We were lauded because of the introduction of the free primary school education programme. I want to thank His Excellency the President for proposing this programme. That is where empowerment of gender starts. It starts by empowering the girl-child. Once we empower the girl-child, we are actually promoting gender equality.

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

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, thank you for recognising me. I will start by saying that the Speech by His Excellency the President is the same one presented during the opening of the last Session. That is why there was confusion, even in the Speech itself. There is nothing which was added to it!

Mr. Temporary Deputy Speaker, Sir, this Government will never prosecute those who are involved in corrupt practices. This is because a number of Ministers, who were adversely mentioned in some corruption cases, have not been taken to court. Ministerial Statements have been issued in this House saying "Anglo Leasing was a scandal that never was." These are not Mr. Ojode's words. We heard them in this very House. There was one Minister who said that even State House operatives were aware of some of these scandals. How will we take our own people to court if State House operatives were aware of these dealings?

Mr. Temporary Deputy Speaker, Sir, this is a letter which was written on 5th June, 2003 by the former State House Comptroller authorising the purchase of naval ships, combat net radios and other items, which were involved in the Anglo Leasing scam. Part of that letter says that His Excellency the President had given an okay for the purchase of these items. Since when did the President become a procurement officer?

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

Mr. Ojode: Mr. N. Nyagah, my time is running out!

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ojode! Let us listen to Mr. N. Nyagah's point of order.

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, it is good to put things authoritatively. I speak as an hon. Member of the Public Accounts Committee (PAC). The letter quoted by the hon. Member does not show that these issues were brought to the knowledge of His Excellency the President. What Mr. Keriri wanted to know was the prioritization of those three projects by the Office of the President. I challenge him to table that letter here!

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, it looks like there are two more letters.

An hon. Member: Where are they?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, the specific one I am talking about is a letter authorising the former Permanent Secretary, Mr. Magari to go ahead and purchase the items involved in the Anglo Leasing scam.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ojode! You have made your statements. Mr. N. Nyagah stood on a point of order and is challenging you to table the document. It is right that you do so.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, let me first give the chronology of this. When the combat net radios were supposed to be purchased, that same State House Comptroller increased the units---

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): On a point of order, Mr. Temporary Deputy Speaker, Sir.

Mr. Ojode: Now, who is this? I am discussing something, which is of grave concern!

(Laughter)

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ojode! What is your point of order, Ms. Mwau?

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): Mr. Temporary Deputy Speaker, Sir, I am an hon. Member of Parliament! Could the hon. Member table the letter he is talking about or withdraw his remarks?

The Temporary Deputy Speaker (Mr. Khamasi): Ms. Mwau, I have already made a ruling on this matter. I do not need to re-visit it. Mr. Ojode told me he is only clarifying issues and then he will table the letter.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, that interruption is not a big deal. I am capable of substantiating any allegations I make in this House. I will just quote some paragraphs of this letter. This letter was addressed to Mr. J.N. Magari on 5th June, 2003. This is Mr. Keriri writing and he has not been investigated to date. It is reference: DOD Projects and Acquisition Priorities, Financial Year 2003/2004. It states as follow:-

"I enclose herewith a copy of a letter that was shown to His Excellency the President by Dr. Murungaru, Minister of State in charge of Provincial Administration and National Security yesterday regarding DOD Projects and Acquisition Priorities for the Financial Year 2003/2004. The list of projects contained in this letter were discussed by the Minister with His Excellency the President and the following were approved by His Excellency the President---

Mr. Temporary Deputy Speaker, Sir, that is why I was asking: Since when did the President become a procurement officer? The items are as follows:-

(i) Combat Net Radios; 1,603 units. Mr. Keriri increased the items from 1,119 to 1,603 to the tune of Kshs8,703,880,000.

(ii) TCV (Leyland); 400 units at a cost of Kshs2,436,200,000.

(iii) Housing Project; Kshs1 billion.

(iv) Corvette at a cost of Kshs4,159,760,000

(v) P4 Inspection (Puma). This is a chopper and it was supposed to be repaired. One chopper, which is costing Kshs80 million was repaired at a cost of Kshs360 million. This letter is not written by Mr. Ojode. These items are all listed here!

(vi) AML 254 Re-Engine; 73 units at a cost of Kshs734,775,022.

(viii) Five 50 ACB Helicopters at a cost of Kshs400 million. If you divide Kshs400 million by five, you get Kshs80 million. That is the cost of the helicopter, which was to be repaired at a cost of Kshs360 million. This was with the express authority from State House. Yet we are talking about corruption. This is shameful! However, I know the Minister for Justice and Constitutional Affairs will help us---

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

Mr. Ojode: I have not finished!

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ojode! What is it, Mr. N. Nyagah?

Mr. N. Nyagah: On a point of order, Mr. Temporary Deputy Speaker, Sir. Does the hon. Member on the Floor know that the helicopters he is talking about were ordered for by the previous Government before NARC came to power? I say so because that is an audit query that is before the PAC.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, that is a frivolous point of order. It is a point of argument. What I want to say is that the former State House Comptroller may have taken advantage of what had happened to His Excellency the President. What I am saying is that there was corruption in these Anglo Leasing projects, which were authorised by none other than His Excellency the President.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ojode! Mr. Ojode, you are now getting close to discussing the conduct of His Excellency the President. You cannot do that and you know that the rules of the House do not allow you to do so. So, could you, please, get away from that?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, basically what I am saying is that His Excellency the President was told that they needed to purchase this equipment, and this letter says that he authorised its purchase. You know that there were tenders for these items. The companies which tendered---

Mr. N. Nyagah: On appoint of order, Mr. Temporary Deputy Speaker, Sir. I think we need to be very clear about the Standing Orders. Hon. Ojode has very clearly stated what wrongs His Excellency the President did, and you then directed him to get away from that. But he says it was authorised by His Excellency the President. Those are other people's words against what we do not know and what he knows about the report. Could he stop imputing improper motives as required by the Standing Orders and also withdraw that allegation?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, that is a point of argument. My point is clear and I do not need to explain anything. His Excellency the President has authorised these projects, and that is what I am raising a question. Since when did His Excellency the President become a procurement officer?

Mr. Temporary Deputy Speaker, Sir, we had four tenderers. Printed Communications Systems of South Africa quoted Kshs1.85 billion for the entire gadget. Guardian Communications of Israel quoted Kshs1.9 billion for the entire project and Harry Communications of the USA

quoted Kshs2.6 billion for the entire project, while Rhodes and Schwanz Company of Germany quoted Kshs4 billion. My question is: Where did they get Kshs8.7 billion from? That is a simple question I would want them to answer.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Ojode, I would like you to Table the letter before the House.

(Mr. Ojode laid the letter on the Table)

Mr. Ojode, I will give you one minute to finish off.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, what we require, as a Government and a country, is that Mr. Matere Keriri must be investigated. Let him come and tell Kenyans why he misused the name of His Excellency the President. The gadgets which were supposed to be purchased were 126 units of VHF manpack, 130 VHF vehicular, 8 units of VHF-based station, 362 VHF combat net, 210 VHF manpack, 186 VHF vehicular, 47 units of VHF-based-station, 23 UHF manpack, 16 UHF vehicular and 15 laptops. When you look at what has been authorised by Mr. Keriri, it is over and above what is contained in the actual tender document. If that is not corruption, what is it?

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Ojode, your time is up!

Mr. Ojode: Thank you, Mr. Temporary Deputy Speaker, Sir!

Mrs. Kihara: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to applaud His Excellency the President's Address. There are many good things that the President said. However, we can only recognise them if we are honest enough.

Regarding the famine that is biting this country, the Government has done a lot. I say so because the constituency I represent was affected by drought, but the Government came to its aid.

Concerning water projects, as a Member of the Constituencies Development Fund (CDF) Committee, having gone round this country, I know how much the Government has done as pertains to boreholes and other water projects. This is a big step forward because there are areas that never had any water projects before the introduction of the CDF. It is unfortunate that leaders do not talk about the development projects that have been going on in this country. They only talk about politics. Kenyans are fatigued, exhausted and choked by politics. It has come to a point, in this country, when some leaders think that unless they talk ill of the Government, Kenyans will not hear them. For instance, recently, there is a time when there were issues that leaders thought needed to be discussed, and that the President needed to open Parliament. However, when the date of reopening was gazetted, the same leaders declared that there was no need to reopen Parliament. Those are the kind of politics we are having in this country.

As much as we have been reminded about the kind of work that is ahead of us, and the Bills we have to pass, there are leaders who are out to see that it does not happen, yet they were elected by people. That is dishonesty on the part of those leaders.

An hon. Member talked about the recent appointment of the Vice-Chancellor of Kenyatta University. It is everybody's knowledge that the appointment of a vice-chancellor is not done by the Government, but by a senate. I feel saddened when someone says that the lady who got that job did not deserve it. The kind of leadership we are offering this country is not good. We have become very tribal. A Kenyan woman being appointed a vice-chancellor of a university, the first one for that matter, is an achievement to Kenyan women. We applaud and congratulate her.

Leaders in this country have been dwelling on tribalism. That is unfortunate because some children who are in school today, do not even know which tribes they belong to. Kenyans are not interested in tribalism any more. That can be ascertained by the way Kenyans came out in large numbers to assist during the recent collapse of a building in Nairobi, where many Kenyans were

hurt. The biggest tribalists of this country are the leaders themselves and not those who are led.

It is unfortunate when an honourable Member stands up to castigate the Government he has served, criticising it on issues which he did not criticise when he was a Minister. That can be compared to an estranged husband who goes talking about his wife because they have separated. That is mannerless and not fair. Those are issues that the former Minister should have talked about when he was still serving in the Government. There is so much we need to address as a country and as leaders. It is not fair for one not to talk about some issues when he is in his own house, but talk about them when he visits his girlfriend's house. People who have been serving in this Government, but are now in the Opposition, are talking ill of the Government. I think it is not right. Let us be honest and fair if we really mean to give Kenyans good leadership.

There is need to say that the road network in this country has improved and everyone has seen that. There is a lot of money from the CDF and from the Exchequer that has been used. There is work on the ground that people can see. For heaven's sake, could we work for Kenyans, be honest and stop politicking? Kenyans now know who wants what. If we keep on struggling for power and making people believe that if we are not in power then no one else should be, it is not fair or right; it is dishonesty.

There are many dispensaries that have come up. My plea to the Government is to avail staff to the dispensaries that have been put up using CDF. The Government should also avail teachers to schools which have come up, because they have no teachers. In fact, the Government has not been hiring teachers. Even when we are told that the Government is hiring, it is only trying to replace those who have retired. In the real sense, there is no hiring of teachers. There are so many schools which are hit by the shortage of teachers. I remember in one constituency where they have constructed 11 new primary schools, which means we need more teachers. Can we be honest and assist? This is our country and we are the shareholders. There is no way we can be proud of ourselves when this country is going to the dogs. This country belongs to all Kenyans and the shareholders of this company called Kenyan are all Kenyans. If our country goes to the dogs, none of us will be spared.

Mr. Temporary Deputy Speaker, Sir, once more, I plead with hon. Members to show Kenyans the way and to lead in the dialogue. Can we stop castigating anything the Government does just because we are sitting on the other side of the House? It is not fair or right to do so.

Mr. Temporary Deputy Speaker, Sir, we know that there was a referendum, and people tend to think that it was a general election or they think that, that is the way to go. There is nobody who can fool Kenyans any more. We hope that the new Constitution will be in place so that we can give Kenyans another subject to talk about. We cannot continue to talk about the same thing everyday while some of us are not prepared to facilitate it or to see it go through.

Mr. Temporary Deputy Speaker, Sir, on the issue of famine, we just heard that the relief food that has been distributed to famine victims came from our farmers. This is a very positive move and these people now know why they should farm.

With these few remarks, I beg to support.

The Minister of State for Youth Affairs (Dr. Kuti): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. First of all, I would like to congratulate His Excellency the President for the exposition of public policy which is contained in his Address to the House during the State Opening of Parliament. The Speech addressed the real issues facing Kenyans today. I would also like to urge my colleagues on both sides of the House to take heed of His Excellency's Speech when he said that we should refrain from propaganda and a lot of politics and direct our energies to making life better for Kenyans.

Mr. Temporary Deputy Speaker, Sir, I would also like to support the President's Speech and thank the Government for the way it handled the last drought. I would like to bring to the attention

of this House the fact that many people who were affected by the drought lost about 60 per cent of their livestock. I would also like to bring to the attention of Kenyans and the world that even after that drought, its impact will linger in that region for many more years to come. The economy of that area has actually been destroyed. I would urge the Government and all leaders to pay a lot of attention in terms of helping the affected communities. We should also try other alternative methods of combating or sustaining livelihood in that area such as irrigation. Both these areas, especially North Eastern Province, have River Tana, which when some irrigation was started, enough food was being produced. This enabled them to be self-sufficient in terms of food. The same is true of the areas where Ewaso Nyiro River passes. Sometime in the mid-1980s, the Food and Agricultural Organization (FAO), which is a United Nations (UN) body, started an irrigation scheme along the Ewaso Nyiro River near an area called Gafarsa and Malkadaka. The difference between these two projects is that the canals and most of the work was done manually by the Gafarsa community. To date, Gafarsa is still producing food, although on a very small scale that it is not able to sustain the whole area. I think one of your officers here was a District Officer there and he knows this very well. The Gafarsa community is, up to now, food sufficient, even in this drought. The FAO started a very highly mechanized irrigation project in the next village, and all those machines have now broken down. When FAO officers left, the communities could not maintain those machines. So, if we started thinking strongly and invested in irrigation schemes which rely on gravity, where the canals could bring water to the fields through gravity, and the gates could be managed manually, the food that can be produced in those areas can sustain the communities there. We need not always rush there with relief food. So, we need to reconsider how to keep that area food sufficient.

The other aspect we also need to think about is stock control. When it rains now, there will be enough grass and these animals will start mating and a lot of calves will be born. The animals will re-double in population very soon. These animals are sturdy and are able to survive in the drought and can reproduce very quickly. What will happen is that the area will again be over-stocked. The hooves of the animals will degrade the soil and the grass will be depleted very fast. Once again, the whole cycle of animals dying will be repeated.

I would actually like to thank the Government for the off-take that they did in the area in trying to salvage the livestock and putting some money in the hands of the communities. Those communities were able to pay school fees using the proceeds from the off-take. In future, we need to look into a system whereby we do not only off-take livestock when there is a drought, but we should create a revolving fund which should, maybe, be given to an institution like the Agricultural Development Corporation (ADC), which will buy the livestock on a regular basis. The agricultural technicians should then come up with a system where we keep the number of livestock which the land can support. Over-stocking should be checked.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank the Government for supplying hay to our livestock. This is the first time in history that the communities in North Eastern, upper Eastern, Kajiado, Narok and in all areas which were hit by the drought were all pleasantly surprised to receive hay. Drought has struck these people many times before and animals have died, but they have never in their history received hay. They only used to receive relief food. So, both the livestock and the human beings received food. We would like to thank the Government for supporting the pastoralist communities at this time of need. I think that this is the way the Government should respond to its people.

Mr. Temporary Deputy Speaker, Sir, a referendum is the height of democracy. It is a system where a Government gives a chance to its people to give an opinion on a matter. The Government then respects that opinion. The referendum we held in this country last year actually demonstrated the height of democracy. If there was any winner during that referendum, then it was democracy.

Unfortunately, we politicians; from both sides of the House, used the referendum to achieve our own selfish ends and misled the people of Kenya by turning the referendum polls into an issue of two groups.

What actually should have happened is this: After the Draft Constitution of Kenya had been declared ready, we ought to have given time to the people of Kenya to read it without us criss-crossing the country doing campaigns. In fact, some of us started campaigning much earlier before the official appointed time for campaigns. Immediately the referendum date was announced, a lot of rumours started circulating in all corners of the country. The rumours were very much antagonising. Each community was at pains to hear what hurt them most. In my community, for example, there were issues such as allowing men to marry fellow men, abortion and so on. All these issues affected people very much. So, we did not give Kenyans time to read, understand and vote during the referendum in a democratic way. In fact, we hijacked the whole process. It was very unfair of us to hijack a democratic process.

(Applause)

While the Government gave Kenyans the height of democracy, politicians---

Mr. Ojaamong: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard the Minister say that we hijacked the whole process. Indeed, there was the Constitution of Kenya Review Commission (CKRC) in place and it was paid a lot of money to do civic education. It conducted civic education from the locational level---

The Temporary Deputy Speaker (Mr. Khamasi): What is your point of order?

Mr. Ojaamong: Is the Minister in order to mislead this House and the nation at large that politicians hijacked the whole process thus making Kenyans not to understand the whole referendum process?

The Temporary Deputy Speaker (Mr. Khamasi): He is right because that is his opinion!

The Minister of State for Youth Affairs (Dr. Kuti): Thank you, Mr. Temporary Deputy Speaker, Sir.

I think that more referenda will come again and it will be very unfortunate if politicians will hijack them again. It is not just about voting on the Draft Constitution. Referenda, the world over, are used to gather the opinions of the people.

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

The Assistant Minister for Local Government (Mr. Tarus): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on the Presidential Address.

I have a number of issues that I would like to raise. However, before that, I would like to support the President's Speech. Looking at the history of our country, we have realised that Kenya is a place full of opportunities. Kenya is composed of many communities that have coexisted together for a long time and are still yearning to live together. I have listened to various hon. Members speak on the Floor of this House. Indeed, some of them have talked about the Kenyan dream. I am now asking myself: How come that when we go outside we are unable to articulate the Kenyan dream so that the people of Kenya can have a chance to ventilate together?

Prior to the referendum campaigns last year, we asked leaders to rediscover themselves and what this country requires. That was the moment we ought to have given this country a new Constitution. We have never before held a referendum here in Kenya.

Mr. Temporary Deputy Speaker, Sir, the current Constitution was achieved through consensus. I expected that to be a second opportunity for Kenyan leaders to rediscover themselves and say that if Kenya did not get a new Constitution it would be very elusive in the future.

However, I can see many hon. Members, particularly those from the Government side are committed to dialogue.

Mr. Raila: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member for Emgwen in order to mislead the House that, that side is committed to dialogue when even a small child in this country knows that this side has been asking for dialogue all the time and that yesterday they behaved like robber barons on the same issue?

The Assistant Minister for Local Government (Mr. Tarus): Mr. Temporary Deputy Speaker, Sir, had the other side been interested in dialogue we would have obtained a new Constitution before the 21st of November, 2005. History will judge us. We were supposed to allow Kenyans to realise a new dawn which did not happen.

I hope that before 2007 we shall give Kenyans an opportunity to enjoy living in this country. They will truly enjoy if we have a new Constitution. If we fit all these issues of power sharing and memorandum of understanding into the constitutional arrangement, this country will be a good place for all of us. I do not want to talk much about the Constitution, but when you look at the results of the referendum, the winners had 58 per cent and those who lost had 23 per cent. It is telling enough that we must bring these two together. We cannot ignore this issue even if it is 20 per cent. We cannot also ignore the 58 per cent. Therefore, I request that the earlier we dialogued, the better for this country.

Mr. Temporary Deputy Speaker, Sir, I would also like to talk about poverty. When leaders stand on a platform, they all talk about how they want to alleviate poverty. Time has come when we, as legislators, while perusing through the estimates of the budgets that are read here every year, should ask ourselves whether we are doing justice to the poor who constitute 56 per cent of the population of this country.

I hope that, in the coming Budget, more programmes will be geared towards development of the poor, particularly in the informal sector and the rural areas. If you went to some areas like West Pokot, you would wonder whether you are living in the same country with the people there. If we want to eradicate poverty we will have to make a Budget that ensures that the poor feel they are part of this country.

I thank the Government for introducing free primary education. But we still have a lot to do in the health sector. The district hospitals are dying slowly. I wish we could come together as leaders and allocate them funds. We also need to improve the human resource capacity in our district hospitals. Those that have overstayed have made small kingdoms in those hospitals. They are "eating" left, right and centre. This is another opportunity to re-organise ourselves. The President even re-organised Ministries to serve the people of Kenya effectively.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about agriculture. No country in the world, particularly that relies on agriculture, has been able to industrialise without the transformation of that particular sector. I want to thank the Government for taking care of the plight of farmers by purchasing their maize, providing them with credit and also developing additional infrastructure to increase their productivity.

Mr. Temporary Deputy Speaker, Sir, in China, they are diverting one of the rivers to the dry areas. That has taken care of the drought in those areas and also helped the people to produce food. I hope that, one day, we will provide enough water to the arid and semi-arid areas, so that this country could enjoy adequate food supply. I hope we are not going to import food because farmers are now planting. This year, due to the prevailing drought, I want to request that additional support be extended to the Ministry of Agriculture to boost food production. That way, we will not import food even for a single day.

With those few remarks, I beg to support.

Mr. Kagwima: Mr. Temporary Deputy Speaker, Sir, I want to join my colleagues in

congratulating His Excellency the President for a well presented Speech during the State Opening of Parliament. I hope that hon. Members took interest in the two Speeches. The first one was by His Excellency the President and the second one was a challenge by the Speaker of this House. We should talk as leaders of this country. We should also talk as Members of one National Assembly for the welfare of society and just Government of men.

An hon. Member: People!

Mr. Kagwima: Yes! Women included! In any case, when you say women, you have the word "men" still included in that spelling.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Kagwima, address the Chair. No side-shows!

Mr. Kagwima: Mr. Temporary Deputy Speaker, Sir, that was with a light touch. I am not in any contest with my colleagues. But having listened to those two leaders, I am excited and inspired to ask my colleagues to take the Speeches very seriously and practise what we were told. We need unity so that we can develop our country to higher heights.

Mr. Temporary Deputy Speaker, Sir, when you have a Minister appointed from a certain region and then the flag flies just around that region, serving the people from that small area, that is not what we want. The flag should travel around the country and serve Kenyans in whatever portfolio so that the taxes Kenyans pay are seen to be properly utilised. Let us have Ministers for the country, not for regions. Some of the reasons some people from certain areas look for Government positions is the tendency to localise leadership. I want to appeal to the Ministers to serve the country generally.

Mr. Temporary Deputy Speaker, Sir, agriculture, as we know, is the backbone of our economy. Unfortunately, some of the cash crops, especially coffee, have gone down over the years, in terms of quantity and quality. In the 1970s, the production of coffee was up to 130,000 metric tonnes per year. Now, the figures are less than 70,000 metric tonnes per year, falling by more than half. Therefore, the foreign earnings that we used to get are not there. The employment that, that sector created is no longer there and thereby, poverty has increased. The other day when we travelled as the Departmental Committee on Education, Research and Technology, and visited some of the areas that used to do very well in coffee, I was surprised at the level of poverty in those areas. I could not believe there would be that kind of poverty in Central Province. I wonder how other parts of the country are.

The Assistant Minister for Foreign Affairs (Mr. Wetangula): Come to Western Province and you will see real poverty!

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

Mr. Kagwima: Mr. Temporary Deputy Speaker, Sir, that is why I am saying that we need to join hands and fight poverty so that we have a united Kenya with sound policies in agriculture and other areas. We should revive those sectors that used to enhance the strength of our economy. I just picked on coffee simply because I served in that sector in those days when coffee was doing well.

Mr. Temporary Deputy Speaker, Sir, we now have tea and what we read about it is not very encouraging either. At times we hear that the prices of tea have gone down. We also hear that the production is not good and hence, the quality is affected. There is a bit of politics slowly creeping into the tea sub-sector. We should guard against that, so that we do not put the tea sub-sector where the coffee sub-sector is. If we do not do that, we will also kill the tea sub-sector. So, I just want to appeal to those involved in the tea sub-sector to ensure that we sustain our production in terms of quantity and quality. We also need to be aggressive in terms of marketing the same, so that we sustain the market. We do not, of course, produce when we do not have somewhere to sell our produce.

Mr. Temporary Deputy Speaker, Sir, I want to appeal to the Ministry of Energy to ensure that there is electricity in the rural areas. This is the only way we can start industries in those areas. We all know that our towns are congested. Nairobi City, for example, is excessively congested. It has also become another centre of poverty. So, if we have electricity in the rural areas, we shall have small agricultural industries. As a result, we shall create employment and ease population pressure in towns. This will encourage people living in the rural areas to be more productive. However, in the last few years, the management of the Kenya Power and Lighting Company (KPLC) decided to save depositors' money and earn interest. It is a pity that they boasted of having made a lot of profit from that interest. I am happy that action was taken and some of those people responsible were suspended. But we need to resolve the matter quickly so that, that money is utilised to supply electricity to the rural areas. I am one of the people who have been adversely affected. Partly, I am happy because the Government paid some money to the KPLC but, unfortunately KPLC kept it in a deposit account. About Kshs472 million is still in their account. I want to appeal to the Acting Minister for Energy to move quickly to ensure that the money is properly utilised.

Mr. Temporary Deputy Speaker, Sir, the Arid and Semi-Arid Lands (ASALs) form about 75 per cent of the land mass in this country. In the past, we have argued that there are high potential and low potential areas in this country. But we have learnt that with the technology that exists, we can convert those ASAL areas into arable areas. If we do so, we will ease the population pressure in those densely-populated areas in our country. So, it is important for us to improve infrastructure in the ASAL areas so that they become productive.

Mr. Temporary Deputy Speaker, Sir, I want to talk about employment. In the last few years, we have seen the mushrooming of universities; both public and private. This is good because, whereas, in the past, we used to send very many people to overseas, we are now able to have them trained locally. But if the training programmes are not matched with the availability of jobs--- Kenyans spend a lot of money on education, but end up without jobs. As a result, we are encouraging poverty. If we convert those ASAL areas into productive lands, or create industries in the rural areas, our people who have gone through universities and other training institutions will be employed. They will be useful to us by exercising their knowledge and skills. They will be able also to recover some of the money that their parents spent on educating them. The few cows that they used to have, for example, have already been sold.

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

Mr. Muchiri: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to say at the outset that I support the Presidential Address. I am sure you saw how the President exuded a lot of confidence and fitness. That was a show that he is ready to govern this country, having ably done so in the past.

Mr. Temporary Deputy Speaker, Sir, there were a lot challenges that were thrown to us by both the Speaker and the President. Although we did not do very well in the last Session, I would like to promise Kenyans that, as Parliament, we are going to work very hard during this Session, so that we can sort out matters relating to their development and social welfare.

The institution of Parliament is quite important in this country. I must say that this is one institution that must do its best. Others can do whatever they want to do, but Parliament must do its best. We are also looking forward to Parliament carrying out reforms. I would like to suggest that Committees of this House, particularly the Public Accounts Committee (PAC) and the Public Investments Committee (PIC), must now go public.

Kenyans must now know what business is transacted in those committees. Therefore, I urge that reforms be carried out within Parliament, because Kenyans expect a lot of transparency from this Government. We also want to "kill" all the vices that are ailing this country, including

corruption. We can only do that if everything we do is in the public view. I strongly believe that since the proceedings of this House are open to the public, those of its Committees must also be heard in public.

Mr. Temporary Deputy Speaker, Sir, as we carry out our duties, it is important that Kenyans remain united. The divisions we have in this country today do not augur well for the development and well-being of our people. Therefore, we should be sober and dialogue. We should not just wish to dialogue but come to the table and dialogue. You cannot dialogue if you just wish to dialogue. Both sides must agree to come to the table. Why can we not? This country is not complete without one or two of its tribes. I am a strong believer of that fact.

(Applause)

First of all, I am a son of a freedom fighter. I know how much this country suffered when I was a little baby in 1952. We do not wish to see chaos in this country. We want peace. You can only have peace if you are ready to cultivate peace. It does not matter whether we are in the Government today or our colleagues on the Opposition side were in the Government the other day; the institutions of this country must be guarded very jealously. That is why, as we make laws in this House, we must remember that we need to be united. Politicians will come and go, whether they are in the Government or in the Opposition, but Kenya will remain. This country will live longer than the PIC Chairman, Mr. Muturi, who is on the Opposition side and I.

Mr. Temporary Deputy Speaker, Sir, I am happy that His Excellency the President reminded us that the country's economy grew by 5 per cent last year. An economic growth rate of 5 per cent is surely an indication that the Government is not doing badly. That is a fact of economics. I am not sure whether such a fact can be challenged.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Order! Mr. Muchiri, when Debate on this Motion resumes, you will have five minutes.

Hon. Members, it is now time for interruption of Business. Therefore, the House stands adjourned until Tuesday, 28th March, 2006, at 2.30 p.m.

The House rose at 6.30 p.m.