

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 28th March, 2007

The House met at 9.00 a.m.

[Mr. Speaker in the Chair]

PRAYERS

NOTICES OF MOTIONS

INTRODUCTION OF PSYCHOLOGICAL PRACTITIONERS BILL

Mr. Wamunyinyi: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House does grant leave for the introduction of a Bill for an Act of Parliament to make provision for the training, registration and licensing of psychological practitioners; to regulate their practice and standards and to ensure that their participation in matters relating to guidance, counselling and therapeutic services in the community and for matters incidental thereto and connected therewith.

INTRODUCTION OF COCONUT DEVELOPMENT BILL

Mr. Khamisi: Mr. Speaker, Sir, I beg to give notices of the following two Motions:-

THAT, aware that the coconut tree with its multiple use, has not been fully exploited for the benefit of farmers and the country; considering that the Coconut Industry Act which was enacted in 1948 and last amended in 1964 is now obsolete and no longer responsive to the economic needs of the people of the region; bearing in mind the need to fully exploit the industry so as to reap maximum benefits for the farmers and the country; this House grants leave to introduce a Bill for an Act of Parliament to repeal the Coconut Industry Act and replace the same with Coconut Development Act to ensure full exploitation of the coconut tree and its by-products.

INTRODUCTION OF KENYA FILM DEVELOPMENT BILL

THAT, due to the identification of Kenya as a leading location for making movies; films and documentaries by international film makers; in recognition of the huge contribution the film industry would make to the national economy if there is proper legislation in place to manage the industry; this House grants leave for the introduction of a Bill for an Act of Parliament entitled the Kenya Film

Development Act
in order to streamline the industry and provide guidelines for local and foreign film makers.

QUESTIONS BY PRIVATE NOTICE

REASONS FOR DISSOLUTION OF PBK BOARD

Mr. Mukiri: Mr. Speaker, Sir, I beg to ask the Minister for Agriculture the following Question by Private Notice.

(a) Could the Minister confirm that he dissolved the Pyrethrum Board of Kenya (PBK) on 15th March, 2007?

(b) If the answer to the above question is in the affirmative, could the Minister give the reasons for the drastic action?

(c) When will a new Board be constituted to address the crisis facing the industry?

The Minister for Agriculture (Mr. Kirwa): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I wish to confirm that I dissolved the Board under the powers conferred upon me by Section 5 of the Pyrethrum Act, Cap.340.

(b) The reason for that action was to pave the way for investigations into the mismanagement of the industry.

(c) A new Board will be constituted immediately consultations with stakeholders are finalised.

Mr. Mukiri: Mr. Speaker, Sir, the pyrethrum industry has been at crossroads for a long time. But I wish to thank the Minister for issuing a statement the other day that he will release about Kshs900 million to pay pyrethrum farmers. I also hope that he will seek more funding. That is because even after paying the farmers, the industry still needs more money for farmers to improve their production. There are so many farmers who uprooted their crops. The Government should assist them to increase their crop cover.

However, I want to know from the Minister what investigations he is talking about. Some of the Board members who were sent home were elected by the farmers. I want to know that because the Board is also constituted by officers from Government departments---

Mr. Speaker: Mr. Mukiri, you are now making a speech. Could you ask your question?

Mr. Mukiri: Mr. Speaker, Sir, I want to know from the Minister what investigations are being carried out to warrant the dismissal of people who were elected by the farmers!

Mr. Kirwa: Mr. Speaker, Sir, under the same Act, the Minister is empowered to revoke the appointment of any elected or appointed director at any time, without notice to anybody. But suffice to answer the hon. Member, we have already told the Criminal Investigations Department (CID) and the Kenya National Audit Office to carry out investigations. Some of the directors were interfering with the transactions of the said officers.

Mr. Waithaka: Mr. Speaker, Sir, I wish to get some clarifications from the Minister. There were rumours in the air in my constituency---

Mr. Speaker: Sorry! We do not deal with rumours here!

Mr. Waithaka: Mr. Speaker, Sir, it is actually a fact. When I go to my constituency, I am asked this question. There is a purported new investor who has been licensed to invest in the pyrethrum industry and a factory is being built in my own Kinangop Constituency. I am not able to answer my constituents because I am not aware of that matter. Is it true that you have licensed a private investor to invest in the pyrethrum industry and he is putting up a factory in Kinangop Constituency?

Mr. Kirwa: Mr. Speaker, Sir, I answered that question last year. But let me say it again

that I have not licensed anybody, whatsoever, to invest in the pyrethrum industry, other than the Pyrethrum Board of Kenya.

Mr. Rotino: Mr. Speaker, Sir, at the moment, the Pyrethrum Board of Kenya is paying farmers. In my constituency, farmers have not been paid for the 2003 crop. Could the Minister tell us why farmers have not been paid for their 2003 crop?

Mr. Kirwa: Mr. Speaker, Sir, like I said, we are going to pay all the farmers once the records are verified including those of 2003.

Dr. Manduku: Mr. Speaker, Sir, pyrethrum is a mainstay economic crop in my constituency. It is dying and my people are getting poorer now. The action the Minister has taken, I think, is right, because I remember that even when the President came to Kisii, he promised that he was going to pay all the farmers what was due to them at that time. If the directors are the ones who have delayed payments, that is a very good idea.

Mr. Speaker: You are making a speech! Please ask your question!

Dr. Manduku: Mr. Speaker, Sir, the directors are in two categories. Some are elected while some were appointed by the Minister. We understand that the Chairman---

Mr. Speaker: Order, Dr. Manduku! Just to remind hon. Members, because we have been on a long break, this is Question Time; so ask questions!

Dr. Manduku: Mr. Speaker, Sir, the Chairman who is also an elected Board member has not been suspended. What is the reason for him to be left, yet all the other directors have been removed?

(Applause)

Mr. Kirwa: Mr. Speaker, Sir, under Section V of the Act, the Minister is given the discretion to revoke appointment of any of the directors and exclude others. In my wisdom, the Chairman was appointed late last year and he has not been part of the intrigues in the Board. I, therefore, retained the Chairman and he will be joined by other directors who I will appoint and those who will be recommend to me under the arrangements that I am going to make.

Mr. Speaker: I will now finish with Mr. Mukiri.

Mr. Mukiri: Mr. Speaker, Sir, the Minister did not give the reasons why the directors were sent home. He has not disclosed what investigations have revealed as to the crime they committed. As you have heard, some of the people have been left yet they have been sitting in this Board. Could the Minister tell us why the directors who were elected by the farmers are the only ones who are going home and the whole Board is not being dissolved? Some of the people who are serving in the Board have been appointed by the Minister. Could we know why all of them are not being sent home and the reasons why some were sent home?

Mr. Kirwa: Mr. Speaker, Sir, I will give the reasons because I have given the other reasons. The reason why I felt that the Board needed to be investigated thoroughly, without the infringement of the directors, is that late last year, we were made to understand that there was to be pyrethrin worth Kshs1.2 billion. Early this year, the same pyrethrin had disappeared and farmers had not been paid. So, we requested for investigations to be carried out so as to verify the information and, therefore, take the necessary action. To pave way, I decided to remove the Board, except the Chairman.

PAYMENT OF MONEY OWED TO
FARMERS BY NCPB

Mr. Rotino: Mr. Speaker, Sir, I beg to ask the Minister for Agriculture the following

Question by Private Notice.

(a) Is the Minister aware that maize farmers are owed over Kshs2 billion by the National Cereals and Produce Board (NCPB)?

(b) When will the farmers be paid to enable them prepare their land and purchase farm inputs during the current rainy season?

The Minister for Agriculture (Mr. Kirwa): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that maize farmers countrywide are owed Kshs1.781 billion by the NCPB for maize delivered as at 26th March, 2007.

(b) My Ministry, through the NCPB, will release Kshs1.2 billion to farmers by tomorrow; 29th March, 2007.

Mr. Rotino: Mr. Speaker, Sir, I would like to thank the Minister for, at least, promising the farmers that they will be paid by tomorrow. However, the Minister comes from a maize-growing region. He knows that when he goes home, farmers are really suffering. Bearing in mind that the rains have come, farmers cannot even prepare their land; so they are really in trouble. What has caused the Ministry or the Board to wait until farmers have delivered maize, from January to 26th March, 2007, yet they have not been paid? Where was this money that they are now paying after a Question has been asked?

Mr. Kirwa: Mr. Speaker, Sir, we do not operate on the basis of Questions. However, we have a responsibility to the House to give accurate information whenever the House so demands. We paid farmers in excess of Kshs4 billion from November, 2006. This year, we have disbursed close to Kshs1.8 billion, some of which money we disbursed two weeks ago. So, this is part of an on-going process. The money that we have been able to access is through the commercial window where the NCPB has been able to get Kshs1.2 billion to retire the balance of farmers' arrears. Any subsequent funds will also be sourced for purposes of buying maize even from Eastern Province.

Capt. Nakitare: Mr. Speaker, Sir, the Minister has answered this Question well. However, it is a constraint to farmers when the price of maize is not in tandem with the price of farm inputs. What steps is the Minister taking to save farmers by balancing the price of selling maize and buying inputs in this country?

Mr. Kirwa: Mr. Speaker, Sir, I am dealing with the supply end of the chain. We

have stabilised the prices of maize for the last four years at Kshs1,300. On the fertilizer prices, this is a liberalised market and, therefore, the Ministry has only been intervening through the NCPB. The difference between the fertiliser at the NCPB and the market is close to Kshs300 as a way of trying to ameliorate the situation for farmers.

An hon. Member: *Hana mahindi!*

Mr. Speaker: He might not harvest but he eats it!

(Laughter)

Mr. Ndambuki: Mr. Speaker, Sir, this time we have the maize. I would like the Minister to tell this House what plans he has to purchase the maize in Ukambani and Eastern Province because we had a bumper harvest.

Mr. Kirwa: Mr. Speaker, Sir, we have the following plans:-

First, we intend to purchase maize and we have set aside Kshs100 million for the purpose of initial purchases of maize in Eastern Province.

Secondly, we have made a policy decision that any farmer in Eastern Province can bring his maize to be stored by us and the Ministry will bear the cost of storage, fumigation and handling of the same grain and the farmer can take it away when he so wishes.

Mr. Wamunyinyi: Mr. Speaker, Sir, is the Minister aware that the Chief Executive of the NCPB is busy crisscrossing one of the constituencies in Kisii distributing maize and rice at funerals - using parastatal vehicles to campaign to go to Parliament - when he is supposed to be serving the NCPB, Kenyan farmers and the public in general? Why has the Minister allowed this Chief Executive to continue using public vehicles, distributing rice and maize to *wananchi* at funerals and campaign using public resources when he is supposed to resign? Why have they allowed him to continue?

Mr. Mwanicha: On a point of order, Mr. Speaker, Sir. The allegations made by the hon. Member---

Loud consultations)

Mr. Speaker: Order, hon. Members! Could you use the microphone, please?

Mr. Mwanicha: Mr. Speaker, Sir, the allegations made by hon. Wamunyinyi are extremely serious in view of the fact that this maize is bought using Government funds and distributed freely. Could the hon. Member substantiate his claims?

Mr. Wamunyinyi: Mr. Speaker, Sir, I asked the question---

Mr. Speaker: Order, Mr. Wamunyinyi! Let the Minister answer!

Mr. Kirwa: Mr. Speaker, Sir, indeed, if I was aware I would have sacked him.

(Laughter)

Mr. Ogur: Mr. Speaker, Sir, this is a very sincere Minister. He was not aware, but now that he is aware, what is he going to do?

(Laughter)

Mr. Kirwa: Mr. Speaker, Sir, I am not fully informed about that issue. I have to do investigations on my own. I will take the necessary action after verifying that information.

Mr. Angwenyi: Mr. Speaker, Sir, could the Minister assure this House, categorically, that he will give poor farmers fertiliser and seed maize to plant instead of waiting for famine to hit this country and then start distributing famine relief food to these farmers?

Mr. Kirwa: Mr. Speaker, Sir, last year, we gave seed maize to farmers in Eastern and Coast provinces worth Kshs200 million. That is part of the bumper harvest and we intend to do the same this year. However, it must be in selected areas. We cannot do that throughout the country because the cost is enormous and we will be overreaching ourselves.

Mr. Speaker: Very well. Mr. Boit! Yours will be the last one and then I will go to the owner of the Question.

Mr. Boit: Mr. Speaker, Sir, the answer by the Minister was good, but I would like to inform him that farmers have been discouraged because they have been travelling for long distances looking for money. During the last Session, I asked him a Question and told him that there was no National Cereals and Produce Board (NCPB) depot in Baringo North where we can sell our maize. People travel long distances looking for money which they do not get. I do not know whether this money is only localised to particular areas, which we know are always favoured.

Mr. Kirwa: Mr. Speaker, Sir, as you heard earlier, we deal with the entire country without favour.

Mr. Rotino: Mr. Speaker, Sir, I just want to thank the Minister for having tried to pay

farmers on time, at least, for the last four years. They really tried to pay farmers on time. However, we want some assurance that farmers will get their cheques, at least, this Friday so that they can plan and do the necessary things required of farming. Farmers have suffered a lot and the Ministry has been dilly-dallying by promising them that they will be paid "tomorrow". Could he assure farmers that they will get their cheques by Friday?

Mr. Kirwa: Mr. Speaker, Sir, the word "dilly-dallying" is not in my vocabulary. I said that the money will be transmitted tomorrow. We have already acquired Kshs1.2 billion and what needs to be done is only transaction to distribute the money to various branches throughout the country.

Mr. Speaker: Very well! That is the end of Question Time!
Order, hon. Members!

COMMUNICATION FROM THE CHAIR

BRIEFING SESSION FOR MEMBERS ON THE EAST AFRICAN POLITICAL FEDERATION

Mr. Speaker: Hon. Members, the East African Community Secretariat has continued to implement the stages contained in the East African Treaty which governs the integration process including, among other things, the creation of the East African Political Federation. The process of fast-tracking the Federation was initiated and a sensitization programme is already ongoing. It is on the basis of this very important matter that I invite all hon. Members to a half-day briefing session for Parliament of Kenya about the East African Community projects and programmes as well as on the East African Political Federation by the Secretariat.

The venue for this interactive session will be the Old Chamber, Parliament Buildings, tomorrow, Thursday, 29th March, 2007, starting at 8.30 a.m. Thank you.

Next Order!

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF STANDING ORDER NO.33

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

THAT, this House orders that the Business appearing in today's Order Paper be exempted from the provisions of Standing Order No.33, being a Wednesday Morning, a day allocated for Private Members' Motions.

The Minister for Agriculture (Mr. Kirwa): Mr. Speaker, Sir, this being a Procedural Motion, I beg to second.

(Question put and agreed to)

MOTION

THANKS FOR THE PRESIDENTIAL
ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday 20th March, 2007.

*(The Vice-President and Minister
for Home Affairs on 21.3.2007)*

*(Resumption of Debate
interrupted on 27.3.2007)*

Mr. Speaker: Yes, Mr. Waithaka, you have four minutes left.

Mr. Waithaka: Mr. Speaker, Sir, as I was saying yesterday, it appears that both sides of this House have agreed and---

Mr. Speaker: I cannot hear you clearly! I do not know what is wrong with the microphone!

Mr. Waithaka: Mr. Speaker, Sir, before the House rose yesterday, I was talking about the need for dialogue. I said that dialogue is a two-way traffic and one must be prepared to give and take. Now that the two sides of the House seem to be in agreement that they need to engage in this dialogue, I would like to caution both sides that you cannot enter into dialogue if you have set minds and conditions. You must be prepared to be flexible. When you enter into dialogue with a set mind by saying that if your conditions are not met, then there will be no dialogue, but upon being persuaded, you might change your mind--- So, some of the utterances that are now coming out, that this and that condition must be met, will not augur well for this intended dialogue. In dialogue, you must actually be prepared to listen, be convinced---

(Loud consultations)

Mr. Speaker: Order, Members! Order! I think this is our main problem! We do not listen to one another and, at the end of the day, we do not know what our colleagues have said. Let us begin to dialogue right from here. Let us listen to one another.

Mr. Waithaka: Mr. Speaker, Sir, in dialogue, you must actually be prepared to go and listen to what the other party will say. We are talking about one country called Kenya. We are all Kenyans and Kenya belongs to us. When there are problems in this country, it is us who will bear them whether one is in the Opposition or the Government. So, this hardliner stance should cease now because we are in an election year. That way, we shall show our people the right way. At the end of the day, after the elections, there will be the Opposition and the Government. There is no time that we shall not have an Opposition in this country because it is entrenched in our Constitution. We fought for it, a good number of us suffered, but we are now here.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the other thing I would like to mention is that His Excellency the President talked about Government bringing a Bill to Parliament to enable direct election of mayors and chairmen of local authorities. This is a move in the right direction. Most local authorities have not been delivering services to their people because of wrangles. It is a pity

that the wrangles begin immediately after general elections and even during the elections of mayors. Councillors divide themselves into groups. These groups are in place through the five years and keep on fighting. As a result, the chief officers of the local authorities take advantage of the differences among councillors to mismanage resources. However, if a mayor is elected by the people to serve a five-year term, wrangling will end. Mayors will be in a position to steer the councils, formulate policies and also bring to an end mismanagement of resources by the chief officers. Most problems that have been bedeviling local authorities include the mismanagement of resources by chief officers. They use a section of councillors whose hands they have "greased", to mismanage resources within their local authorities.

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

[Mr. Speaker resumed the Chair]

Mr. Speaker, Sir, this is a very good move which will guarantee sustenance. We should also enact this law so that there will be more control of elected persons and know how finances are managed. I strongly believe this House will support this Bill when it comes.

I would also wish to thank the President because anybody travelling around Nairobi and its suburbs would see a difference between what it is now and what it was in 2002. There is improvement of infrastructure and street lighting. This shows that if resources of local authorities are well managed, we will have clean and beautiful cities and towns.

Mr. Speaker, Sir, on improvement of infrastructure, particularly roads, if you travel to the countryside, you will see what is being done by this Government---

Mr. Speaker: Mr. Waithaka, your time is up!

Mr. Waithaka: Mr. Speaker, Sir, I beg to support.

Rev. Nyagudi: Thank you, Mr. Speaker, Sir. I have been trying to catch the Chair's eye since yesterday. I have been unlucky, but today I am very lucky.

Mr. Speaker, Sir, I would like to start by congratulating our athletics team for the good performance at Mombasa. On that same note, I would like to thank and congratulate Harambee Stars for the good performance in football. By extension, the cricket team has also done very well. Therefore, my congratulations also go to them.

Mr. Speaker, Sir, I would also like to take this opportunity to thank the Chair for recognising the fact that hon. Members of Parliament are very taxed in terms of what we do both in the House and at the constituencies.

Mr. Speaker, Sir, I would like to contribute to the President's Speech. The Speech started by addressing the issue of education. We are aware of the free primary education programme and its impact. I want to give the Government credit for that programme. However, we are facing a very difficult situation because schools are over-populated and we do not have enough teachers. The Government should do something to improve on the pupil-teacher ratio.

Mr. Speaker, Sir, I would also like to thank the Government for availing the Constituencies Development Fund (CDF) money. The CDF money will help this nation to prosper very fast. However, when Ministries have financial constrains, they always want to refer to the CDF to subsidise the shortfall. For that reason, it would be very appropriate to amend the Constituencies Development Fund Act to increase the allocation from 2.5 per cent to 7.5 per cent.

Mr. Speaker, Sir, the President talked about women. I find it very interesting that this is a case in which we preach water and drink wine. I want to start with the Office of the President. We have a blue booklet which has been given to each hon. Member. There are 27 positions in the

Office of President. Out of these, only two are occupied by women. In an exam if you get two marks out of 27, you could be advised to see a psychiatrist.

Mr. Speaker, Sir, the Cabinet itself has only two women out of a possible number of 31. If we want to speak about affirmative action, I believe it should start from the President himself.

Mr. Speaker, Sir, the House Business Committee has one woman out of more than 20 Members.

There was a good chance for this nation to have the first woman governor in the Central Bank of Kenya (CBK). However, the Government squandered that chance. They did not appoint a woman.

Mr. Speaker, Sir, we have our own Nobel laureate; Prof. Wangari Maathai, who is internationally renowned. However, locally, she has not been recognised. Why is she not given a Ministerial position? When talking about women, we must, first of all, recognise our own women who have done us proud.

Mr. Speaker, Sir, the President indicated that women would be included in the CDF committees in the constituencies. However, the law is very clear. The CDF Act is an Act of Parliament which does not allow Maendeleo ya Wanawake Organisation an entity to be included in the CDF committees. Therefore, we have to do so through a legal framework. We should bring a Motion to this House to amend that Act. Women should not be excited. This was just to make them feel that they have been remembered.

The Assistant Minister for Education (Mrs. Mugo): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to mislead this House? We know the Act allows for the appointment of women to CDF committees. Maendeleo ya Wanawake Organisation is composed of women.

Rev. Nyagudi: Mr. Speaker, Sir, women are allowed to sit in the committees, but not as Maendeleo ya Wanawake Organisation. That is what I was saying.

Mr. Speaker, Sir, on the Women Enterprise Development Fund, the President said it would be started at a later date. I want to give an example of the Youth Enterprise Development Fund. It was initiated and put in the Budget in June. Today, ten months down the line, only Kshs210 million has been dispatched. A sum of Kshs790 million will be dispatched at a later date, which we do not know. It would have made me a bit more comfortable, if it was the other way round; Kshs790 million dispatched and Kshs210 million still waiting.

If that Fund is set up by June, it will spill over to 2008 and the women will not say that this Government is the one that has done it.

Mr. Speaker, Sir, I want to talk about security. Unfortunately, the security docket is dominated by one tribe. We want to start from the Minister of State For Administration and National Security, the Provincial Commissioners (PCs), the Provincial Police Officers (PPOs), the District Commissioners and even the Director of Criminal Investigations Department (CID). That is a very bad situation in this country because we cannot leave one community to be the one responsible for the security of this nation. Even the Permanent Secretaries are all from the same region. No wonder the President has even not set foot in Mt. Elgon District regardless of the clashes going on there.

The Assistant Minister, Office of the President (Mr. Munya): On a point of order, Mr. Speaker, Sir. The Reverend continues to mislead this House. The security of this country is not in the hands of one community. If you look at the branches that deal with security, we have several communities represented. In any case, what matters is the competence of a Kenyan who is leading an agency. The police commissioners do not come from one community. It is becoming very bad because---

Mr. Speaker: Mr. Munya, you are taking his time! That is your opinion and that is his!

Rev. Nyagudi: Thank you, Mr. Speaker, Sir. It is obvious that the Assistant Minister---

Mr. Speaker: Order! As we deal with these matters, I think we are actually promoting too much ethnicity. It may not be a reference that the offices are composed in that manner, but you know we are not helping matters by being too ethnic ourselves.

Rev. Nyagudi: Mr. Speaker, Sir, it is important for us to bring these issues forward because if we do not speak about them, they will continue. Even so, it is not just in the Ministry of Administration and National Security but, unfortunately, even here in Parliament, the heads of departments are all from one tribe. I have a list here.

Mr. Speaker: Order! I happen, in this respect, to be the Chairman of the Parliamentary Service Commission (PSC) in charge of the staffing here and I can tell you that they are not from the Chairman's community and wherever they come from, either they have been inherited by the PSC or they have been recruited unanimously by the Commission on merit. That is a fact.

May I also take this opportunity to warn hon. Members to desist from tribalising the staff of the National Assembly of Kenya.

*(Several hon. Members stood
up on their feet)*

Order! It relates to all of you. As a matter of fact, last week, I had to deal with that issue because politics is seeping into the National Assembly through hon. Members and staff. No staff will be protected by any politician in this place and no staff will be victimised by any politician so long as I remain in the Chair.

Proceed!

Rev. Nyagudi: Mr. Speaker, Sir---

Mr. Speaker: Your time is up!

Rev. Nyagudi: Mr. Speaker, Sir, you took most of it! It is not fair!

Mr. Speaker: I will give you one minute to conclude.

Rev. Nyagudi: Mr. Speaker, Sir, as I conclude, a lot has been said about a Hummer. It is interesting---

Mr. Speaker: About what?

Rev. Nyagudi: A Hummer!

Mr. Speaker: What is a Hummer?

Rev. Nyagudi: A Hummer is a state-of-the-art vehicle which is owned by Mr. Raila.

(Loud consultations)

Mr. Speaker: Order!

Rev. Nyagudi: Mr. Speaker, Sir, we must also know that there are hon. Members sitting on the other side of the House who own choppers. At least Mr. Raila was transparent enough to say that it was a donation. There are hon. Members, for example, Mr. Nyachae and Mr. Gitau, who own choppers and the Minister for Agriculture owns a House which is worth more than the Hummer.

Mr. Speaker: Order! Just one minute! As we come to that, I do not want the debate to degenerate to that level. I know Rev. Nyagudi is not the custodian of the forms containing the assets of hon. Members; I am. As far as I know, he has not counter-checked with me and, even if he tried, maybe, he will not access them since he is not the identified authority. But for the general wellbeing of the House, please, let us stop being personal; Hummers, choppers and whatever else,

let them belong to the owners and let us forget about them.

Debate is open! Mr. Munya!

The Assistant Minister, Office of the President (Mr. Munya): Mr. Speaker, Sir, thank you for allowing me to contribute to the President's Speech. I will try to confine myself to the issues raised by the President in the Speech.

When Jesus died, resurrected and appeared to his disciples, there were those who could not believe that he had resurrected and they wanted to be shown the scars. There are people here who also do not want to believe that this country is moving forward even when the signs are very clear and the scars can be seen. Our economy is growing at a 6.2 per cent rate from negative 2 per cent. Kenya has attained food self-sufficiency. When we had drought, unlike the previous years, we did not get any food aid from abroad. We were able to sustain this country with our own local resources. That is development. We are also able to support our own Budget 95 per cent. It is only 4 per cent which is still remaining to bridge the gap and then we will be economically independent.

We will be able to run our own affairs without going abroad to ask other powers to assist us with strings tied to their assistance. As you know, a beggar has very little dignity. So, as our economy grows and as we make our country strong, we are also soaring up our dignity as a nation and trying to occupy the position that strong nations occupy among the family of nations.

Mr. Speaker, Sir, one of the noble innovations that this Government has come up with, especially in the area of fighting corruption, is the issue of performance contracts where we have been recognised by the United Nations (UN) as the only Third World country that has been able to cascade performance contracts from the top level to the bottom. Even in our Ministry, we have performance contracts for chiefs. They have signed performance contracts and have a work programme. They are supposed to meet certain parameters for them to be considered to be working.

I also want to thank the President for showing the way forward in terms of fighting crime; by proposing to introduce a legislation that would make the possession of firearms a capital offence. I want to urge my colleagues, especially those who come from areas where communities still practise cattle rustling, to use the resources at their disposal to change people's attitudes so that the communities can invest in income-generating activities instead of using firearms to raid each other.

Mr. Speaker, Sir, I would like to talk about the proposed Political Parties Bill. This Bill will be brought here to provide funding for political parties. That is a very important Bill because it will assist our parties to democratise and remove the "Big Man" syndrome in our parties where a chairman, who happens to have a lot of money, is a lord because there are no funds to run the party. If you look at our parties, you will see that they have very little indicators of being real parties. Apart from having names and registration certificates, all other factors that are important to make up political parties are missing. One of the key factors is lack of internal democracy in our parties. We do not hold elections in our parties. When we do, we only hold piecemeal cosmetic elections for the purpose of fulfilling the requirements of the Registrar of Societies. Otherwise, if you look at the recruitment and transparency in the elections, you will find that a lot is lacking. You cannot have a multiparty democracy without strong parties. Some of the parties, which are masquerading as parties, are composed of three individuals; the chairman and two other people who meet and say they have formed a party. Some of those people are quarrelling and declaring themselves presidential candidates and their parties are parties by name. So, if those parties are given public funds, you can imagine where the money will go. The funds will go to the individuals who formed them.

If you look at the Bill - I do not want to anticipate debate - there are no rules for accountability and the management of that money. Therefore, we will be creating structures for

corruption and misuse of public funds if we do not have benchmarks for ensuring that these parties are real and they deserve to be funded from the public coffers. Perhaps one of the most important ways of ensuring that the parties meet the criteria is to look at those which are represented in Parliament. Perhaps such parties would require funding. If we give every registered party funding, Kenyans would rush to register more parties. Many briefcase parties would come up and the whole process would turn into another business that Kenyans who are clever can use to get money from public coffers.

Mr. Speaker, Sir, I want to talk about the constitutional review process, or the so-called minimum reforms. When we went into the referendum, we took the Draft Constitution to Kenyans to vote on it. We did that because we recognised that the sole responsibility of making the constitution for this country is the responsibility of the Kenyan people. Indeed, the judgement that came from court said that, ultimately, if you want to make a new constitution, the people to ratify it are the citizens of this country. I do not know how we would surmount that court ruling which prohibits us from making fundamental changes in the Constitution without involving the people of this country. Even as we go into the negotiations, which we are all supporting, I do not know how we will determine what changes are fundamental and, therefore, require the ratification of the citizens of this country, and which changes are not fundamental and can be done by the Members of this House without the involvement of the Kenyan people. That said, the biggest problem in the review process is not really what changes we require. It is the political posturing and the desire of both sides of the political divide to take advantage of the changes in the Constitution to put themselves on a strong footing during the coming general election. That is an abuse of what we have been calling the constitutional review process. That is why Kenyans are increasingly getting tired of the constitutional review process. If you look at the opinion polls which were carried out recently, if you believe in them, you will be surprised to learn where the constitutional review talks were placed by Kenyans. Kenyans started with insecurity and said that it was their biggest challenge. The constitutional review talks were placed at the bottom. Kenyans are intelligent enough to see what is being done in their interest and what is being pursued for the benefit of the political class. What we are witnessing now is physically a debate between the political elite trying to see how they can position themselves properly to access power. It has nothing to do with the Kenyan population. Kenyans have realised that until we reach a point where we have bi-partisan politics where we can rise above our parties, we are not likely to get a new constitution. Even the minimum reforms may not be achieved.

Mr. Speaker: Your time is up!

Mr. Lesrima: Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to this Motion. I just want to refer to some of the issues raised in His Excellency the President's Speech. I will begin by commending the current administration for using Kshs7 billion to provide electricity to our people in a period of three years. I commend the Government because, in a period of 40 years, from 1963 until the year 2002, only Kshs6 billion was spent in this sector. However, the people of northern Kenya have not benefited from this expansion.

(Loud consultations)

Mr. Speaker: Order, Order, hon. Members! There are some hon. Members who cannot allow Mr. Lesrima to make his contribution! Could you please listen?

Proceed, Mr. Lesrima!

Mr. Lesrima: Mr. Speaker, Sir, I would like to talk about the issue of equity. Although the Government is being commended for spending Kshs7 billion in the last four years as opposed to Kshs6 billion in the previous 40 years, the question of equity is important, especially to those who

come from northern Kenya. The last time we heard about electricity connectivity in Samburu District was during the reign of the late President Kenyatta and, even then, I believe it was installed to facilitate the operations of civil aviation and assist direct flights from Sudan to Kenya.

We have an issue of equity and yet, there is an opportunity to develop wind, solar and even geothermal power from the northern part of the country. I talk about those issues because reference was made to the Information Communication Technology (ICT) Bill in the Presidential Speech. We do not know what will drive the ICT infrastructure if we do not have electricity. The second issue with regard to electricity is connectivity. There is a huge backlog of connectivity by the Kenya Power and Lighting Company (KPLC).

Mr. Speaker, Sir, let me also refer to another issue that was raised by His Excellency the President. He said that in the agenda of Parliament, there will be a review of the Fire Arms Act to provide for capital punishment for those who acquire, possess and import firearms. That will affect the pastoralists in Kenya. We keep on hearing of large quantities of firearms in the hands of pastoralists. Sometimes, we hear there are up to 100,000 guns that are still uncollected in the North Rift. If that law was modified to provide for capital punishment for possession of firearms alone, we will require large facilities for hanging the pastoralists.

I am personally against laws that provide for capital punishment. I am also against the misuse of firearms. We have experienced many deaths and injuries in my constituency in the past year, through the misuse of firearms. Other Kenyans have also suffered. I believe that the current law is adequate to punish those who acquire, possess and import firearms. No amount of hanging will reduce the proliferation of arms in the East African region. As long as the manufacturing countries continue to oppose laws governing gun possession in their countries, this problems will not go away.

Mr. Speaker, Sir, let me move on to another subject which was referred to in the Speech. That is the question of judges. There is a recommendation to raise the number of judges. I have no problem with that. But I have a question to ask with regard to that. We are not able to pay the current magistrates adequately. We cannot afford to improve the current infrastructure for the current sitting judges. I have a feeling that there must be a typing error in the number of judges that were referred to in the Speech. We already have 50. I suspect the number referred to in the Speech was 20 and not 200. Somebody must have added a zero to 20, perhaps, with the hanging of the pastoralists in mind!

(Laughter)

We need to consider the welfare and working conditions of our judges, before we increase their numbers. Where will they sit? We should improve facilities in terms of ICT infrastructure. Our judges must be tired of writing judgements using the old technology. Judgements by judges in the United States of America (USA) are written in Nairobi by Kenyans using the ICT technology.

Mr. Speaker, Sir, the last point in my contribution is the question of identity cards. Many Kenyans will not be able to democratically elect their leaders this year because they do not have identity cards. We want to urge the Ministry concerned to speed up the issuance of identity cards. I wish to also recommend to the Electoral Commission of Kenya (ECK) to extend the period of registration of voters. I wish to appeal to this House that, when the time comes to debate the budget for those two departments, we should give adequate resources. That way, they can improve allowances for staff who issue identity cards and those who register voters in the ECK.

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

Mr. Speaker: Mr. Poghisio!

Mr. Muite: Thank you, Mr. Speaker, Sir.

Mr. Speaker: Mr. Muite, I promise, I will come to you! You have now thanked me twice! You are not doing it in vain!

Proceed, Mr. Poghisio!

Mr. Poghisio: Thank you, Mr. Speaker, Sir. I would like to also add my voice to the thanks of this House that go to the Speech that was made by His Excellency the President. This is a national address of sorts. We have important things that come out of that Speech. Many times, I find it loaded with many things. However, I would like to point out that this being the home stretch in an election year, the Government of the day is giving the final state of the nation address, identifying areas where they have succeeded, areas where they have a long way to go and policies, Bills and the direction that ought to be followed by the Government towards the end of its term.

Mr. Speaker, Sir, there is one thing that I would like to point out. West Pokot, which is a very old district, started in 1913. That district has this year, for the first time, been divided into two districts - West Pokot and Pokot North. I am now an hon. Member from Pokot North District. We have been in West Pokot District for a long time. We have to get used to saying that we come from Pokot North District.

Unfortunately, that is a part of the country that, for many years, was administered by Uganda. Kenya did not even recognise that part of the country. From 1931 to 1970, we were wholly administered by Uganda. In fact, the Ugandan flag used to fly where Kacheliba Town stands now. Just across the river, in the same West Pokot District, the Kenyan flag used to fly there. So, if you visited Kacheliba in the 1970s, you would have needed your passport to cross over to my constituency. However, things have changed. In 1970, we became part of Kenya. That history is important. That is something that was considered by the Government when it came up with the new district. That is because when we were under the Ugandan Government for 40 years, it did not treat our area as part of its territory. It was simply administering it. So, nothing went on.

In 1970, when we became part of this country, the other parts of the country had developed so much. We have been trying to catch up. We pleaded, on many occasions, for the creation of a special district known as Alale or Kacheliba. But I want to be thankful to this Government because this year, that was granted to us.

(Applause)

When His Excellency the President was citing that, he cited the long history of that place. I would like to begin on that note; that the Pokot people from Kacheliba Constituency convey their thanks for the new district of Pokot North.

Mr. Speaker, Sir, I would also like to mention that because it is a new district, and like many of the parts of the pastoral districts in this country, the so-called Arid and Semi-Arid Lands (ASALs) - I would like to ask that affirmative action continues to be the principle of this Government so that, we may catch up. What I am asking for is that in the home stretch - in the final state of the nation address - we would like to see fast-tracking of development in ASALs. We would like to see what is on paper being put into action. We would like to see the new Pokot North District facilitated to function. That is something I hope will have been done before the coming elections.

Mr. Speaker, Sir, I used to be a doubting Thomas. When that pronouncement was made, I thought it was one of those pre-election promises that never take effect. But just last weekend, a District Commissioner reported to Pokot North District. That just goes to convince me that the Government is serious in what it was doing.

Mr. Speaker, Sir, when I read what hon. Members have been dwelling on in the House, it has been about a vehicle. I am surprised that time would be allotted to discussing a vehicle in this

House, the Hummer. I just wanted to name it so that I become one of those who are said to have mentioned the vehicle.

Mr. Speaker: Order! But you are also doing it, Mr. Poghio, in spite of me telling the whole House to forget about the gadget.

Mr. Poghio: Mr. Speaker, Sir, I just wanted to give some information on it; I am not dwelling on it. It is best suited for Kacheliba Constituency and similar places, but I cannot afford it.

However, the other thing that has come up is the issue of the media focusing on sleeping hon. Members. I would like to suggest that in future, functions like the State Opening should be changed, so that we have it in the morning when hon. Members are still very strong and fresh. Maybe we should have it on Wednesday mornings or any on other morning, so that we do not have the sleeping problems.

On the issue of the proposed Women Enterprise Development Fund, which is a special fund for women, makes a lot of sense in some parts of Kenya. But in certain parts of Kenya like where I come from, there will be no need to separate a women's fund from a men's fund, because there will be no fund at all for either women or the men. The men have no access to any fund. The men in ASAL areas have no access to any funds; so, there is no point in making the proposed Fund specific to women. I think the law coming in should allow for men in certain areas of this country to be included in the Women's Fund. This is because if there is any special access to this fund by women, the men in those areas would also like to have it. I am saying this because many people think that only women lack access to funds. But in ASAL areas, it is everybody, the men, the youth, the women and so on. The reason is that we live in areas that are designated as Trust Lands. In those areas, there are no individual title deeds, and, therefore, you have no access to any loans. You cannot actually borrow money on the security of your land. So, when you design a Fund like this one, while in other places we will have women's Fund, I think there should be another Fund by the Government, as a way of fast-tracking development in ASAL areas, that targets the men as well. Such a Fund should not have the conditionalities that exist for credit in the other parts of the country. This is what we mean by affirmative action. It is giving the people the opportunities that they do not have, but that other parts of Kenya have. Even for the Youth Enterprise Development Fund, people from those ASAL areas will tell you that there is no way of securing loans. As we go to the home stretch in this matter, I want to ask the Government to provide TV signals to all parts of the country. My constituency has no TV signals. There is no newspaper that reaches it either.

With those remarks, I beg to support.

Mr. Speaker: I had promised to recognise the hon. Member who had thanked me for two days in succession, the Hon. Member for Kabete.

Mr. Muite: I thank you, Mr. Speaker, Sir. I do apologise for the other two times. The problem is that these microphones should be in a museum. This is a first generation public address system. The acoustics are sometimes not conducive to hearing what Mr. Speaker is saying. But I thank you.

Mr. Speaker, Sir, in supporting the President's Address, I would wish to draw attention to the Nairobi Stock Exchange (NSE). There are very disturbing signs from the NSE. All too often, we do not take corrective action until a matter is out of hand. You are aware that the insurance companies that have collected a lot of money from innocent people have collapsed, and have left those ordinary Kenyans suffering. Some had taken up insurance policies for their lives, health and so on. If banks and health providers are collapsing, where is the regulatory authority? This House functions because the Speaker, one Francis ole Kaparo, is the regulator, allowed by law to regulate this august House. The Standing Orders appoint the Speaker as the regulator and the Speaker has very firmly regulated the House, and that is why it functions.

Where are the regulators for the NSE? There is a body called the Capital Markets Authority (CMA). That body exists in name only, and not in functioning. It has no capacity to investigate or regulate the NSE. That is the first shortcoming. If a regulator does not have the capacity, then anarchy reigns and people do whatever they want to do. So, I would like to appeal to the Government to take very urgent action to strengthen and give capacity to the CMA, so that it is able to regulate the NSE.

[Mr. Speaker left the Chair]

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

If we do not do it, sooner than later, we are going to have a crisis and very many Kenyans, who invest in shares and stocks in the belief that the Government, through the CMA and the Treasury, regulates the NSE, will suffer. I would also appeal to the Departmental Committee on Finance, Planning and Trade to take interest and truly investigate what the facts are before matters go out of hand. The Committee should even question the Ministry of Finance. Let them find out who is in the CMA. Are they able to discharge their mandate? How do you get somebody who, himself, is a failed stockbroker and put him in charge of the regulatory body? How can it work? Who, in the NSE, is going to have any respect for that person as a regulator? Let us not close our eyes to a gathering storm until it is out of hand. This is what we always do as Kenyans. When there is a crisis, we set up a rapid response unit. After that it is never set up again until another crisis catches up with us. Even the Rift Valley Fever that wreaked havoc to pastoralists--- The warning signs were there. We had been told about it and we took no action in time until the crisis was with us. So, in respect of the NSE, I appeal to the Government, the Ministry of Finance and the relevant Parliamentary Departmental Committee to take interest in the NSE, investigate it, find out the facts and take pre-emptive action.

Mr. Temporary Deputy Speaker, Sir, the next point I would like to make is with regard to insecurity. It is true that the Government is trying to contain it, but it is not trying hard enough. First of all, we need to give more resources to the police. It is the right of every Kenyan, irrespective of where they are staying across the entire country, to walk in the knowledge that they will not be attacked. They should go home, sleep in the knowledge that their houses will not be broken into at night. However, that is not the position. There is apprehension; everybody is worried about the issue of insecurity in this country.

One of the things that the Government must expedite and fast-track is the issue of a forensic laboratory. We cannot expect the police to combat insecurity unless they have got a state-of-the-art forensic laboratory. As we all are aware, even the genetic formation of identical twins is different. When people go mugging, robbing, car-jacking they leave their DNA there. Therefore, with a forensic laboratory, we will be able to take this DNA and match it down the line. The result will be that robbers, muggers and rapists will only run, but they cannot hide. How can we today expect the police to combat insecurity unless we build a forensic laboratory for them? Never mind about Anglo Leasing scandal, nobody supports corruption. However, if I were the president, I would not have cancelled the building of a forensic laboratory because insecurity is priority number one. I would have said: "Let it be built." Then I would proceed with the investigations and take to court those who may have wanted to benefit at a personal level. However, we cannot leave Kenyans at the mercy of robbers because people have said that others will benefit at a personal level. So, I am urging the Government to immediately construct this forensic laboratory, so that we give capacity to the police to fight insecurity.

Mr. Temporary Deputy Speaker, Sir, even ordinary things like vehicles, communication equipment and other gadgets be supplied to the police force as a matter of priority. We all know the kind of houses the police officers stay in. They are terrible! If you go to Kikuyu Police Station, for example, it is embarrassing. How do we expect them to resist the temptation of taking bribes from criminals? That is why we hear, from credible sources, that a number of senior or even lower ranking police officers are in cahoots with the criminals. We need to equip them and make sure that they are living well. We need to pay them properly and we need, of course, to clean the police force. This is because the reality is that some of them act in collaboration with the criminals and this is part of the reason why it has become very difficult to combat crime in this country.

Mr. Temporary Deputy Speaker, Sir, on the issue of health services, again, the Government has tried. However, there is one area that truly the Government needs to pay special attention to. This is with regard to the increasing cases of kidney diseases. We have got very many Kenyans today who need dialysis. It is a very expensive thing. There are people who are suffering and going to their graves early because they cannot afford the cost of dialysis. Even as the Government allocates money to HIV/AIDS pandemic, can it give some thought to allocating money to the patients who need dialysis, so that they can have free treatment at all Government hospitals?

Mr. Temporary Deputy Speaker, Sir, I do not want to spend time talking about the constitutional reforms since there will be plenty of time for that. However, when we talk about everything going to the referendum, I just have one comment. We amended the Constitution and brought a very useful clause, that a President can only run for two terms. That was done on the Floor of this House. The repeal of Section 2(A) was done on the Floor of this House. So, let us go into this dialogue with open minds because everything has been discussed. Most of the proposals have been suggested and, therefore, no one is creating other new proposals. These are the proposals contained in the Bomas Draft, Kilifi Draft and Naivasha Accord. These are the views of Kenyans. When we have a new constitution, I agree we must take it to a referendum. When we are amending specific clauses, it is the constitutional mandate of this House to do so.

I beg to support.

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity to contribute to the President's Address on the state of the nation. I want to congratulate the Government for improved economic growth. This perhaps forms the basis for further improvement in this country. However, I want to mention that economic growth and development are two different matters. They are never the same. I do not want anybody to lose focus of the fact that growth and development are two different issues.

Mr. Temporary Deputy Speaker, Sir, if you look at this country, it is nothing new. In the mid 1970s, the late J.M. Kariuki was reported to have said in this House that this is a country of ten millionaires and ten million beggars. This is basically what he was referring to at that time that as much as this economy has grown, certainly the distribution of wealth in this country is grossly skewed towards one side. There are gross inequalities. It is important that this Government comes up with very clear and radical policies. I am happy a number of the senior Ministers are here. I am sure the Minister for Planning and National Development, Mr. Obwocha, is seriously listening to what I am saying. We need to put in place serious radical measures to address the gross inequalities in this country, which have been there for the last 44 years.

There are parts of this country that are mostly referred to as the less potential areas. These are the Arid and Semi-Arid Lands (ASAL). I know it has been repeated here time and again that these areas have been neglected. It is not that these areas have no potential, they have never been given priority in exploiting that potential. A country like Namibia is literally arid, but it has done very well, particularly in the livestock sector. It exports 13,000 metric tonnes of meat to Europe every year. That economy is seriously independent because of the deliberate effort by the

Government to ensure that there is proper investment. The resources of that economy are utilised to the benefit of the people.

Mr. Temporary Deputy Speaker, Sir, when shall our Government take a deliberate effort to improve the ASAL areas? I want the word "deliberate" to be seriously noted here. The Government must go out of its way to put in place the initial capital and infrastructure that is required to turn round an economy. In 2003, I remember meeting His Excellency the President with a host of other hon. Members from northern Kenya. We listed, as a priority, the main trunk roads; Isiolo-Moyale, Isiolo-Wajir and Garissa-Mandera as the key investment priorities. However, nothing has been done so far to improve those roads. If we can construct the Isiolo-Moyale Road, with the kind of population that we have in Ethiopia and the interest that country has in the Mombasa Port, we will forget the issue of famine relief. All the money that we are spending on providing famine relief food to famine-stricken areas, if invested deliberately through Government allocation, will lead to the generation of resources for this country. Once people are not able to feed themselves, then they lack self esteem. As a result, their participation in the economy is constrained. That is a very basic thing that any Government should have been able to do in 44 years. The majority of the people from these areas have been supporting the Government since Independence. I think we need more serious and radical action.

I must appreciate that many tokens have been given. But we need more radical measures to be put in place to bring the people from North Eastern Province on board. This plea has been repeated since the mid 1970s. Even now we are still talking about it, because of lack of goodwill on the part of those who are in positions. We can do better; there is no doubt.

I recall His Excellency the Presidency saying that the watchdog committees of this House have done an excellent job. But I must say that the recommendations of those committees have not been seriously implemented, especially by the Ministers. If that was done, the growth of the economy of this country could even double. A number of memoranda are issued by different Ministries, but nobody follows them up when it comes to implementation.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the education sector. Many areas in North Eastern Province continue to get marginalised when it comes to the provision of educational facilities. I must thank the Ministry of Education, because it wants to know how it has fared. That is a good approach. All other Ministries must follow suit. I have seen a questionnaire from the Ministry of Education that is asking the stakeholders to say what they think about it.

We lost 90 per cent of our livestock during the last drought. The Ministry of Education should have considered offering free secondary education to children from the Arid and Semi-Arid Lands (ASALs), who lost the backbone of their economy. This should have been done a long time ago. The parents are really suffering and many children are out of school. The bursary funds which we were given are very little. They can do very little. Half of the time the children are out of school and, therefore, they cannot even cover the syllabus. Consequently, they perform poorly. This is a vicious circle which must be broken at a certain point, to the benefit of the people. My recommendation is that free secondary school education must be given as a matter of priority to children from the ASALs, as we explore the possibility of providing it to the rest of the country.

Mr. Temporary Deputy Speaker, Sir, we all know that insecurity has been a big problem in the ASALs. Many people have blamed it on the terrain and many other reasons. As much as there are difficulties in those areas, there had been a very serious problem of insecurity in North Eastern Province for quite a while, until one Provincial Commissioner (PC) was posted there. Without the Government spending much, he decided to put in place measures that eliminated what was considered to be impossible. So, we have to watch out on the administration of the police in those areas, particularly, in Marsabit. Why should people continue to be butchered? We know the friends that we lost in this House because of those issues. The same issues continue unabated. I want to

blame the police force, because it is not taking effective action. It has allowed loopholes in these areas. This is a very serious matter. If we see insecurity persisting, then we have to ask what the administration is doing. If you ask the people in those areas, nobody wants to get involved in insecurity. But it continues unabated, because the first issues have never been addressed conclusively. Therefore, people have to go for revenge. This revenge breeds another revenge, and it is continuous. The police must come in and stop this insecurity at one point. Because small incidents are never tackled, they continue breeding.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the issue of audits in the country. His Excellency the President talked about the effectiveness of watchdog committees. The audits of local authorities have not been looked at for a number of years. It is the high time, now that we are reviewing the Standing Orders of this House, that we formed a separate committee to look at audit reports of local authorities, so that they are made more accountable. The Ministry concerned has been talking of bringing a financial management Bill to Parliament, on local authorities. However, nothing has been done so far.

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

The Assistant Minister for Lands (Mr. Kamama): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for granting me the opportunity to contribute to this very important Motion. First, I want to really thank His Excellency the President for an excellent exposition of public policy, as contained in his Speech.

Before I go into the details of that Speech, I want to thank our athletes who actually did us proud in Mombasa during the world cross country championships. We all know that our athletes came out the best in the entire world. We need to congratulate them. However, the women athletes need to be given more support, because we actually saw a few weaknesses in them.

Mr. Temporary Deputy Speaker, Sir, the President's Speech was excellent. If the people of this country are serious, I think that Speech will earn His Excellency the President a second term in office. In the United States of America (USA), there is what we call the State of the Union Address, during which the President expounds the policies for the country. From the President's Speech, everybody will realise that the state of our economy is on the upward trend and it is doing extremely well.

Mr. Temporary Deputy Speaker, Sir, our President is taking us the direction of the Asian Tigers. I am very confident that if this economic growth is sustained for the next three or more years, the people of this country will enjoy the fruits of Independence. The multiplier and trickle-down effect will be felt by most Kenyans. Some hon. Members have been complaining that there is nothing being felt on the ground. However, there is a lot, and I can count. When I disburse Kshs6 million as bursary, it can actually be saved and used otherwise. The growth of our economy is being felt by the people of Kenya through so many projects that have been initiated by this Government. I want to point out, as an example, the Rural Electrification Programme. Recently, I had the privilege of visiting Nyanza and those sides of Migori, and I saw Rural Electrification Programme being initiated in that district. I was amazed! This Government is lighting those rural villages. Every constituency has a Rural Electrification Programme. This has never been seen since Independence. It is unprecedented! So, for this achievement alone, I think the President deserves another term in office because of the Rural Electrification Programme.

Mr. Temporary Deputy Speaker, Sir, recently, President Obasanjo actually gave our President what I call a good recommendation because of what he is doing in this country. He was wondering why his economy cannot actually sustain itself, because they have oil and everything else. He was surprised that our economy can actually finance itself using domestic resources to the tune of 93 per cent. I am sure, and I want to say this without the fear of contradiction that, in the next two years, the economy of this country will balance and in another two years, we will have a

surplus budget. A surplus budget has only been experienced in Botswana. South Africa has actually experienced it for the first time this year. Libya also has a surplus budget. This is wonderful!

Mr. Temporary Deputy Speaker, Sir, our friends on the other side will have nothing to tell Kenyans during this year's General Elections because we have done almost everything that the President promised Kenyans. Okay, we have something to do with the Constitution, but I will talk about that later.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the Youth Enterprise Development Fund. The youth of this country are very happy. I also want to talk about the introduction of the Women Enterprise Development Fund. I think we should give women some good money so that they can do their own micro-business programmes. I want to suggest that we should not give them Kshs1 billion only; we should give them Kshs3 billion or more so that women can really do business in this country. When we visit some of the places where they do business, we have seen that women have done an exemplary job.

Mr. Temporary Deputy Speaker, Sir, the security situation in this country is okay, but we need to improve on certain areas. I was surprised recently when the people of the new East Pokot District got a visitor in the person of hon. Raila in his Hummer vehicle. It was the first time that particular vehicle was seen in that district. I am also happy that the Temporary Deputy Speaker got a new district, the North Pokot District. I think that the economy of this country is doing so well, because if people can afford a Hummer vehicle worth Kshs56 million; if people are driving jaguars in this country, it is a good sign that the economy is doing extremely well. But I would like to advise leaders, especially those millionaires who have those kind of vehicles, to look into the plight of people in Kibera. The people in Kibera deserve many toilets because they have "flying" toilets!

Mr. Ojode: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member on the Floor to talk about Hummer 2 whereas, among our colleagues here, there are people who own choppers? A chopper costs Kshs90 million and you are aware that it is more expensive than a Hummer 2. So, why do you not talk about something else?

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Members! This issue has even been ruled on this morning. So, let us leave these things out of our discussion. Let us talk about the President's Speech, which had nothing to do with the Hummer or whatever it is!

The Assistant Minister for Lands (Mr. Kamama): Mr. Temporary Deputy Speaker, Sir, there is some correlation. When these people went there, they actually cheated my people that if the cows belonging to Pokots are stolen, they will give them insurance. The next day, there was an insecurity problem. So, these people went to incite my people using all kinds of things. We want to advise the rich to actually look at the plight of the very poor people. We have "flying" toilets in Kibera. I think a Hummer vehicle is not a priority---

The Temporary Deputy Speaker (Mr. Poghisio): Order!

The Assistant Minister for Lands (Mr. Kamama): Okay, let me concentrate on the Presidential Speech. There is a professor from the University of Massachusetts who has recommended that this Government should get an award for excellency through Public Service for performance contracts.

Mr. Ojode: For corruption!

The Assistant Minister for Lands (Mr. Kamama): The award should be for performance contracts. The Government has come up with a Strategic Plan, performance contracts, Service Charter and through this, I want to assure you that this Government is delivering services better than any other government within the Common Market for Eastern and Southern African (COMESA) region. So, I support the President's Speech in its totality.

With those few remarks, I beg to support.

Thank you.

The Temporary Deputy Speaker (Mr. Poghisio): Proceed, Mrs. Kihara!

Hon. Members: Aaaaah!

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Thank you very much, Mr. Temporary Deputy Speaker, Sir. I do not know what the hon. Members mean by "aaah!" I am an hon. Member of this Cabinet.

First and foremost, Mr. Temporary Deputy Speaker, Sir, I wish to thank the President for recognizing that hon. Members work 25 hours a day. Before I came to this Parliament, I was earning a little over Kshs100,000 and I used to be very rich and have some shillings to spare. This big salary that members of the public are talking about, leaves me poorer than ever before.

Mr. Temporary Deputy Speaker, Sir, I will talk about pyrethrum, although it was talked about this morning. This issue still remains a thorn in the flesh. Parents who depend on pyrethrum to educate their children have remained poor. The Minister dissolved the Pyrethrum Board of Kenya because they were doing politics. Politics or no politics, they were saying that farmers had not been paid. That was, and still is, a fact. So, it is high time that he started paying them. Farmers know how much crop they had delivered. That information can very easily be obtained from the delivery points.

Mr. Temporary Deputy Speaker, Sir, I wish to talk about the Youth Enterprise Development Fund. It is a good thing, but there are so many things that have to be put in place. Many youths have no idea as to how to access the Fund. They need a lot of training on capacity building to ensure that these funds flow. Most of them do not even have identity cards. As you know, getting an identity card in this country has been a big problem. We have got many youths who have passed the age of 18 who do not have identity cards. As you know, an identity card is the document that will allow you to have things moving in this country. It is important for the Minister to ensure that all the youths have identity cards.

There is the requirement to swear an affidavit for people who are over age. This is a tedious and very expensive affair that most of the youths will not be able to go through. For instance, young women do not apply for identity cards because, first and foremost, they want to get married, because changing the name on your identity card to reflect the name of your husband is such a complicated issue. So, by the time "Mister Right" comes to give his hand in marriage, those young women are over-age. Regarding those who are late in acquiring identity cards, because the Government was not facilitating issuance of the same, the Government should come up with a formula to ensure that all of them get identity cards without necessarily having to swear an affidavit.

Mr. Temporary Deputy Speaker, Sir, the creating of the Women Enterprise Development Fund is the best thing that has happened to women in the recent past. Women have been used by politicians because of their disadvantageous economic position in society. Men have only used women when the former needed their votes. When women are empowered, the whole family is empowered.

Regarding the constitutional review process, I would like to say that I hate the dishonesty exhibited by politicians. This is a process that has been hijacked by politicians. We know that what is good for Wanjiku is good for Atieno, Nekesa, Amina and Jebii. So, when we say that we need to give and take, I do not quite understand who gives what, and who takes what and for what purpose. If we mean business, we should remove politics from the process, so that Kenyans can get a new Constitution.

Mr. Temporary Deputy Speaker, Sir, in 2002, when campaigns for the general election were going on, I happened to be part of the campaigners although I was not a candidate then. Those who are saying that His Excellency the President promised Kenyans a new Constitution in 100 days of his leadership, were in the Opposition then. In particular, I must say that the situation in

Naivasha Constituency was very delicate then. The seat nearly went to the Opposition. I must thank Mr. Raila, because he actually saved the day. His message to the people of Naivasha then was: "We will give you a new Constitution in 100 days". So, this was actually coming from those who were in the field, campaigning for NARC in 2002.

It is very unfortunate that leaders are the ones who are the worst tribalists. I know for certain - as the Member of Parliament for Naivasha, and given that the Mai Mahiu-Lanet Road project is in my constituency - that the then Minister for Roads and Public Works ensured that only one community got all the jobs there. So, when leaders stand up here to talk about others, or to try to remove the speck in other leaders' eyes, they should, first of all, worry about the log in their own eyes.

Mr. Ochilo-Ayacko: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the hon. Member talk of a former Minister for Roads and Public Works ensuring that all the contracts for the Mai Mahiu-Lanet Road project were awarded to members of one community. Would I be in order to ask her to substantiate how that happened and whether there is proof to that effect? Who is this former Minister?

The Temporary Deputy Speaker (Mr. Poghisio): Mrs. Kihara, you may respond just in case you, really, want to inform us. Really, it is further tribalising issues when we name, mention or discuss hon. Members of this House in this manner. If you would like to respond, you may do so.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, there have been so many Ministers in that Ministry in the past.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Mrs. Kihara, it seems that you have chosen to respond to Mr. Ochilo-Ayacko's point of order. Now, you must respond convincingly, because you are dealing with something that has been raised during your time. That is why the Chair cautioned, even earlier on, that this issue of tribalising debate in the House is catching on so much. We are making capital out of it and it is, really, not good. So, let us talk about things that will contribute towards nation building and unite Kenyans, *et cetera*. Anyway, Mrs. Kihara, the hon. Member has asked you to substantiate your claim.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, I made my personal appeal to the then Minister for Roads and Public Works, Mr. Raila Odinga. I went to his office. I talked to him when he was in Naivasha inaugurating that project.

Mr. Temporary Deputy Speaker, Sir, there is a lot of development in this country yet--

Mr. Ochilo-Ayacko: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the hon. Member say that, that particular Minister ensured that contracts were given to members of the same community, and I asked for substantiation. If the hon. Member is unable to do so, could she withdraw and apologise to that hon. Member?

The Temporary Deputy Speaker (Mr. Poghisio): Certainly, Mrs. Kihara, that is our rule. You have mentioned the name of an hon. Member and you have the obligation to act honourably. If you cannot substantiate your allegation, then you have to withdraw it and apologise.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, the hon. Member may not have been there, but when I went to the Minister then, he said that he would ensure that something was done. This means that he acknowledged the problem.

The Temporary Deputy Speaker (Mr. Poghisio): Madam Assistant Minister, you actually have a responsibility to this House. If you cannot substantiate the allegation, you should withdraw and apologise. The most honourable thing for you to do is to withdraw. You cannot name certain hon. Members and leave the issue at that. Your time is not over yet and you have to finish that business.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, it is his word against mine and I wish the former Minister was here. I talked to him about this issue and we discussed it.

The Temporary Deputy Speaker (Mr. Poghisio): Madam Assistant Minister, do not take our time. This is a serious matter and you cannot postpone withdrawing and apologising.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, whether I withdraw and apologise---

The Temporary Deputy Speaker (Mr. Poghisio): Order! I do not want to be seen to be the first person to ask you out of the Chamber. This is the honourable thing. Please finish this business and we go on. Otherwise, this will be gross misconduct.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, let me reluctantly withdraw and apologise.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! It is what you choose to do. Hon. Members are honourable and they are not corrupt unless you can prove that they are. They do not do those kind of things unless you can table some evidence to show that they are corrupt. That is why they are called hon. Members. This is in your rules. I do not think that we are setting anything new.

By the way, you should not be embarrassed if you do not have the facts now to convincingly withdraw and apologise to your colleagues. This is within the House rules and I think we should get used to it. If you make a mistake, just go ahead and say that you do not have your facts and then you withdraw and apologise. It does not stigmatise anybody. Just finish this business. I do not want it to be recorded in the HANSARD that you have reluctantly withdrawn and apologised. I do not think you would want to go with that on your record.

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, I do not have the evidence just now, but I can make it available later. These things also happen by agency.

The Temporary Deputy Speaker (Mr. Poghisio): I will give you the last warning. I do not want to argue with you. You stood there to do one thing and one thing only, please!

The Assistant Minister for Environment and Natural Resources (Mrs. Kihara): Mr. Temporary Deputy Speaker, Sir, I withdraw and apologise.

Capt. Nakitare: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to raise the issue of trivialising discussions on the Floor of the House. We are legislators and I am concerned with the manner in which you are conducting business here.

The Temporary Deputy Speaker (Mr. Poghisio): Order! I think I have ruled on that matter. I am sure you exactly took my cue. I have said that we need to start this Session on a serious note.

Hon. Members, it should not pain you to withdraw a statement and apologise. It should be normal. It should come out normally out of a gesture because you are hon. Members of this House. We should not even be begging you to withdraw and apologise. I just felt that I almost did the dishonourable thing, but she stood her ground, by asking her to name the person.

You do not continue to say something about a colleague that you cannot substantiate. The rules are very clear. You have to bring a substantive Motion to discuss that kind of character, if you do actually name a person who is an hon. Member of this House. That is why people call you hon. Members.

Eng. Nyamunga!

Eng. Nyamunga: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this very important Motion.

Mr. Ahenda: Mr. Temporary Deputy Speaker, Sir, that was a case of mistaken identity.

The Temporary Deputy Speaker (Mr. Poghio): Order! By the way, Mr. Ahenda, everything that you say is recorded. So, be careful about what you say. Also, be careful that you do not stand between the Chair and the person who is speaking. We cannot have two hon. Members on their feet. I have already appointed another person to speak.

Proceed, Eng. Nyamunga!

Eng. Nyamunga: Mr. Temporary Deputy Speaker, Sir, I will start by commenting on the new districts. The President said that he is going to create about 38 new districts. This is a good idea because since we implemented the programme of districts as units for rural development, districts became very important units. Actually, they bring services closer to the people. In fact, with the advent of devolved funds through the Local Authority Transfer Fund (LATF) and the CDF, districts are very important units.

However, we need to have close co-ordination between the Electoral Commission of Kenya (ECK) and the Provincial Administration. For example, there are three divisions within my Nyando Constituency. One division falls under Kisumu East District and the other one is Nyando District. This means that councillors in Kadebo Division are going to be in Kisumu East County Council and the others who are in Nyando Division are going to be in Nyando County Council.

Mr. Temporary Deputy Speaker, Sir, co-ordination, on my part, as the Member of Parliament, is going to be very inconvenient. I am going to be shuttling between two District Commissioners and two county councils in two different districts. We need to very closely co-ordinate the ECK and the Provincial Administration, so that an hon. Member operates within one district and not two or three districts. Otherwise, it is important that we have more districts so that we can bring services closer to the people.

Mr. Temporary Deputy Speaker, Sir, I agree with the issue of direct election of mayors and county council chairmen. We need to give some executive authority to mayors and county council chairmen. As the situation stands now, the chief officers misuse the LATF funds. The mayors and the chairmen are just there as spectators and they have no clue about what the chief officers do. To add salt to injury, whenever chief officers make mistakes or misappropriate funds, they are just transferred from one county council to another. They are never disciplined.

Mr. Temporary Deputy Speaker, Sir, we need to elect mayors and give them some executive authority, so that the chief officers work knowing very well that the mayors and the county council chairmen can actually discipline them. They will then follow the rules and we will reduce the degree of misappropriation of funds, which is currently taking place. We do not need to insist that mayors and county council chairmen should be graduates, but they should be knowledgeable enough to bring discipline in the management of the public resources.

Mr. Temporary Deputy Speaker, Sir, let me talk about security. Last night, I was watching a clip on the *Nation* television station where the public was asked whether they think *Mungiki* is being supported by people in authority and 85 per cent of them voted in the affirmative. One cannot believe that a group can decide to terrorise the Kenyan public and the security arm of the Government just watches. The *matatu* drivers and conductors decided to react by burning some houses which were imagined to be housing *Mungiki* followers. For sure that should be the work of the police. If we leave it to the *matatu* touts to react so that they can protect themselves against the *Mungiki* menace, what are we saying? Are we saying that the police force is unable to protect the *matatu* touts, therefore, they are now protecting themselves? That should not be allowed. I am asking the Government department that is concerned with this to take action against the *Mungiki*. If we intend to convert our country into a newly industrialised nation by the year 2030 as the

President said, then we should tackle the problem of insecurity. The Government has the capacity to do that. Let us not give the public the bad impression that *Mungiki* is being supported by the Government and that, that is how they are able to terrorise the innocent public and go scot free. Something needs to be done very urgently so that we restore security in those areas.

Mr. Temporary Deputy Speaker, Sir, the President mentioned something about fishing. After agriculture and tourism, fishery is probably the third foreign exchange earner. At the same time, fishermen are some of the poorest people in this country. If you look at the poverty index in areas where fishermen are found along Lake Victoria like Gwasi or Rangwe, you will find that people in those areas are very, very poor. The reason for this is that the infrastructure around the lake is in such a bad state and those who go to collect the fish exploit the fishermen. They go there late in the evening when the fishermen are desperate so that they end up selling the fish at a very low price because they do not have cold rooms to keep the fish. The fishermen do not get a good price for the fish that they catch from the lake. Therefore, those areas have remained poor. Infrastructure should be improved around the lake.

Mr. Temporary Deputy Speaker, Sir, the President said that about 20 landing beaches have been connected, but what is 20 when you consider the great number that is there? How about the road network around the lake? We need to get those roads tarmacked and have electricity around the lake so that we do not only have fish as a product in that area, but we can also have beach resorts. These two can support the economy around the lake. The beaches can support the western circuit tourism and the fish industry so that the people around the lake can enjoy the economic growth that we are talking about. Otherwise, right now fishermen are some of the poorest communities in this country.

Agriculture is the backbone of the economy of this country, but I wonder whether we are paying enough attention to it. For example, if we take the case of sugar-cane, by March this year, Kenyans will be free to import any amount of sugar from COMESA areas. The problem we have in the sugar sector is that we had under-investment. In countries like Malawi, table sugar is a by-product so they are able to sell it cheaply because their factories produce many products from the sugar-cane crop. They produce fertilizer, electricity, table sugar and industrial sugar. To the majority of sugar factories in this country, the main product of the sugar-cane crop is table sugar. How will it compete with sugar from these other countries where it is considered a by-product?

Mr. Temporary Deputy Speaker, Sir, I believe the time has come for us to do something so that our sugar can compete with that from the rest of the world. Otherwise, we shall have a situation where our sugar industry will be "dead" after March, 2008.

Mr. Temporary Deputy Speaker, Sir, only 20 per cent of this country has the capacity to produce crops from --- The weather pattern has changed and it is now very unreliable. We need to do much more in the irrigation sector. We need to allocate more money so that the 20 per cent can be irrigated properly and we can have reliable crop production in this country.

With those few remarks, I beg to support.

Mr. Omingo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to the Presidential Speech. From the outset I want to appreciate the contents of the Speech. I want to plead with the House and the Committee that is reviewing the Standing Orders that this House actually formulated to make laws. If something is good, you say it is fine. When you overpraise something, it does not make sense any more. It is not morally upright, given the time we spend in this House, to make laws and to contribute to debate.

It is sufficient to have a day or two to thank the President for giving us something to think about. I think we are actually competing for time. It is not that when you speak too much about an item, then you make it good, if it was bad. I suggest that in the Standing Orders, we say "thank you" and "fool stop". That is when we will add value to the people who we represent.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the issue of free primary education. We would like to thank the Government for doing what they have said they have done. It is critical to also evaluate what value we have got from this free primary education. We appreciate we have quantity, but zero quality. School children are actually clamped together, sitting on top of each other. Classrooms are filled with about 90 pupils with one teacher. That can never give us quality education. We can sentimentally say we have free primary education, but truly we are actually trying to push these school children to destruction and complacency that they have gone to school when, indeed, they are more illiterate than they would have been had they stayed at home. The Government, must of necessity address the issues of employing more teachers commensurate with the number of students so as to improve the quality of education.

Mr. Temporary Deputy Speaker, Sir, the President recognised the fact that the Government will set up a Women Enterprise Development Fund. There are too many things that are being done very late in the hour. One wonders whether we mean what we say or we do what we say. The President has realised in the last year of his term that women are really disadvantaged. They are the ones who fetch water, look after the children and do all the household work.

Mr. Temporary Deputy Speaker, Sir, unfortunately, despite the pronouncement that the Government will give two-thirds of the jobs to women, Mrs. Mwatela was shown the door as soon as the President made this announcement. It appears that the President is saying one thing and doing the other, which actually negates the essence of having the President make statements. If the President's handlers who are seated in the Front Bench, do not agree with the President before he goes out to make statements which will embarrass him, they should advise him not to make those statements, because I believe most of them are the ones who make input in the Presidential Speech.

Mr. Temporary Deputy Speaker, Sir, I want to appreciate the fact that the Chief Whip is listening attentively because I know he has the ear of the President. If the President says something you do not want him to say, please remove that paragraph out of his speech, otherwise you will keep on embarrassing the Head of State when you are just watching and clapping like emperor worshippers.

Mr. Temporary Deputy Speaker, Sir, we are bragging that we have tripled our revenue base. Kenyan people are heavily taxed. You cannot justify that with the growth of the economy. The growth of the economy cannot actually sustain the amount of--- The Government and the Kenya Revenue Authority are "sitting" on people's money for refunds to reflect a target achievement. I think it is important we look back at that to ensure that we spread the tax base to reduce the tax rate because Kenya has the highest tax rate. Even as we are taxed, we require a new Constitution to give us a fair distribution of resources. I am saying that with a lot of pain. Even today, 43 years after Independence, we are saying: "We shall provide services when funds are available!" I am saying that as an example. A Minister in the Government, yesterday bragged here that his two divisions have got power supply. This is a Minister who joined the Government through the back door. It is a shameful thing, but he was bragging and chest-thumping that he has got power in his divisions. Does that mean that when you join the Government is when you get development? Kenyans from both sides of the divide pay taxes. A minister of Government was chest-thumping here on the Floor of the House that he has got power---

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Omingo! What did I hear you saying? Hon. Members, I think there is parliamentary language that we should observe. I do not understand how anybody can forget that fact.

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, perhaps, I was a bit emotional. Let me say this: A Minister of Government stood here and said that since he joined the Government four years ago, his two divisions have been supplied with power. So, we are saying that even the Executive is actually misusing the powers of its office to lure hon. Members to that side so as to get

development. That is why we are saying that Kenyans, including the South Mugirango people, are paying taxes and deserve services. They deserve to be supplied with electricity. I got an approval for electricity supply in 2003 and hon. Kiunjuri stood on the Floor of this House and said that Nyatike Health Centre power supply project is on-going. But on the ground, there are only power poles lying on the ground. There is nothing going on!

The Assistant Minister for Energy (Mr. Kiunjuri): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to continue attacking my Ministry while he knows for sure that we are undertaking equal distribution of power in all the 170 constituencies. He cannot substantiate to the contrary and say that we are not working. It is only one project that was taken over in his constituency and others are already going on.

The Temporary Deputy Speaker (Mr. Poghiso): That is not a point of order. Proceed, Mr. Omingo.

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, what I am saying is this: I come from South Mugirango. Nyatike is my home. I know that the poles are lying there four years down the line. There is no power supply and yet, a man you poached from here has already been given power supply. That is not right. It is unfair and unacceptable under the rules of natural justice.

Another issue is that I got a road in Gucha - that is Item No.616 - Kamagambo-Nyasembe-Itago Road to be developed. The design for that road was done. But this Government, because it thinks that I am incorrect with its position, has re-allocated that money. I want to ask the Minister for Roads and Public Works to tell Kenyans and the South Mugirango people what authority he has to remove items on the Vote and re-allocate them to their preferred areas? It is illegal and an abuse of office. That is subjecting other people, who pay taxes, to ridicule. The Kamagambo-Nyasembe Road was allocated Kshs4 million. But it is no longer there. Some hon. Members have been given money for the construction of foot paths in their areas when design works for my area are "sitting" in their offices. That is segregation in matters of resource allocation. We should devolve resource allocation to the CDF level, so that I can allocate money without hon. Kiunjuri telling me to wait.

Mr. Temporary Deputy Speaker, Sir, on the issue of rural electrification, it is the same thing we are talking about. There are programmes that are supposed to be commissioned, for instance, Nyatike REP and Tabaka, which is still stalled, but nothing has been done. This is what we are calling selective application or misuse of office and cannot be accepted in modern society: We require to be fair to each other.

Insecurity is also an issue. You cannot fight insecurity when you do not have a forensic science laboratory. The youth who you round up after committing crime have no identity cards. So, even if you refer them, they will give you a pseudo name and you will never access them. We require the youth to be given ID cards as a simple way of accessing criminals. Many stones are unturned because you deny youths ID cards. They do not vote for Orange or whatever it is. However, you cannot compromise the security by denying the youth ID cards.

Mr. Temporary Deputy Speaker, Sir, the Youth Enterprise Development Fund has come at an opportune time when the Government must campaign. However, we want to tell them that the youth of this country are actually alert and are aware of their goals. On the same basis, the youth who are supposed to open accounts to access the money have no ID cards yet we are telling them that the money has come; Kshs1 million per constituency and Kshs790,000 to be distributed through financial institutions. The financial institutions are not in the rural areas and the youth do not have ID cards to open accounts so that they can access money. So, that money is going again to the club business of old guys who enjoy themselves.

Mr. Temporary Deputy Speaker, Sir, as we prepare in the year of elections, time has come where people must stand up to be counted. Why African states have failed---

The Minister of State for Youth Affairs (Dr. Kuti): On a point of order, Mr. Temporary

Deputy Speaker, Sir. Is it in order for the hon. Member to say that old people will get these funds when it is clearly indicated that the age is between 18 to 35 years?

The Temporary Deputy Speaker (Mr. Poghisio): Well, that ends your time, Mr. Omingo!

Mr. Omingo: I am not through, Mr. Temporary Deputy Speaker!

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

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, you took my time! It is not yet time. I thought you would add me the two minutes to my time.

The Temporary Deputy Speaker (Mr. Poghisio): Okay, proceed!

Mr. Omingo: Mr. Temporary Deputy Speaker, Sir, I am saying that the Minister is willing to give the money, but the youth have no ID cards.

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

Could I have the two minutes now?

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Omingo! I have already given you two minutes. I will now give the Floor to the hon. Member for North Horr.

The Assistant Minister for Science and Technology (Mr. Yattani): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Presidential Speech. First, I wish to record my thanks to the President for giving a wonderful Speech and also for providing good stewardship of the country.

Mr. Temporary Deputy Speaker, Sir, this Government has made several strides in economic development, especially in areas of free primary education, improved infrastructure and the Youth Enterprise Development Fund. However, there are a number of concerns that need to be addressed as far as the free primary education is concerned. In the rural areas, especially, in the pastoralist districts, the shortage of teachers is chronic. We are running ten to 20 classes using three teachers. Something needs to be done as urgently as possible.

On the issue of the Youth Enterprise Development Fund, I agree with the hon. Member from South Mugirango that effective administration of this Fund can only be possible if there is level playing ground. If you look at the rural areas, especially, among the pastoralist communities, these financial intermediaries are non-existent. People have to travel over several kilometres to the district headquarters to access basic knowledge. I think something needs to be devised so that the youth at various levels can be reached and educated on how best they can access this Fund. The idea of giving pamphlets might not reach every corner of this country.

Mr. Temporary Deputy Speaker, Sir, I am really concerned because in spite of the various strides this Government has made in the economic field, the redistribution of wealth remains the biggest obstacle. The minority groups in this country are not incorporated in the mainstream economic affairs. When it comes to appointments, it is very predictable that a particular community will be favoured. That needs to be given consideration. People from minority tribes in this country have an equal stake in this Government in spite of their numbers. A lot of political lobbying is done when a certain office falls vacant. Even the most qualified people from the minority groups are not given any consideration. A case in point is the El Molo, the Gabbra and other marginalised communities. It is very likely that people from these communities might never go beyond being a sitting Member of Parliament. They might never get any high rank in this Government just as was the case with the previous Government. I think this Government needs to address that issue.

Mr. Temporary Deputy Speaker, Sir, on the issue of security, I must appreciate that the Government has made so many strides in ensuring that there is peace and order in many parts of the country, especially in the urban centres. However, a lot needs to be done in the far flung

districts of this country, for example, Marsabit. If somebody came from Mars today and was dropped in Marsabit District, he would think that it is a collapsed state. This district has all the attributes of a collapsed state. The responsibility of any government is to provide social good, which includes infrastructure and security. If security is lacking, whatever people want to undertake in terms of economic gains will not be realised.

The Minister concerned needs to address the issue of security in Marsabit because people are killed on a daily basis. People are segregated even from using water from Government taps and dams constructed by the taxpayers' money. Segregation abounds on the basis of ethnic identities of people. Minority groups are denied water and employment. In fact, they now live in camps as internally displaced persons and yet there is nothing about that being mentioned. The Minister concerned and the relevant Government organ are not concerned at all. It is high time special attention was given to Marsabit and other areas experiencing similar problems because security is paramount and everybody has a right to that security.

Mr. Temporary Deputy Speaker, Sir, I have a very humble suggestion to the Ministry concerned with security. A very detailed inquiry, as far as the affairs of Marsabit are concerned, needs to be put in place. The relevant machinery of the Government should carry out an inquiry because the situation is getting worse. People are losing lives and property such as houses and farms. In fact, people are retrogressing in every aspect of life. We require a detailed inquiry so that we can come to the bottom of issues at hand.

Road network is a very crucial component of any development activity. There are a number of promises that have been made since Independence that the Marsabit-Isiolo Road would be tarmacked. Every other year, that promise is made to us. It is important to realise that the Marsabit-Isiolo-Moyale Road connects Kenya to Ethiopia. After Ethiopia ceded part of its territory to Eritrea, it is now a landlocked country. We all know that Eritrea and Ethiopia are not friendly countries. In fact, Ethiopia is looking for alternative ways of importing their goods from overseas and the only port they can use is Mombasa. However, they get a lot of difficulties in transporting goods from Isiolo to Moyale. That road needs to be tarmacked.

It is a pity that sometime last year only two kilometres of that road were tarmacked. The people of that area were happy because they thought that tarmacking of the road had commenced in earnest and that the rough road would now be a thing of the past. Unfortunately, four or five months down the line, all the machinery on the ground has been withdrawn and the tarmac is no longer there. This is a matter that needs to be addressed seriously.

Mr. Temporary Deputy Speaker, Sir, with regard to the issuance of national identity cards, the situation is very bad in every part of this country, but worse in northern Kenya. National identity cards are very crucial documents because you cannot vote without them. Also, you cannot seek employment or travel to any part of this country without the identification card. People in northern Kenya are very disadvantaged because they cannot compete with people from other parts of the country. They consider themselves inferior because they cannot get national identity cards. This issue needs to be addressed in earnest.

Lastly, Mr. Temporary Deputy Speaker, Sir, I would wish to thank His Excellency the President for creating new districts. This is because new districts are created so that services are enhanced and brought closer to the people. Therefore, Kenyans get the opportunity to participate in the affairs of their districts. However, it is unfortunate that new districts are created on the basis of friendship. They are created on the basis of who knows who.

Marsabit District is bigger than Western, Central and Nyanza provinces combined and even Rwanda and Burundi put together. It is the only district in this country in which residents travel over 600 kilometres to see their District Commissioner. In spite of so many attempts we have made, nothing is being done. We are told that something will be done. I think it is important for

justice to be exercised. If new districts are given to areas whose residents do not deserve and are not interested, it is high time that the relevant arm of the Government addressed this matter. That is the only way that every person living in this country would feel the ownership of its affairs. That is the only way people will feel obliged to support the Government. Something needs to be done.

Mr. Temporary Deputy Speaker, Sir, thank you very much for the opportunity.

The Assistant Minister for Energy (Mr. Kiunjuri): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute.

For the record of the House, if I mention the word "hummer" I will mean the "hammer" that is used by carpenters.

Mr. Temporary Deputy Speaker, Sir, I stand to support the President's Speech. It contains issues that are relevant to this country. We were used to President's Speeches being repeated over the years, but nothing used to happen. However, it is in the records that what the President promised in 2003, 2004 and 2005 has been achieved by over 70 per cent. We cannot deny that fact. This Government has really worked.

Mr. Temporary Deputy Speaker, Sir, sometimes people oppose things because they have not experienced them. When His Excellency the President said that we should bring a Bill to this House to enable us increase the number of judges, most hon. Members of Parliament and the public could have understood it in a different way. Some of us have been offered the opportunity to be in courts of justice. Unless you have been in the courts, you will never know the problems facing Kenyans who seek justice. I am an Assistant Minister in this Government, but four years down the line, I have been in the corridors of courts, seeking justice. I wonder what the ordinary *mwananchi* goes through. How many years do they spend in courts seeking justice?

We know our judges are over-worked. Some of us with cases in court are very happy. As long as they remain there for ten or 20 years, we shall continue making sure that the wheels of justice are not in motion. We can, therefore, spend our time in public rallies complaining that we are being persecuted if we are taken to court. However, we know the courts cannot move because of the few numbers of judges.

Secondly, if you look at the economic implications of this, the people in court everyday results in this country losing a lot of resources. I guess that over 100,000 Kenyans are in courts everyday. Every morning, if you go to courts, the corridors are full of people.

Those are resources wasted because those people could be doing other profitable work if they could get their cases heard and disposed of in good time. I support calls for addition of the number of judges. It does not matter how many we intend to have, but we should have more judges than we have today. We should also have a Court of Appeal in every province so that we do not have the panel of Judges of Court of Appeal moving all over the country to hear appeal cases and yet, their qualifications are just the same as those of the other judges of lower cadre. We even have other people who are not judges but can be appointed to do the same work. So, it is an issue that we should support and it should be addressed so that we do not have people complaining that their cases have been pending in courts for the last ten years.

Mr. Temporary Deputy Speaker, Sir, with regard to the economic growth, when you listen to arguments being advanced by some hon. Members, and you compare them with those of people who never went beyond Standard Two, you will not be able to know the difference. When an hon. Member in a public rally or in this House argues that the economic growth has not trickled down to the people, then you wonder how a person down there, who cannot understand what economic growth means, will interpret it. For example, we have free primary education today. That means that we are drawing from public coffers. Therefore, *wananchi* who used to pay Kshs100 per term are saving it directly because they no-longer pay it to schools. That means that *wananchi* have benefitted directly. If we say that today farmers are selling milk at Kshs18 up from Kshs7, it means

that, that farmer who used to pour his milk because there was no market is now getting an extra Kshs11. That also means that a farmer who is now able to sell maize for Kshs1,400 per 90 Kilogramme bag of maize up from Kshs400, is now able to earn an extra Kshs1,000. That is what economic growth translates to. Therefore, as we play politics, we should also agree that important strides have been made.

Mr. Temporary Deputy Speaker, Sir, when people start arguing that the Government has only connected 20 fish landing sites with power, they forget that there had been none for the last 40 years. Those are the people who will complain that their breakfast did not include buttered bread and forget that they are now having full lunch and supper which they never used to get before. Therefore, let us be considerate.

Mr. Temporary Deputy Speaker, Sir, we have people talking about tribalism and running all over saying that Public Service jobs have been taken by one community, yet they do not tell us what the population distribution in this country is and the distribution in each Ministry. They just pick on one Ministry and say that it consists of one tribe but they do not want to consider the other Ministries. When they talk about distribution of resources, they do not talk of tribalism at that juncture. They do not tell Kenyans that, that community has a population of 2 million people and yet it is getting an equal share of the resources just like the small communities. So, if you want to pick on one field, for attack, then you should bring all the facts on the table so that you can be understood.

Mr. Temporary Deputy Speaker, Sir, today, we look like hawkers. The work of a hawker is to hawk where the merchandise will get a market. If the market is in Mombasa, they will run there. The only issue that we can sell in our political platforms is the Kikuyu-bashing all through. Address any public rally in this country; you will not sell until you have bashed Kikuyus and said everything good or bad that you know about them. Most times, it is the bad things.

Mr. Temporary Deputy Speaker, Sir, with regard to the Constitution reforms, we have never been opposed to them. There is nothing that anybody in this country is advocating for---

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Assistant Minister! Why are you tribalising issues? In fact, it is better for people to talk about one community, but now you have gone ahead to name a particular community.

The Assistant Minister for Energy (Mr. Kiunjuri): I am sorry, Mr. Temporary Deputy Speaker.

On the issue of minimum reforms, there is nothing new that has been said. We said all those things while we were back-benchers on the opposition side and our conviction was the same. Baptism is the same. We believe in reforms, but not the ones which will be forced down our throats. You cannot say that you are a democrat and appear in the headlines of the local dailies everyday giving conditions of what should be included in the reforms. If one wants to be a democrat, he or she should know that the reforms will be a matter of give and take. We should not force our demands on others. At the end of the day, even if we demonstrate in the streets, go to the negotiating table for 24 hours or negotiate for 100 years, the only way we can change any part of the Constitution, be it a comma, sentence or a paragraph, is by tabling the reforms either in this House or we take them to the referendum and have votes cast on them. Since we do not have a referendum, the only option left, even if we were to discuss the issue in hotels, is to bring those amendments to this House, discuss them and vote accordingly.

Nobody can boast of having two-thirds majority support of this House; not the Government or the Opposition. So, we should stop chest-thumping, talk to one another and agree on the contentious issues for the sake of the good governance of this nation. Some of us are reasonable when it comes to reforms because we know that things could change. President Kibaki might rule until 2012. However, we do not know who will rule this country beyond 2012. Therefore, when we

call for reforms, we should ensure that we have reforms that will be appropriate for Kenyans and not for Mr. Mwangi Kiunjuri. Those are the reforms that do not favour either ODM(K) or NARC(K), but the ones which will cater for our children and this country.

I beg to support.

Dr. Ali: Thank you, Mr. Temporary Deputy Speaker, Sir, for recognising me. There are people who are complaining about it, but they will have their time.

I wish to contribute on the President's Speech. A lot has been said. However, I would like to be specific on some issues. There are Members of the opposition who have said that if they were in the Government, they would introduce free secondary education. Some Members of the Government are now saying that they will implement the same. I would like to say that we should not do things because people have said they will do them. Let us do things because they will be helpful to this country. Our students in this country have suffered for a long time because of the so called 8-4-4 system of education which came from nowhere. Now, we have the Free Primary Education (FPE) Programme. In some areas, children are suffering because of the programme. The number of pupils in a class has increased tremendously and somehow, things are trickling back to what they were. Let us not, due to politics, do things in this country just because we want to get votes. Let the Government do what it has to. However, if we have to implement things because of politics, that is a sad issue.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the issue of roads. I come from the northern part of this country which has nothing that can be called a road. Recently, we were promised that 20 kilometres of a road will tarmacked; that is 20 kilometres out of thousands of kilometres of the road. Some people would say that is a good start. I say the same too and would like to say thank you for that. However, we need more kilometres of that road to be tarmacked. If you were to travel from Nairobi to a centre called Bute in the middle of nowhere on the Ethiopian border, you would cover 1,500 kilometres. Everything has to start from somewhere.

I am informed that the President is in Saudi Arabia looking for funds. I hope that something good will come out of that trip. Even if he does not get any funds from there, the Government should look for funds to tarmack even 100 kilometres of that road, something that people can see. Some children in North Eastern Province have never seen how a tarmacked road looks like. This is an election year and many things are being said and done. Many of our people are suffering. A lot of Money is being collected. We are being told that it has been tabled, but it has not trickled down to some parts of this country.

Mr. Temporary Deputy Speaker, Sir, on the issue of electricity, His Excellency the President said that from Independence in 1963 to the year 2002, only Kshs6.5 billion was used for the Rural Electrification Programme (REP). He further said that from 2002 to date, this Government has used Kshs7 billion. That is a big improvement. But where has that money been used? Some people in some parts of this country do not know what electricity is. They do not have electricity in their homes. Out of close to 20 constituencies in northern Kenya, only one constituency was given a generator recently. I am addressing this issue to the Assistant Minister for Energy, Mr. Kiunjuri. If 190 constituencies are benefiting from the REP, how come that the only 20 remaining constituencies are from northern Kenya? That is very unfortunate! It is unfair and a form of segregation. That is something that this Government needs to look into!

The Assistant Minister for Energy (Mr. Kiunjuri): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to say that there is nothing going on in his constituency, when we have connected four primary schools with solar equipment to tap solar energy? I can substantiate that.

Dr. Ali: Mr. Temporary Deputy Speaker, Sir, I am talking about the REP. Solar equipment is all over. It costs about Kshs30,000 to put up solar equipment in a primary school. I can install

them in every school in that constituency. That is not an issue. It is quite interesting to note that the Assistant Minister is putting up electricity power lines all over his constituency. I pass by his constituency once in a while. Electricity lines are crisscrossing every corner. In my constituency, my people have never seen electricity even in towns. I asked the Minister for Energy who visited my constituency a while ago and he told me that they will connect my area with electricity power from Ethiopia. When will that be done? When the world will come to an end? Will it be done in the next 100 years?

Mr. Temporary Deputy Speaker, Sir, what is surprising me is that, if Kshs7 billion has been used for the REP in the last four years--- At least, from the Kshs6.5 billion that was used for over 40 years, we managed to supply electric power to five or six areas! With Kshs7 billion, we should supply electricity to every constituency. Generators should be put up in every constituency headquarters. We should not just rely on solar energy. We can tap solar energy. But that kind of energy is stationed in one building. It cannot be distributed to other buildings. I brought a Motion to this House which the Ministry was very happy about. The Assistant Minister promised to bring a Bill to this House to allow us to supply power commercially. At our level, we can buy generators and distribute power to neighbours. But, to date, the Ministry has not implemented that.

So, if we are talking about the people in the rural areas getting better services - I admit that the Government cannot do everything. But I am sure individuals and the private sector can chip in. There are rules which do not allow individuals to buy generators and distribute power to their neighbours. However, if we are allowed to distribute power, those small centres will be covered and Kenya will be a better place. All the rural areas will become a better place for us all.

On the issue of security, I am happy to report that some of us are sleeping well nowadays. But that is not because of the Government, but is just because the people have gotten tired. I wish to urge the Government to try and give Kenya Police Reservists (KPR) to those border areas, so that security is enhanced, otherwise these nomads will kill themselves day in day out, as my friend from Marsabit said. Security along the border is very important for the nomadic people, because they cross from one side of the border to the other. Unless there is good security situation on both sides of the border, they will not live well. The Kenyan security forces have a reputation for not wanting to cross to the other side of the border when there are problems. I think this Government should take care of its people. When two or three people are killed in other places, there is a lot of noise. But when people are killed along the border, especially pastoralists, nobody even cares. So, it is good that the Government takes care of its people wherever they are.

With those remarks, I beg to support.

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to congratulate the President for highlighting very well documented development achievements since NARC took over power.

Mr. Temporary Deputy Speaker, Sir, before I comment further on the Presidential Address, I want to congratulate the Speaker for standing up for us. As Members of Parliament, we have been getting a lot of bashing from the civil society. I want to say that for the first time, somebody stood up and said that apart from actually attending plenary sessions of the House, we attend Committee meetings, funeral arrangement meetings, Harambees, and also implement, monitor and evaluate CDF projects. I would like to urge the media to take a week of a Member of Parliament and document what that hon. Member does from Monday to Sunday, what time he or she wakes up, what time he or she goes to sleep and what exactly happens in their day. I have been wondering whether there is no Public Relations Officer in Parliament who can get to inform the media and the civil society what exactly Members of Parliament do. We need to draw up terms of reference for Members of Parliament. People talk of what we earn but not what we do.

Mr. Temporary Deputy Speaker, Sir, I want to say that the Presidential Address presented the reality. I do not understand what is political about it. The Members from the Opposition side have been saying the Presidential Address was a campaign speech. How is that? For sure, we have attained 80 per cent primary school enrolment. For sure, we are moving towards 100 per cent of free primary education. The Government is in the process of employing 40,000 teachers to enhance education. Is that politics?

If you walk in our towns, for example this City, you can see it has become the true city in the sun. For the last few years, the city has become organised; there is some order, and you can see some flowers growing. You can actually be proud to be in Nairobi. You go to offices and you find some order and see that services have improved. So, for sure, for the last four years, this Government has really worked.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghio): Order, hon. Members! Those consultations are very loud.

Proceed. Ms. Mwau!

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): Mr. Temporary Deputy Speaker, Sir, I want to say that the Youth Enterprise Development Fund is a welcome idea. In addition, the Women Enterprise Development Fund is also a very welcome idea because women form 48 per cent of small and medium enterprises in this country. So, this will go a long way in enhancing women's businesses and initiating them into the mainstream of the economy. They have remained invisible traders for a long time. I would urge the Ministry which will be responsible for this fund to initially issue loans to them in the form of grants, so that they can repay them later. This will go a long way in uplifting their businesses. Currently, they borrow loans from the Kenya Women Finance Trust (KWFT) at a very high interest rate of 20 per cent. If they do not repay them on time, they are required to pay a penalty of Kshs200 daily for the days they have defaulted in repaying. So, it is really a welcome idea. I recommend that before they benefit from this fund, they be trained in bookkeeping, business administration and identifying businesses that are viable, so that they can participate in the mainstream of the economy.

Mr. Temporary Deputy Speaker, Sir, most of the contracts in this country are being awarded to men. Very few of them are awarded to women because they are not in the mainstream of this economy. So, I hope they will take advantage of this fund, apply for loans and be awarded contracts.

Mr. Temporary Deputy Speaker, Sir, the proposed increase of judges in the Presidential Speech is a welcome idea because justice delayed is justice denied. Cases of women suffering from gender-based violence have been dragging on for a long time. With an increased number of judges, those cases will be dealt with faster.

Mr. Temporary Deputy Speaker, Sir, the economy of this country has actually grown. For sure, we used to sell our milk at Kshs7 per litre, but now we sell it at Kshs20 to Kshs30 per litre. The Kenya Meat Commission (KMC) has been re-opened so livestock farmers have a market for their animals.

Mr. Temporary Deputy Speaker, Sir, we are now enjoying water in ASAL areas. For the last 40 years, a lot of us have never seen a borehole. For the first time we are seeing the Ministry of Water and Irrigation commissioning more boreholes. I want to urge for more funding for the Ministry of Water and Irrigation, so that ASAL areas benefit from water and become self-sufficient in food production.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about electricity. The President, in

his Speech, said that the money allocated to fund the Rural Electrification Programmes (REPs) has been increased to Kshs7 billion over the last four years. As a result, more areas have been connected with electricity. However, contractors are letting us down. It is, therefore, important for the Kenya Power and Lighting Company (KPLC) to identify the right contractors who will do their work properly.

With those few remarks, I beg to support.

Ms. Abdalla: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to comment on the President's Speech.

I would like to start by congratulating the President for promising to establish a women enterprise fund. This is a welcome move, in that it is going to give the bankless an opportunity to receive funding to start businesses. However, I would like to mention that in the tradition of this Government of quoting ideas, it should begin by appreciating the source of that idea, through the Bill proposed by the hon. Dr. Ojiambo. It should support that Bill when it comes to the House, so that we have a legal framework through which this funding is going to be distributed. I am very hopeful that, that will happen, so that we avoid the pitfalls of the Youth Enterprise Fund that has taken over nine months to reach the beneficiaries.

Mr. Temporary Deputy Speaker, Sir, a colleague who spoke before me talked about favouritism in public appointments. He said that the population of the community that is being accused of getting most of the public positions, is higher than that of other communities. That is the justification he gave. I just want to inform him that there is no community in Kenya that can boast of a population representation of 70 per cent. So, he had better look for a better justification to give for this bias in public appointments.

Mr. Temporary Deputy Speaker, Sir, I welcome the President's suggestion that the district committees of the Constituencies Development Fund (CDF) should have more women representation. But some of his suggestions require legal backing, as they are illegal as at this time. For him to suggest that leaders of the Maendeleo ya Wanawake organization, now that it is politically-correct, should be part of the CDF, is a fallacy. This is because we know that the CDF Act clearly says that its only two women who should be in the district committees. If we want to increase that number, we have to amend that Act, but not hoodwink women that we are giving them an opportunity for decision-making positions.

Given that those proposals by the President require legal backing, it is my hope that we, hon. Members of Parliament, would assist in ensuring that we do not only legalise some of them, but also make them issues that will exist beyond this 9th Parliament. Today, the Maendeleo ya Wanawake might be politically-correct, because all the "Orange women" were locked out in the elections, but we do not know what will happen tomorrow. Let us increase those numbers using structures that would bring about women leadership, independent of politically-correct structures.

Mr. Temporary Deputy Speaker, Sir, the other item that I would like to congratulate the President on, was his suggestion of bringing legal amendments that would ensure that those people who are found in possession of illegal firearms are penalised through capital punishment. In my opinion, that is a welcome move. It gives prominence to the level of insecurity that we, as Kenyans, are facing. But as I welcome that move of increasing measures that would curb insecurity in our country, I wish the Minister of State for Administration and National Security was here to address the issue of some of these new kangaroo courts that he has established, through what he calls the Rhino Squads. They are arresting our youths all over the country, without necessarily charging them. They instead ask them for bribes. If this is a measure to intimidate the youths, so that they would be more politically-correct, I think they should be comfortable with the Youth Enterprise Fund. It is already doing enough campaigns for them.

On the issue of insecurity, we need to look at the facilities that the police force is currently

enjoying. Last week, we attended a meeting where we were informed that the money meant for building houses for the police force is yet to be spent ten months into this year's Budget. This means that we are just paying lip service to the issue of insecurity in this country. If we do not house policemen in better houses, how do you expect them to do their job better? This year began with us losing many members of the police force through thugs shooting them down. I hear nothing from the Minister of State for Administration and National Security on how they are going to compensate the families of those security men who have lost their lives. All I hear is him ordering chiefs to campaign for his Government. Why should he not deal with the issues that affect real lives of the people on whom we have bestowed the duty to give us security? We should now look into issues of providing a medical cover for them, a pension fund and all those things that make people want to wake up in the morning to do their jobs.

Mr. Temporary Deputy Speaker, Sir, the third thing that I want to mention is the low price of being a citizen of this country. Many communities in this country have problems getting national identification cards. I thought that the importance of getting a national identification card was to certify your citizenship. But what is the point of certifying your citizenship when even if you have the national identification card, the Government can bundle you into a plane and send you to another country? What is the price of being a Kenyan if you can have the national identity card and you are still deported back to Somalia? Twenty-two Kenyans were deported to Somalia purportedly for being Islamic Courts Union (ICU) fighters. Personally, I know five of them, and they are Kenyans who could not find employment in Kenya and had gone to Somalia to seek employment as teachers. What is the value of being a Kenyan when you can go to look for employment out of your country and the Government cannot support you when you are running away from the country where you went to seek employment? What Government worth its salt would deport its own nationals back to a country that is having internal crisis?

An hon. Member: None!

Ms. Abdalla: Mr. Temporary Deputy Speaker, Sir, the NARC Government has been notorious for not respecting the rule of law. For long, that has been accommodated because it was internal law. But now, we have even gone further to expand our naughtiness to include international law. International law dictates that any refugee that comes into your country is given the first right of asylum before you deport them, whether they are your nationals or other nationals. We talk of those people bringing insecurity. What insecurity would 22 unarmed people, four of them being children below ten years, bring to a nation of 33 million people while a large chunk of the Budget is allocated to defence? What is the point of allocating all that money if you cannot secure yourselves against 22 unarmed people?

Mr. Temporary Deputy Speaker, Sir, I beg to state that this Government--- I have not yet finished making my contribution, Mr. Minister!

Finally, we have talked a lot about our economic growth. The only thing that is linked to reducing prices happens to be hard narcotic drugs. That is why we are seeing people being arrested with more *bhang* than you have ever seen in your lifetime. The truth of the matter is that the hard drugs are circulating so much in this country that they are the only item in the market whose price has gone down. The price is not going down in relation to inflation, because our inflation is going up. So, the only thing that is inversely proportional to the growth of our economy are the drugs. For me, I would like to urge the Government to strengthen the systems through which we fight drug trafficking in this country, because it is killing our youth. The structures that we have right now such as the National Agency for the Campaign Against Drug Abuse (NACADA) are toothless to fight against drug abuse. We are talking about giving the youth employment through the Youth Enterprise Development Fund, but our youth in Mathare are already suffering from the repercussions of overdoses of drugs or are on rehabilitation. We are, therefore, doing zero work.

So, mine is to say that we need to intensify the fight against illicit drugs, which are destroying our children.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to support the President's suggestion that we are going to have legislation that will provide for mayors to be elected universally instead of being elected by fellow councillors. That will increase accountability in our local authorities. My only misgiving is that we are tired of lip service in terms of supporting women in elective politics. So, I hope that the Political Parties Bill will provide that if the mayor of a local authority is a male, the deputy mayor to be elected by the public should be a female.

With those few remarks, I beg to support.

Mr. Masanya: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to say a few things about His Excellency the President's Address to this House. I want to join my colleagues in thanking the President so much for establishing the Women Enterprise Fund. If you go to many of our constituencies today, you will find our women running up and down looking for some resources with which to assist their families. Women are the bread earners of many families in our country. So, the establishment of the Women Enterprise Fund is very timely.

Mr. Temporary Deputy Speaker, Sir, if the establishment of the Women Enterprise Fund becomes successful, it will assist this country in the distribution of wealth. Today, our wealth is concentrated among very few people. Although the economy is growing, the effects of this growth will never be noticed unless we have initiatives like the Youth Enterprise Fund and the Women Enterprise Fund that is being established.

Another group of people I am asking the Government to consider is the small-scale farmers. Although small-scale farmers have been exempted from the provisions of the Co-operative Societies Act and left alone to do their own businesses, many of their factories were put up with a given capacity. For example, many factories were put up with a capacity to process 100,000 kilogrammes. Today, tea growing is uncontrolled, and so tea factories have been overwhelmed by the increased production of the crop.

Mr. Temporary Deputy Speaker, Sir, today, you will find a factory with a capacity to process 100,000 kilogrammes of tea leaf having to handle about 200,000 kilogrammes. Some factories even handle 300,000 kilogrammes of tea leaf, which is completely in excess of their capacity. The processed tea is subsequently sold in the world market. If a factory produces tea of a lower grade than that required, the farmers are paid very little money. Today, the small-scale farmers are really suffering because they are producing very poor quality tea, which cannot compete in the world market.

Mr. Temporary Deputy Speaker, Sir, the Government should consider giving grants to assist these factories to expand. At the same time, it should assist the factories to have the necessary logistics to enable them to transport tea leaves from the collection centres to the factories. Today, because of poor logistics, tea leaves can stay in a given centre for two to three days. By the time the tea leaves are transported from the centres to the factories, they have already gone bad and they produce very poor grades of tea, which cannot compete in the world market. So, although the small-scale farmers were removed from the Co-operative Societies Act, I am asking the Government to chip in and assist them.

Many times, I have heard the Minister say that the Kenya Tea Development Agency (KTDA) is going to assist farmers to improve tea production. The KTDA does not have anything to give to the farmers. The agency only sells its services to the small-scale farmers. It has no money or materials to give to the farmers. The agency is only hired to give services to the farmers, which the farmers pay for. Therefore, we should not be cheating farmers that one of these days, the KTDA is going to improve its services or give some kind of grants to the small-scale farmers.

Mr. Temporary Deputy Speaker, Sir, I also want to comment on our secondary education. At the moment, we, hon. Members, are being harassed so much by parents. When we go to our constituencies every morning, we find many parents coming to our homes to ask for some hand-outs because their children have been chased away from school. They want the hon. Members to chip in and assist them. With the kind of money we get, which is being exaggerated all over, we cannot afford to pay school fees for all the children in the constituencies.

Even the hon. Members who came in with a lot of money, I want to warn them that they will get out of this House poorer than when they came in. We are like mobile banks. Everywhere you go in your constituency, you are told about problems which can only be solved with money.

Mr. Temporary Deputy Speaker, Sir, free primary education has produced so many candidates who are to join secondary schools. Some of these students are very bright, but they come from very poor families. The amount of bursary that is offered is peanuts. Today, HIV/AIDS had led to a situation whereby the number of orphans in secondary schools has doubled. One of the schools in my constituency has 97 orphans. If a little amount of money is given as bursary to the schools in my constituency, that school is the only one which will benefit. Since every school has to benefit from this Fund, we end up having so many orphans who are very bright and have passed exams not joining Form One.

It is time we thought seriously about offering free secondary school education because we are now having so many students joining Form One as a result of free primary education and most of them come from very poor families. I do not know the kind of calculation that God does because children from very poor families are excelling in school, but their parents cannot afford to pay school fees for them.

The Temporary Deputy Speaker (Mr. Poghisio): Your time is up.

Mr. Masanya: Mr. Temporary Deputy Speaker, Sir, I beg to support.

The Assistant Minister for Trade and Industry (Mr. Miriti): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Presidential Address. First of all, let me congratulate the President for being a paragon of good political and economic management in this region. His performance has been recognised both in Africa and internationally.

The economic performance of this country has been very good. So many people have benefited from the economic developments of this country. We have seen the benefits being distributed to all corners of the country through free primary education and the CDF Fund. I am surprised when I hear some of my colleagues say that the common man at the ground has not felt the impact of the economic achievements of this country. Those hon. Members have only themselves to blame. Once there is CDF allocation to every constituency in the country, that money is meant to be delivered to the common man. If an hon. Member says that he or she has not delivered that money to his or her constituents, that hon. Member is voting himself or herself out. He should not blame the Government or the Presidency for this because he has been given the responsibility of managing that Fund.

Mr. Temporary Deputy Speaker, Sir, from the improvements seen in infrastructure and health care facilities in the country you can see that this Government has really performed in spite of a lot of noise being made by some hon. Members of this House.

The Temporary Deputy Speaker (Mr. Poghisio): Were Members of the House making noise? **The Assistant Minister for Trade and Industry** (Mr. Miriti): They were not making noise in the House. They were making it out there. We have heard a lot of political noise all over by some political quacks.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Order! Mr. Miriti you have a balance of eight minutes for the next time.

Hon. Members, it is time to interrupt the business of the House. This House, therefore, stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.