

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 19th February, 2003

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ADMINISTRATION OF OATH

Mr. Speaker: Order! Can we give one minute for the hon. Members who are outside to get in? Those hon. Members can now come in. Please, take your seats.

Alright! Hon. Members, you may now rise for Administration of Oath.

(Hon. Members stood up in their places)

The Oath of Allegiance was administered to the following Members:-

Amina Ali Abdalla
Aringo Peter Oloo
Bett Kiprotich Franklin
Kones Kiprono Kipkalyia
Mbarire Cecily Mutitu
Ndung'u Njoki Susan
Oniang'o Ruth (Prof.)

Mr. Speaker: Hon. Members, you may resume your seats. For those who are photographing under my licence; that licence is hereby terminated.

PROCEDURAL MOTIONS

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I beg to move the following Procedural Motion:

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

Mr. Speaker, Sir, this is a Procedural Motion that we always move at the beginning of every new Session of Parliament in order for hon. Members to give their thanks for policy expressed in the Presidential Speech at the State Opening of Parliament. It is a fairly straightforward Motion without which we would not be able to proceed to the first business of the House. So, I do not intend to take too much time on this one. I would like hon. Members to pass it as soon as possible so that we can start debate on the President's Speech.

Mr. Speaker, Sir, with those few words, I beg to move.

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

(Question proposed)

(Question put and agreed to)

Mr. Speaker: For the benefit of the new Members, when I do propose the Question and you see me take my seat, it is an invitation for any hon. Member who wants to contribute. Once I have proposed the Question and

I take my seat, and you want say something about that Motion, at that stage, you can stand up. Do not raise your hands, just stand up!

(An hon. Member stood up in his place)

Mr. Speaker: Well, you are out of order now!

(Laughter)

Order! Let me try to help. The matter has now been disposed of. Once the Question has been put and I have announced the result, then the matter is over. Now you have to wait patiently until another matter is brought to the House, proposed and seconded. After I propose the Question and I sit down, then you may stand up.

The Minister for Roads, Public Works and Housing (Mr. Raila): On a point of order, Mr. Speaker, Sir. A seminar was held here in the House for new Members. One would have expected that these are some of the rudimentary issues which new Members would have been instructed on. Am I right to say that the seminar was not properly conducted?

Mr. Speaker: Order! First of all, Mr. Raila, you never saw the Speaker in that meeting and I am the head of the House. What we did have actually was not a seminar; it was an induction course by the Clerk. I do, in fact, intend to actually put together a seminar for Members of Parliament so that we can go through our procedures and understand how we can access the House.

(A mobile phone rang)

Who is that again now?

Hon. Members: KANU! KANU!

Mr. Speaker: Order! I think even the new Members know my attitude towards mobile phones in the House. I think strangers should even know more. Strangers should know the following; that they sit here at our sufferance. If they make those mobile phones disrupt the proceedings of this House, our sufferance will immediately cease and we will ask them to leave. We may even do more. So, please switch off all the mobile phones in the House, for Members and for the strangers.

As I was saying, we intend to put together a seminar very soon to make hon. Members understand the rules of procedure. We shall call resource persons from within and outside Kenya. But, in the intervening period, I seek the assistance of all older Members to assist their new colleagues in understanding the procedures of the House. I, on my part, will go out of my way to try to assist new Members to understand the proceedings of this House, its traditions and its decorum. But I do appeal to the older Members, please, teach the new Members only good things, not the bad ones!

The Member for South Mugirango (Mr. Omingo): On a point of order, Mr. Speaker, Sir. I think it would be improper to train hon. Members after they have been sitting in this House. They should have been trained before participating in the proceedings of the House.

Would I, therefore, be in order to suggest that training be undertaken early enough to ensure that new hon. Members are not embarrassed the way some of us are already being embarrassed?

Mr. Speaker: Order! Order! Get it from me that it is not as easy as you suggest. It is not just a question of sitting. It is a question of mobilising the necessary resources, both human and financial, as well as the time necessary. Take it from me that the Chair is here to very gently and kindly assist the new hon. Members to understand the rules of this House. I will do that as diligently, humbly and friendly as I can.

Let us proceed to the next Order.

PROCEDURAL MOTIONS

LIMITATION OF DEBATE ON PRIVATE MEMBERS' MOTIONS

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I beg to move the following Motion:-

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

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

The Minister for Education, Science and Technology (Prof. Saitoti): Mr. Speaker, Sir, as I second this Motion, I would like to clarify to the new hon. Members that Private Members' Motions normally come on Wednesday mornings. They are usually brought to the House by Members of Parliament who are not Ministers. The time provided for such Motions is adequate for many hon. Members to contribute. This has been a ritual of this House.

Mr. Speaker, Sir, I beg to second.

(Question proposed)

The Member for West Mugirango (Mr. Obwocha): Mr. Speaker, Sir, although a Procedural Motion should not be subjected to so much debate, I would like to comment on this particular one. You will recall that during the Eighth Parliament, more than 30 Motions lapsed with the dissolution of Parliament. I would, therefore, like to propose that, in its own wisdom, the House extends its number of sitting hours. The House Business Committee should consider setting aside the whole of Wednesday for Private Members' Motions, so that most of the Motions that died with the dissolution of the previous Parliament can be brought back and be disposed of.

The Member for Embakasi (Mr. Mwenje): Mr. Speaker, Sir, while supporting this Motion, I would like to remind you that during the last Parliament, a number of Private Members' Motions were passed by the House. However, they were never implemented. Therefore, I would like to call upon the new Government to ensure that this is not repeated. The National Rainbow Coalition (NARC) should show the difference between its Government and the former Kenya African National Union (KANU) Government. All the Private Members' Motions going to be passed by this House should be implemented. Only by doing so shall the NARC Government be seen to be acting. Therefore, I would like to call upon the Ministers to ensure that Private Members' Motions, which are passed here, are implemented within the shortest time possible.

Mr. Speaker: I would like to recognise any new hon. Member who would wish to contribute to this debate. For the benefit of the new hon. Members, anybody who is given the Floor should announce his or her name so that we can know each other the soonest possible. Even the old hon. Members must announce their names and constituencies. The Chair will go out of its way to accommodate new hon. Members in preference to the old ones.

The Minister for Roads, Public Works and Housing (Mr. Raila): On a point of order, Mr. Speaker, Sir. Since this is both a learning and debating session, would I be in order to inform the new hon. Members that, when they stand here to make their maiden speeches, they will be given an opportunity to speak uninterrupted?

Mr. Speaker: Very well! Thank you very much, Mr. Minister. I wish to ask all new hon. Members not to be scared. Just catch my eye and you will have a chance to speak without interruption. That is the privilege that you have. However, I would advise you that I will not allow you the privilege of not being interrupted during debate on a Procedural Motion. I will allow you that privilege during debate on a substantive Motion so that you can get away with some of the things you would not otherwise get away with. So, take that from your very friendly Speaker as a very good advice.

Mr. Oloo-Aringo, you take the Floor and contribute to the Motion very briefly because I want to get to the substantive Motion.

The Nominated Member (Mr. Oloo-Aringo): Mr. Speaker, Sir, I will be very brief.

Mr. Speaker: What is your name?

The Nominated Member (Mr. Oloo-Aringo): Mr. Speaker, Sir, my name is hon. Oloo-Aringo. I am a nominated Member of Parliament.

Mr. Speaker, Sir, I share Mr. Obwocha's concern. We have not been able to control the volume of work that we do because we do not control our calendar. Therefore, we have been meeting at most 12 hours a week when other Kenyans spend 40 hours working in a week. What it means, therefore, is that instead of extending our sittings on Wednesdays, we should examine our calendar, as a matter of urgency, with a view to having additional sitting time, particularly on Tuesday mornings and Thursday mornings, so that we can devote more time to Private Members' Motions. There was a big cemetery of Private Members' Motions. Because we could not have time for them, we were unable to debate most of them.

Hon. Members should be encouraged to initiate policy and legislation. To me, one way of resolving this problem is to devote our time now, examine the Standing Orders and see whether or not we can extend our sittings to Tuesday mornings and Thursday mornings, so that some morning sittings can be devoted to Private Members'

Motions while other mornings are devoted to Private Members' Bills. That way, we can use our time more effectively.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Mr. Oloo-Aringo, you have left out one very important aspect. We may add all the sittings we require but fail to raise the requisite number of hon. Members to enable the House to continue with its proceedings. So, could you, please, ask hon. Members to ensure that the House is always as packed as it is now? What is your reaction to that request, Mr. Oloo-Aringo?

The Nominated Member (Mr. Oloo-Aringo): Mr. Speaker, Sir, I know that a lot of thought has gone into addressing this aspect. You are aware that the Tribunal that was appointed to look into the terms and conditions of service for Members of Parliament listened to the views of Kenyans, examined those views and recommended that, in addition to the question of hon. Members not bringing Private Members' Bills here, we have the problem of both technical appearance as well as lack of quorum. We are under severe criticism; that hon. Members are not devoting adequate time to public work in their parliamentary business.

Mr. Speaker, Sir, in fact, there is a recommendation that we should encourage more professionalism in our work as parliamentarians. As you know, that is why the Parliamentary Service Commission is going out of its way to provide capacity in terms of research facilities for Members of Parliament.

Mr. Speaker: Mr. Oloo-Aringo, that is a different Motion! You have gone beyond what I requested you to do.

Could you proceed, Eng. Muriuki?

The Member for Ol Kalou (Eng. Muriuki): Mr. Speaker, Sir, my names are Eng. Karue Muriuki, Member of Parliament for Ol Kalou Constituency in Nyandarua District. I wish to add my voice in support of the sentiments raised by my colleague on Motions which have been passed by the House and then they are not implemented. Whereas I understand there is a Motion to review the Standing Orders, looking back at the history of Parliament when I was not there, there used to be an Implementation Committee.

My suggestion is that we should have the Implementation Committee back in place, so that even when we are saying the Ministers should take up the implementation, we have a committee which can follow up such matters.

The Member for Hamisi (Mr. Khaniri): On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Khaniri! Who are you informing? You are now teaching new honourable Members bad rules! You inform a Member at the time he or she is contributing. You do not inform the House at large or the Speaker! That is because the Speaker knows it all! Do you want to contribute, Mr. Biwott?

The Member for Keiyo South (Mr. Biwott): Yes, Mr. Speaker, Sir. Mine was actually to support what Mr. Obwocha---

Hon. Members: Your names?

The Member for Keiyo South (Mr. Biwott): My name is Mr. Nicholas Biwott. They also call me "Total Man"!

(Laughter)

I rise to support what Mr. Obwocha has said.

Mr. Speaker: What is your constituency?

The Member for Keiyo South (Mr. Biwott): My constituency is Keiyo South in Keiyo District. Do you want any more? You do not want any more!

Mr. Speaker, Sir, I think there is merit in what Mr. Obwocha has raised, that the two hours available for Private Members Motions on Wednesdays are terribly short. I think there is need to extend that time. If possible, maybe we could discuss and see how we can increase it. We could either take the entire day and do justice to honourable Members who are not Ministers. I do not believe that Mr. Oloo-Aringo's proposal is fair because of the diminishing returns. By the time you have gone through the whole day, people will be tired and I do not think they will be in a position to contribute effectively.

I think the Member for Embakasi has actually hit the nail on the head, that we need to implement Private Members' Motions which are passed. Coming from the other side of the House, I am hoping that the new, keen and overzealous Ministers will implement the decisions of the House. We should implement all the resolutions, so that we can have a difference. In the past, that has not been done.

Mr. Speaker, Sir, I think it will go a long way if honourable Members, led by Mr. Kijana Wamalwa, who is really good in the realm, will be able to implement them.

The Vice-President and Minister for National Reconstruction Mr. Wamalwa): On a point of order, Mr. Speaker, Sir. The House will recall, unless the last general elections had a very sobering effect on Mr.

Biwott, that there used to be an Implementation Committee, and he was the one who moved the Motion that, that Committee be abandoned and done away with, when he was in the Government.

Mr. Speaker, Sir, is it in order for the same man to come back and say there ought to be one?

Mr. Speaker: Order! Before Mr. Biwott responds whichever way, may I tell the House that it is the nature of human beings to change their minds!

(Laughter)

Proceed!

The Member for Keiyo South (Mr. Biwott): Mr. Speaker, Sir, obviously the hon. Member has a lapse in his memory because I have never been Leader of Government Business to move such a Motion. I know I became Deputy Leader of Government Business but I never moved a Motion to disband the Implementation Committee. If there was any implementation to be done, Mr. Nicholas Biwott always did his job truly and in the best interest of this nation.

Mr. Speaker: I think we should dispose of this matter now. We will use the other Procedural Motion as a teaching exercise.

(Question put and agreed to)

LIMITATION OF DEBATE ON
ADJOURNMENT MOTIONS

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I beg to move the following Motion:-

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

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

Mr. Speaker, Sir, may I take this opportunity to say that five minutes may appear to be a short period to limit a Member of Parliament to make a contribution. Indeed, this matter did arise in the House Business Committee this morning. But if you notice, the totality of the Motion is only 30 minutes; then, five minutes is quite generous. I think Members themselves would opt for a shorter period for each Member speaking and have more Members speaking, than a longer period and have only two or three Members speaking.

With those few remarks, I beg to move.

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

Mr. Speaker: You are supposed to second!

The Minister for Education, Science and Technology (Prof. Saitoti): Sorry, Mr. Speaker, Sir! It is a slip of the tongue! I want to second the Motion and associate myself with the remarks made by the Leader of Government Business.

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

(Question proposed)

(Question put and agreed to)

Mr. Speaker: Next Order!

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

Mr. Speaker: We have now come to the substantive Motion. This is not procedural.

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I

beg to move the following Motion:-

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

May I start by congratulating every hon. Member who was elected by the voters in their constituency to come to this august House. I think the Parliamentary Service is probably the most noble service that anybody can aspire to in any nation in the world. Hon. Members will find that they will be able to do a lot of things for their constituents and also for the nation as a whole.

Secondly, I would like to congratulate His Excellency the President for the able manner in which he delivered his Speech yesterday, especially having been plagued by poor health. I am sure most hon. Members saw that the President was on the mend and he will soon be walking around and playing golf again.

(Applause)

I can assure the House of this because the man is determined to heal quickly, and as we all know on this side of the House, the man is absolutely *"unbwogable"*.

(Applause)

The President's Speech yesterday was focused. It was an issue-oriented Speech; it was a Speech about the future of this country; it was a conciliatory Speech urging the nation to come together, join hands to revive---

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. The Vice-President is known for his good English. But is it in order for him to use unparliamentary language? Is the word *"unbwogable"* parliamentary or not?

(Laughter)

Mr. Speaker: Order! For the Vice-President to respond, I think you must understand that there are only two languages known to this House - those are English and Kiswahili. Pray, what is the word *"unbwogable"*?

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I respect the Speaker's ruling, but I also happen to know that English is a growing language. If that were not so, then, you could not find a word like "chai" in the dictionaries today. So, *"unbwogable"* has become so well accepted in this country, and it captures the mood so correctly that I am sure eventually it will be accepted as an English word.

(Applause)

I am told that it is already accepted.

Mr. Speaker: What is the position for the time being?

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, it is accepted.

The Member for Kisumu Town East (Mr. Sungu): On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Mr. Vice-President, would you like to be informed or not?

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I would like to be informed.

The Member for Kisumu Town East (Mr. Sungu): Thank you, Mr. Speaker, Sir. My names are Gor Sungu. I come from Kisumu Town, which I represent. That word is from the "UK," that is where the word *"unbwogable"* comes from. It simply means that he cannot be scared by anything, least of all those on the other side.

(Laughter)

Mr. Speaker: Order! Order! Order! Did you not stand to inform the hon. Member what you purport to be informed? But you did not inform him what it is. You told him of a tribal language, which is not acceptable in this House.

Proceed, Mr. Wamalwa! Could we now leave that away? If you think that you are *"unbwogable,"* probably, you will get a bigger match here!

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I am

quite sure that everybody here understood what the word means, and during the results of the last General Elections, I was surprised to hear the BBC itself use that word - "*unbwogable*," - and, therefore, it is accepted even in England so long as the BBC uses it.

The Presidential Speech was a conciliatory Speech. He did not waive his hand in claiming victory; he did not laugh at the losers - he congratulated every hon. Member on being elected to come here and serve. The true definition of a Government is, in fact, the ruling party and the Official Opposition. That is what constitutes a Government.

In that light, we look forward to constructive co-operation between the ruling party and the Official Opposition party which will help to steady the Government whenever there appears to be a veering from the declared path of true democracy for this country.

Before the elections, the NARC campaign was conditioned by the desire to revive the economy of this country. I am sure that everybody realises that, even those who were in the former Government, the economy of this country had collapsed completely. Things were going wrong; Government bills were not being paid. Even today, we have enormous pending bills that we have to grapple with. Civil servants were not doing their work, and I think change became inevitable. This is what happens when a Government or a party has been in power for too long. Parties, like people, also get tired as they grow older. They become fatter, and they begin to move slowly. This is what the previous Government was doing. This was not lost to the voters of this country.

(Applause)

Today, we have a Government committed to doing all those things that should have been done, but were not done by the previous Government. This Government saw it as the first priority, and it articulated these in its campaigns - that the revival of the economy was the most important job that was going to face the new Government after the General Elections.

We could not have done better than choose, as President, one of Africa's leading economists in the name of President Kibaki. We, who participated in the formation of that coalition, honoured President Kibaki with that position because we knew his ability in the economic field. With the support of other hon. Members, I am quite sure that Mr. Kibaki is going to turn this country around, and the economy will start performing well again.

(Applause)

Mr. Speaker, Sir, hon. Members will be surprised that, for the last 12 years before the general election, not a single industry was built in this country. That is not to say that there were no people who were willing to put their money in Kenya. Indeed, investors came to this country, inquired about the possibilities of investing in this country, but the attitude of the then Government was so unfriendly.

Mr. Biwott: On a point of order, Mr. Speaker, Sir. Is it in order for the Vice-President and Minister for National Reconstruction to insinuate that no new industries were built in this country for the last 12 years? In fact, under the African Growth and Opportunity Act (AGOA), many industries were established and are now flourishing.

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, that is just meant to waste my time.

Mr. Speaker: Order, Mr. Vice-President! Hon. Members of this House never waste time. So, will you withdraw that remark?

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I withdraw that rather unfortunate expression. But we all know that AGOA is an arrangement whereby we are supposed to export our goods to the United States of America (USA) under a special quota arrangement. The term AGOA does not refer to any industry. It is misleading to say that AGOA is an industry.

(Laughter)

Mr. Speaker: Order, hon. Members!

Mr. Biwott: On a point of order, Mr. Speaker, Sir. Is it in order for the Vice-President and Minister for National Reconstruction to say that my remarks were attributed to AGOA itself? I said that under the AGOA arrangement, many textile firms were established in Athi River and elsewhere under the Export Processing Zones (EPZs) scheme and are now exporting goods worth US\$200 million to the USA.

Mr. Speaker: Order, hon. Members! Can we put everything in its right perspective? I invite all hon. Members of this House to revisit their Standing Orders booklet and have a very close look at Standing Order No.69, that asks every hon. Member to be responsible for the accuracy of any statement they make. Therefore, you

should give the facts to the House, but we are not going to argue. Points of argument will not interrupt the speeches of hon. Members.

If you do not agree with what the hon. Vice-President is saying, take notes, endeavour to catch my eye, then proceed from there to demolish every point of argument of his. That is how debate shall proceed in this House. Mr. Vice-President, continue!

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I thank you for your wisdom. All that my worthy opponent needed to say was to name one industry which was established in the last 12 years; obviously he failed to do that. In fact, factories closed down. Rivatex was a big textile industry in Eldoret from where the hon. Member comes, and it closed down. Kicomi, a big textile industry in Kisumu closed down and I could go on naming such industries until the cows come home.

With the collapse of these industries, Kenyans ran out of jobs. The rate of unemployment shot up. In fact, right now we have to do everything possible - and we should embrace anybody who is willing to invest his money here - to create jobs because so many Kenyans are out of work now. The people who used to work for industries such as the Kenya Co-operative Creameries (KCC), which had branches all over the country, are out of work. Those who used to work for the Kenya Farmers Association (KFA), that had branches in every district, are out of work. The people who used to work for the Agricultural Development Corporation (ADC) are out of work. Even the people who used to work for research farms and stations are out of work because the institution's land was taken away and given to favourite sons. The people who used to work for the Kenya Meat Commission (KMC) are also out of work. The KMC's land was taken away and the factory was abandoned. When you look at the litany of the collapsed industries, you begin to wonder whether, in fact, Kenyans did not do the former Government a favour by voting it out. I do not know what it would be doing in office today.

Mr. Speaker, Sir, we shall do our best under very difficult circumstances to try and revive the economy. We have tremendous goodwill internationally and we intend not to squander it. We hope to encourage investors into the country. We will give them tax holidays to build their industries here and create jobs for our people. We will give them three or so years before we begin taxing them. It is important to put people to work. Nothing else will work. If people do not have jobs and food--- You cannot do better than invite chaos by daring people who have no full stomachs. Our President has continuously received prospective investors since the last general election. Other leaders have come over to look at possibilities of investment. God willing, in the near future, many industries will spring up and this country will be able to put at least 500,000 people per year to work.

My Ministry, for which I thank the President, is better captured in Kiswahili. In English, it is called "the Ministry of National Reconstruction. In Kiswahili, it is called "*Wizara ya Ujenzi wa Taifa Upya*". This country actually needs to be built anew because it was gone. You wonder what led to all this rot. I went on a tour of the Coast Province; to look at all the abandoned projects. One is struck by one singular aspect, that the former Government had very good ideas. It put up a fruit canning factory where the fruits are grown, for example, at the Coast and built a textile industry where it is easy to access cotton. But the idea was not to see these projects through. In Kwale, we saw five huge structures, the length of half a football pitch each, which were meant to be a fruit processing factory and there were fruits rotting all around us. But once the walls were put up and most of the money was advanced to the people promoting that industry, the project was abandoned. It would appear that the real aim was not to build the industry but to access the project money. Once they got the project money, the industry was a secondary consideration. Now we have to try and revive all these industries because they are good.

The cashewnut factory in Kilifi had given Kenya such a good name. Kenyan cashewnuts were a household word in Europe and the USA. Somebody bought that cashewnut factory, closed it down and proceeded to remove vital parts from the plant and sold them to a similar factory in Tanzania. As a result, the factory closed down and Kenyans have to export raw cashewnuts today. With that about 3,000 jobs were lost.

Mr. Speaker, Sir, I am taking long to talk about the economy because the economy is everything. When the economy is wrong, nothing else can be right. This Government, as contained in His Excellency's Speech, is also gender-conscious. Today, we have 17 women in this House.

An hon. Member: They are hon. Members and not women!

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, we have 17 hon. Members who happen to be women in this House.

(Applause)

This is 18 per cent of this House but it is a major start. I had the opportunity of presiding over the passing out parade of recruits at the Eldoret Armed Forces Training College and found out that 15 per cent of the graduands were also women. This Government intends to take gender issues seriously, because we do believe that women are as able as men are, if given the same opportunities.

Mr. Speaker, Sir, perhaps the greatest thing that this Government will do, and has already started, is the introduction of free primary school education for our children. About three years ago, the United Nations General Assembly passed a resolution urging all members to introduce or to enact Children's Act and provide, among other things, free primary school education for our children. Most countries in Africa had managed to provide free primary school education for their children. The only two countries in Africa which had not provided free primary school education to their children until last January were Kenya and Somalia. I am not proud to say that we were in the same company with a country like Somalia which has not had a government for so many years. So, it became absolutely necessary for us to move on with the implementation of the free primary school education programme. That programme has taken root now and has met with more problems than we expected. When the schools opened and the children turned up, I am told that many maids in Nairobi and gardeners abandoned their jobs and put on some sort of uniforms and turned up in various primary schools. That in itself created another problem. How were the teachers going to cope with the spectacle of teaching a six-year-old child with another one who was 18 years old in the same classroom?

Hon. Members: You are *unbwogable*!

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, I was going to use the word "*unbwogable*" again. Prof. Saitoti was not deterred by this. They introduced what is called "multi-grade", where the older pupils could be taught at the back of the classroom while the younger ones were taught in front. Alternatively, the older pupils could be taught in a mosque, a church or under a tree, if it had not rained, while the younger ones were being taught in the classroom.

Mr. Speaker, Sir, we would like our thanks to go to the UNICEF for donating US\$2.5 million---

Mr. Speaker: Order! Your time is up!

The Vice-President and Minister for National Reconstruction (Mr. Wamalwa): Mr. Speaker, Sir, with those few words, I beg to move.

Mr. Speaker: I think the new hon. Members can see the effect of the Procedural Motions they have just passed. So, 20 minutes are over and he cannot speak any more!

The Minister for Education, Science and Technology (Prof. Saitoti): Mr. Speaker, Sir, I do rise to second this Motion. At the very outset, let me express my great appreciation to His Excellency the President who delivered an inspiring Speech. Indeed, it was refreshing to see the President walk majestically into this House and deliver such a comprehensive Speech, which touched on all aspects of the society in this country. He was able to deliver it within 30 minutes which, of course, outstood quite a number of the prophets of doom. There have been those who believed that perhaps, His Excellency the President could not be able to deliver that Speech, but he did deliver it. But much more important, it was the substance which was contained in that Speech which mattered. I am sure that the hon. Members, through observation, one could see, did appreciate that Speech which was delivered calmly, properly and touched on a number of important points.

The Speech has been received well by all Kenyans, much more so, because it did touch on those areas which are troubling Kenyans. It was a fitting Speech for the Ninth Parliament, which is the first one in the 21st Century. The core of that Speech, as I saw it, was two-fold. Firstly, to work on how to build unity among Kenyans, especially, after the general election which was very special. The election is over and it is important for us, as hon. Members of Parliament, to understand that we have got a duty to provide services to our people. Therefore, we should not in any way, squander the moment for the purpose of attacking each other or even confrontation for that matter. Secondly, through democracy, we can use the time here to point out where we go wrong as the Government and why we believe that it is important that things should not be kept away from track for the benefit of our people.

Indeed, that is why the President touched on the Constitution. He reassured Kenyans and hon. Members of this House that the Constitution will be reviewed as had actually been programmed. Many people were worried that the Constitution was going to be back-tracked. I think the matter was laid to rest. This House will, in due course, put in place a Select Committee to ensure that we continue with this matter. Again, that is entrenching the unity of this country and reforms which are important.

The second aspect of the President's Speech has to do with the recovery of the economy. There can be no doubt that the majority of our people live below the poverty line. I would like to point out that 56 per cent of Kenyans live below the poverty line. The other problem facing this country is unemployment. These are the two major problems facing our people. I am sure that every hon. Member of Parliament will testify to the fact that when we were campaigning, they asked: "What hope are we giving them to get out of the poverty trap?". Are we going to be able to create employment opportunities for the youth? The moment you talked about poverty and creating jobs, Kenyans wanted to listen. The electorate wanted to know what we were going to do.

It is clear in the exposition by His Excellency the President, he pointed out that the only way for us to get out of poverty and ensure that our economy recovers, we have to bite the bullet. That means that we must move

firmly and address bad governance and review it. There is corruption and we must accept it. This is a cancer in Africa and it has been a cancer in this country. Let us do away with it and move on. Let us improve our image. To do this, we must also touch on our institutions because reforms are moved through institutions. We have got some weak institutions. The Judiciary has been referred to. There are many other institutions which have also been referred to.

Mr. Speaker, Sir, I want to say that reference was made to the problem we have on our roads. There is a structure that has got to be addressed. We have got bad roads. We have got electricity as a problem. However, I think much more important and that is why I want to come very quickly, we in NARC as we went to campaign, we did promise Kenyans that we are going to give preference to investment in the human development and that is health. Far too many of our people are dying not just because of the ordinary diseases. We have got the problems of the HIV/AIDS pandemic. Most of our young people are dying. Most of the people who we have invested in heavily are dying. We have got to do something about this disease. A number of these people, perhaps, would not have died if they had access to affordable medicine. The cocktail medicine is available, but it is too far expensive for the poor people and I think that is something that was referred to.

Mr. Speaker, Sir, let me put it this way in the case of education and I am quite happy to be serving as the Minister for Education, Science and Technology--- To me it is homecoming. Coming from the area of academia and having turned around, I feel extremely happy, at this particular stage to be addressing the Ministry of Education, Science and Technology. That is much more fulfilling to me, but more so to be in a position at this historical moment to be implementing the free primary education. It is so important.

Mr. Speaker, Sir, Kenya was a participant in the world meeting which was held in Thailand in 1999, on education, which promised universal primary education. Kenya was a signatory to another meeting in the year later in Dakar in Senegal in which we subscribed to that. We did also pass a legislation here, not too long time ago, the Children's Act; that we want our children to have free compulsory education. When I brought in the Bill then, little did I know that I would be the one to implement it, but that is history and destiny. However, we have moved onto that because that is the only way to build the nation.

Mr. Speaker, Sir, there are fundamental issues there. There are major challenges, but one thing I want to request the hon. Members that as we implement this free primary education to realise that, it is not just the Government but the people of Kenya. We are all stakeholders in education. It is going to be successful provided that each and every one of us plays his or her proper role. I want to request the hon. Members because the resources will be available, they will be phased directly to the primary schools because we have no intention of creating a big bureaucracy in the Ministry of Education, Science and Technology for the purpose of awarding tenders. We want to send the resources directly there and, therefore, I want to appeal to the hon. Members to sensitise the communities and school committees that when the resources come, they must be used for those purposes that have already been provided in the guidelines and the guidelines are clear. These resources are for learning and teaching materials.

Mr. Speaker, Sir, let me put it this way and it is important that this House does know it. Although this is going to be unveiled during the debate on the Supplementary Estimates, we are looking for huge resources to implement free primary education. Between now and June we will be looking for resources worth about Kshs3.2 billion. Of course, what we are going to request will be much smaller as you heard yesterday from the Presidential Speech. That money will then go to every primary school in every district. Eventually, we are going to be looking for more. There has been a great deal of welcome from international bodies, the international community and Kenyans. So, please, my fellow Members of Parliament, I want to ask you to be part and parcel of this noble task of empowering our own children today for the future of this nation.

Mr. Speaker, Sir, I beg to second.

(Applause)

(Question proposed)

Mr. Speaker: The Leader of the Official Opposition naturally has the first shot and he has equal time as the Leader of Government Business.

The Member for Gatundu South (Mr. Kenyatta): Mr. Speaker, Sir, I rise to speak on the Motion which states:-

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

An hon. Member: What is your name?

Mr. Speaker: Order! Although I had said that every Member will introduce himself and I continued to

say so, but the following will not happen: If you really want to remind the Chair that the hon. Member has to introduce himself or herself, please rise on a point of order. We do not want hon. Members to speak from where they are seated. We must have a dignified way of conducting business. What is your name?

(Laughter)

The Member for Gatundu South (Mr. Kenyatta): Mr. Speaker, Sir, for the benefit of those Members who may not know me, my name is hon. Uhuru Kenyatta, the hon. Member for Gatundu South, the KANU presidential candidate and the man who managed to obtain 1.8 million votes for my party, KANU.

Mr. Speaker, Sir, as I continue, the President in his Address reiterated that---

Mr. Kajembe: Excuse me, Mr. Speaker, Sir!

Mr. Speaker: Order, Mr. Kajembe! You must sit down now. You are not a new Member and you stand there saying: "Excuse me, Mr. Speaker". There is no such rule.

Mr. Kajembe: No, Mr. Speaker, Sir. I said: "On a point of order". On a point of order, Mr. Speaker, Sir. Is hon. Uhuru Kenyatta in order to say that he is the KANU presidential candidate and yet the elections were completed?

Mr. Speaker: Order! Mr. Kajembe, being an old Member, one thing you must take from me is that I will not stand pettiness.

Proceed, hon. Kenyatta!

The Member for Gatundu South (Mr. Kenyatta): Mr. Speaker, Sir, I think Mr. Kajembe should keep his ears cleared and open. I said "was", for his clarification.

Mr. Speaker, Sir, in his Address the President reiterated the NARC Government's intention to commit itself to the following: constitutional review; zero-tolerance for corruption; free and compulsory primary education; security for all Kenyans and their property; good governance to ensure that the rule of law is upheld and economic revival. I found it sad that the President made no reference to the former President especially given that this was his first speech, to the peaceful transition. This is a Parliament that I believe marks the momentous period in Kenya's history where we saw the peaceful and smooth transition of power from one administration to another through the democratic process.

Mr. Speaker, Sir, I would have hoped that His Excellency the President would have acknowledged the rule of the former administration and especially the former President in overseeing that process and ensuring that this rarity in Africa actually happened. It was an event that not only propelled the image of Kenya throughout the world, but it also entrenched the principles of democracy in this country. I also believe that it set an example to many other African nations in the third world.

Mr. Speaker, Sir, in that regard, I would like to accord my own appreciation to the former administration and the former President for the role in which they played in overseeing that transition.

(Applause)

Mr. Speaker, Sir, I am also glad to note, as we all saw yesterday, that the President has, indeed, fully recovered and he is in a position to effectively carry out the duties of state and to run the affairs of the Government. We are thankful to God for seeing him through his illness and we look forward to seeing him in a more active role in the future.

(Applause)

Coming back to the Address, Mr. Speaker, Sir, as has been stated, there were a lot of noble intentions contained in the Presidential Address. It is, indeed, my hope and prayer that these intentions will be turned into concrete actions by the NARC Government. I say this because in the period leading to and during the campaigns, the NARC Party went out of its way to make it clear to Kenyans that one of its first priorities will be the introduction of a new constitutional dispensation in this country within 100 days or three months of assuming office. Whereas I do agree that in His Speech, the President did make reference to his Government's commitment to the constitutional review process; one and half-months into office, we are yet to see any concrete actions that prove to us and to Kenyans as a whole that the Government is, indeed, committed towards ensuring that a new constitutional dispensation is in place for Kenyans in the shortest possible time. I would, therefore, ask that this becomes an issue that is not put on the back burner because the Kenyan psyche has definitely been held by issues regarding the constitutional review process. Indeed, a lot of the negative campaigning also that went on was on the basis that KANU was not committed to that process. I would like to see the NARC Government produce that

document for Kenyans within the shortest possible time, and we will ensure that promise is kept in the mind of the Government all along.

Mr. Speaker, Sir, the President did make reference in his Speech also to his commitment, and I quote him:-

"--- to ensure that the rule of law is upheld in Kenya and ensuring this will be our most enduring legacy as a Government."

Mr. Speaker, Sir, I am pleased with this and I do hope that Members of his Government will also adhere to this rule of law. I say this because certain Members of his Cabinet have already been publicly quoted as saying that they will not respect judicial orders on the basis that they are just pieces of paper. It is, indeed, my hope that they will abide by the President's statement that he will respect the rule of law, and as such respect the rule of law themselves. We are all aware of the kind of events that took place in Mathare just a few days ago, where citizens decided to take the law into their own hands. I strongly believe that those events have a direct relation to the attitude of Ministers. Kenyans feel that if Ministers of Government will not themselves uphold the rule of law, why then should the normal mwananchi uphold the rule of law? They have an example to set and it is my believe, hope and prayer that they will do such as they carry out their duties.

(Applause)

Mr. Speaker, Sir, we in the Opposition plan to fully support the Government in its fight towards ending corruption in this country. Indeed, as the President did say yesterday, the war against corruption is not a war of the Government alone but rather a war that belongs to all Kenyans. It is a war that we must fight and win if we are to ensure true economic recovery and growth once again in our country. My hope and prayer is that the war against corruption will not be a war of witch-hunting or settling scores, but rather a war that is aimed at rooting out corruption completely from our society. We should ensure that an institutional framework is put into place to root out this vice once and for all so that it never again sees the door of the Kenyan society. In that regard, we will play our role in ensuring that we fully support the Government in that fight. However, I would like to say that I do hope and believe that the surest way to succeed in that battle is not through piecemeal legislation aimed at anti-corruption. Good results will only be obtained through a complete overhaul of our Constitution and through the constitutional process and hence, the need to make the constitutional review process a matter of urgent priority.

(Applause)

Mr. Speaker, Sir, I do support and agree with the President's pledge to provide free and compulsory primary education for our primary school pupils. I do agree with the sentiments that the only long-term way of ensuring we achieve true poverty reduction is through an educated population. I hope that the Government will, indeed, increase the resources that are going to be made available to the education sector. The President did yesterday thank both parents and teachers for the tremendous hardships that they went through in the beginning part of the year as the programme went underway. Indeed, that in itself is a recognition of the strain under which our teachers are operating. It is my hope that the Government will ensure that more teachers are made available and more schools are built to avoid congestion in our classrooms. I believe that we must not only be concerned with the provision of education, we must also be concerned with the quality of that education.

(Applause)

Mr. Speaker, Sir, as I say this, I am particularly happy with the President's mention about the North Eastern Province and the pastoral communities, and the need to focus on the development of those areas. In this regard, I would like to urge the Ministry of Education, Science and Technology to ensure that boarding facilities that are paramount towards the provision of primary education among nomadic communities are taken care of by the Government. We cannot be in a position to provide free primary education for those communities unless we provide them with boarding facilities. It is my hope, indeed, that the Minister will take this into account as he focuses himself on that heavy burden.

Mr. Speaker, Sir, I also commend the President for seeing the need to increase the pay of our civil servants, armed forces and the police as a whole, and as well as the emphasis on performance related pay. I think and believe that this will, indeed, improve the efficiency of Government. However, I would like to state that we would like to see the Government also focus on giving and creating opportunities within Government for the many young educated and talented Kenyans who are out there and focus less on providing jobs for retired civil servants or those who are about to retire. I think this is something that will not only give hope, but will give a role to the

many young Kenyans in this country which I believe they can play positively in nation building.

Mr. Speaker, Sir, economic recovery is for us all, and I agree with the sentiments of the hon. Vice-President and Minister for National Reconstruction when he said that Government also includes the Official Opposition party. I say this because in previous years we saw so many cases of the Opposition opposing for the sake of it, even on issues of national interest. I believe, as the Vice-President and Minister for National Reconstruction analyzed, we all have a role to play in the economic recovery. It is my hope indeed, that the Government will include all people in this process and will approach economic recovery from a by-partisan position. That said and done, we are committed not to oppose for the sake of opposing, and we shall support any measures that are aimed towards economic recovery and growth in this country. We shall not follow the example that was previously set by the Official Opposition of the Seventh and Eighth Parliaments. The importance of that is because, as it has been stated, economic recovery is the cornerstone of economic growth is an environment of political and social stability. It is my hope that the Government will go out of its way to ensure that, that process of inclusivity and creating a harmonious environment where hon. Members of Parliament are able to work together in a non-acrimonious manner; where Kenyans are able to work together in a non-acrimonious manner and where communities who live in this country are able to work together as brothers and sisters, and where economic recovery will not be skewed to one province or another, but will be evenly balanced throughout the country. It is my hope that the Government will take the lead in this particular process.

Mr. Speaker, Sir, we intend to take our rightful role in the Opposition. We intend to provide an alternative credible Government from the Opposition Benches. We will ensure that the Government will not act in excess of its legislative powers. We shall ensure that all the Bills that are brought before this House are in and for the best interest of all Kenyans. We shall ensure that the dignity, freedom and independence of this House is maintained. As I have said, we shall not be disruptive or follow the example that had been set. We shall be here to offer constructive criticism and support any issue that is of national interest, while maintaining our position as a credible Opposition. We plan to be the catalyst for meaningful change for the benefit of 30 million Kenyans.

As I conclude, I would like to say that His Excellency the Vice-President in his address, made note of the fact that there was low growth, if not no growth at all for ten years. A fact is a fact and we must accept it. I believe this is one of the main reasons why, as KANU, we decided to re-invent ourselves and re-build ourselves. It is my hope that His Excellency the President will have better control over his Ministers and ensure that they do their jobs.

I beg to support.

The Minister for Roads, Public Works and Housing (Mr. Raila): Mr. Speaker, Sir, thank you for giving me this opportunity. I know for sure that you are truly *unbwogable*.

Mr. Omingo: On a point of order, Mr. Speaker, Sir. You have just ruled about this terminology called *unbwogable*. We know what it refers to in other places, but not in the precincts of Parliament. I remember last year, when I addressed Prof. Ongeru in Gusii language, I was sent out of the Chamber. Could you order the hon. Member out of the Chamber?

Mr. Speaker: Order! Order! While I think about this whole saga of *unbwogable*, may I ask you Mr. Omingo one simple question; are you *bwogable*? Proceed, Mr. Raila!

The Minister for Roads, Public Works and Housing (Mr. Raila): Mr. Speaker, Sir, let me begin by thanking the President for a very comprehensive exposition of public policy contained in his Address of yesterday. Secondly, I would like to thank the former President for agreeing to preside over a peaceful transition after KANU lost elections. In doing so, he spared us the bother of having to march to State House. I would also like to thank the Leader of the Official Opposition for gracefully accepting defeat and sparing us the bother of having to wait for a very long time and, therefore, enabling us to perform a very magnificent swearing-in ceremony. I would like to assure him as the saying goes, that he who surrenders lives to fight another day.

Mr. Speaker, Sir, I think the thanks should really go to the people of Kenya. It was the people of Kenya who when the time came, rose up to be counted and decisively decided to vote for change. A Ugandan friend of mine who was at Uhuru Park on 30th December, summed it all. He said that when he looked at the faces of the thousands of Kenyans there, they resembled the faces of Ugandans on the day that President Museveni and his troops marched into Kampala. Then he said that in Uganda it was achieved through the bullet, while in Kenya it was achieved through the ballot, but the effect was the same.

Mr. Speaker, Sir, hon. Mwai Kibaki has shown that he is truly a leader of a team that we call the *unbwogable* rainbow team. He has shown that he is a team player, and that he has complete confidence in the members of his team. This is because, recently you saw the Vice-President presiding over a passing out parade at the Moi Barracks. This is something which is new in this country. The other day we saw the Minister for Home Affairs, Mr. Awori presiding over the National Youth Service parade in Gilgil. We are sure that very soon every public university in this country is going to have a chancellor.

Mr. Speaker, Sir, during the campaign we made certain promises which formed the basis of a contract between NARC and the people of Kenya. We said the economy would grow at the rate of 7 per cent per annum and this was contained in the President's Speech of yesterday. We said we would introduce universal primary education. Some doubting Thomases said this was unachievable. Now Kenyans know it is achievable because, as they said, everything is possible without---

An hon. Member: Moi!

(Laughter)

The Minister for Roads, Public Works and Housing (Mr. Raila): Mr. Speaker, Sir, we promised to create 500,000 jobs per annum and I want to assure the House that we are determined to create those jobs. We said we would reform the medicare system and this was also contained in the President's Speech. We said that we would reform the Constitution and we will not go back on this promise. The Constitution of Kenya Review Commission will be put back on track and very soon we will proceed to the Constitutional Conference. We also did say that we would carry out a reform of the judiciary because we cannot fight the cancer of corruption without doing this. That is the reason why some of us look askance at some of the rulings of our courts.

For the last 25 years the Government has never won a corruption case in any of our courts. I have come face to face with corruption in the Ministry that I head, the Ministry of Roads, Public Works and Housing, where I have to contend with very many cowboy contractors. These cowboy contractors have perfected the act of looting resources. The contract between these cowboy contractors and the Government provides for arbitration in the event of disputes, but most of these contractors jump arbitration and rush straight to court because they know that, that is where they will get the hefty awards that they are looking for. That is the reason why I would like to disagree with the hon. Leader of the Official Opposition when he said that we are not following the rule of law because we know very well the kind of ruling that we expect when it comes to the KICC. As the Minister said, you will find a thief driving your car and then he tells you: "Go to court and get an order then, you can get this car." I would tell him to leave the car immediately then I take it immediately. The onus is for KANU to prove ownership and not the other way round.

In fighting corruption, we should not embrace ethnicity. We should not allow the looters to try and shield themselves behind ethnicity by saying their tribe is being targeted and so on. This is because when these people got involved in corrupt practices they did not solicit the support of members of their communities. After looting they did not share the loot with members of their communities. It is only when they are caught that they rush to say that their tribe is being targeted. I would like to urge hon. Members from both sides of the House to desist from defending people who have been involved in corrupt practices. As the President rightly said, in the past some of them sat in this House. I know that even today some of them are sitting in this House. Of course we do not want to open the door of that cupboard. This is not the time to do so.

Mr. Speaker: Are you suggesting that I am presiding over a corrupt House? That is a very serious allegation, Mr. Raila!

(Laughter)

Order! It is not a laughing matter, Mr. Raila! We are saying as a nation that we have to have integrity in all institutions. You are a Minister of the Government and you are saying that we are corrupt here! Will you tell us who is corrupt here!

The Assistant Minister for Lands and Settlement (Mr. Ojode): But it is obvious! You know that, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Ojode! Who told you that you are the official protector of Mr. Raila against the Speaker? You must sit down there and listen silently! He can talk for himself.

Proceed!

The Minister for Roads, Public Works and Housing (Mr. Raila): Thank you, Mr. Speaker, Sir. The law says that they are innocent until proved guilty by a court of law. Therefore, I am willing to give them the benefit of the doubt. The kind of grabbing that has gone on in our society is completely inexcusable. As I stand here, we are trying to construct the city bypasses to decongest Uhuru Highway. All the road reserves which are meant to be used for construction of these bypasses have been grabbed by the former high and mighty. That is why I have appointed a committee to carry out investigations on allocation of Government land to private people including illegal allocation of Government Houses to some people so that they can repossess them and bring them back to public ownership. In doing so we do not intend to victimise anybody. We will be very fair so that any kind of allocation that was done following the right procedure will be validated. Only those that were corruptly

allocated will be repossessed and taken back to public ownership.

With those few remarks, I beg to support.

The Member for North Horr (Dr. Godana): Thank you, Mr. Speaker, Sir. At the outset, I wish to take this opportunity to congratulate you, Mr. Speaker, Sir, on your election to the post of Speaker of this House. I note that this is the third time in a row that the multiparty Parliament, starting with the 7th, 8th and now the 9th Parliament has expressed trust in you this time almost unanimously because I realise that if there was any opposition, it was a technical one. I also wish, in the same breath, to congratulate the Deputy Speaker on his well-deserved election to that post. I have no doubt that the vast experience he has had in the public service as well as over the last five years as a Member of the Speaker's Panel will endear him well to carrying out the responsibilities of that office well. Those of us who have known Mr. Speaker here, and indeed outside much earlier, know very well that the trust the House has bestowed on you is indeed well-deserved.

Turning to the Speech by the President yesterday, expounding on public policy, I think it was a goody Speech and we said so to the media when we left here. It was good and befitted the occasion. It was particularly encouraging to us and the nation to see that the President of the Republic walked in limping, but healthy. We were also encouraged to read and hear the President reiterate the commitments that the NARC made to the people of Kenya on the basis of which it was elected to the position of Government.

Mr. Speaker, Sir, I am saying this while noting and wishing to congratulate Kenyans as a whole for what turned out to be a real fact, in terms of well-conducted multiparty transitional elections; the first of its kind in this Continent. I join the ranks of those who said: "We ought to congratulate the people of Kenya for conducting themselves in a dignified manner." I only wish that the handing over ceremony was accompanied by much more decorum than what we saw. That was an occasion which all of us should have been proud of, even if momentarily forgetting about our partisan appearance.

(Applause)

Mr. Speaker, Sir, among the commitments which the President reiterated yesterday; two or three stand out as most important to me. First, the commitment he reiterated that his Government will respect the rule of law, the sanctity of life, and property. I am saying this because I think this could not have come at a more opportune time, for those of us who know, or everybody here knows the goings-on around the City and, indeed, the country for few weeks--- I hope, notwithstanding what hon. Raila has said here, that President Mwai Kibaki and his Government are determined to mean exactly that, to respect the rule of law and the sanctity of life and property---

Mr. Speaker, Sir, we do know that the allegation of corruption in the courts is not new. There is no doubt that there has been a lot of corruption, and nobody can deny this. This is not the first time that this allegation has been made. But a society which claims to be based on the rule of law must, even in doing the "surgery" to remove the rot from the system, at least, respect minimum standards in the rule of law.

When a Minister of Government stands up and says in public:

"We do not care about the court ruling, you can even take me to court for contempt, you can bring the court order tomorrow, I cannot obey it."

I think we are treading on very dangerous grounds.

Likewise, if judges have conducted themselves in a manner which does not befit the honour and integrity that should match their office, there are laid-down procedures for dealing with them. Certainly the method which was applied; as it were to, subject the Chief Justice to a medieval type of inquisition, is not in accordance with the procedures laid down in our laws. I am sure that if we decide to follow those procedures, we will not get evidence or fail to produce it. If we cannot follow those procedures, it must mean, therefore, that we will not have---

The Assistant Minister for Tourism and Information (Mrs. Mugo): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to mislead this House that the Minister said: "You can take us to court!" What we said is that---

Mr. Speaker: Order! I believe it will not be defined! It is your argument! Patiently wait, you will hear.

The Member of North Horr (Dr. Godana): Mr. Speaker, Sir, the hon. Assistant Minister is right to defend her immediate boss. But I want to remind her that he said it to me and, I was actually taken off.

The Assistant Minister for Tourism and Information (Mrs. Mugo): He is my Minister, not my boss!

The Member of North Horr (Dr. Godana): What is the difference!

Mr. Speaker: Order! Order! What is wrong with you, hon. Member? You cannot sit there and listen to this Assistant Minister? Is it what she said that is biting you so hard? Please, relax!

The Member of North Horr (Dr. Godana): Mr. Speaker, Sir, I know she felt offended. I meant to say it with a light touch, her Minister said!

Mr. Speaker, Sir, I welcome very much the reiteration of commitment to the constitutional review process

and we hope that the process, as the President said yesterday, will start in earnest in the shortest possible time. I am already looking forward to the appointment of the Parliamentary Select Committee, chaired by none other than the Chairman, during the last Parliament, hon. Raila, who was just here, and thereafter the convening of the Constitutional Review Conference.

Mr. Speaker, Sir, I also welcome, particularly those of us who come from Arid and Semi-Arid Lands (ASAL); the so-called marginal districts of North Eastern Province; upper eastern; formerly defined in the Constitution, before we amended it a decade ago, as the "Continua Districts" of Tana River, in Eastern Province; Moyale, Marsabit, Isiolo, Samburu, and Turkana. We welcome the declaration by the President that, for sure, his Government will put special focus in terms of development, in those districts.

Mr. Speaker, Sir, I am saying this because since Independence, it has been marginalised, both by the previous administration and now we see the same language continuing. Even when we know people who are very responsible for the allocation of resources for development, throughout 1960s, 1970s, 1980s up to 1990s are the people who have settled in the same manner. Many of them are seated on that side of the House. The President himself was a Minister for Finance for the affirmative years, without development. So, those of us who come from those areas hope that, this time round, there will be real change. Our people will be looking forward to real results. We will be looking forward to those real results in the allocation of resources during the forthcoming Budget, come July 1st, 2003. If you deliver that well, we will talk.

(Laughter)

The Assistant Minister for Tourism and Information (Mrs. Mugo): Are you suggesting that you will defect?

The Member of North Horr (Dr. Godana): No way!

Mr. Speaker, Sir, at this stage, I wish also to refer to His Excellency's commitment to reform the Judiciary, with a view to ensuring better delivery of justice in this country. It is unfortunate that the Minister for Justice and Constitutional Affairs, my learned friend, Mr. Kiraitu Murungi, is not here.

In principle, I think the President is right to have established that Ministry. I think the question of legality or illegality is not so much the terminologies used to describe the name of the Ministry or the name of the department, but in the allocation of responsibilities to that Ministry or department.

Mr. Speaker, Sir, when the Ministry of Justice and Constitutional Affairs is created and the Circular of Government defines its responsibilities as superintendency over the Judiciary, the Electoral Commission and Parliament, I think, definitely, it is an upfront---

Mr. Speaker: Does it? I hope not!

The Member of North Horr (Dr. Godana): I beg your pardon, Mr. Speaker, Sir. Thank you, for that assurance. I wish somebody was here from the Judiciary to say "no", but that is not the case. When the Circular says that superintendency of the Judiciary and the Electoral Commission---

An hon. Member: And the Attorney-General!

The Member of North Horr (Dr. Godana): Yes, also the Attorney-General! Superintendency of the Judiciary, the Electoral Commission and the Attorney-General's Office, shall now rest with the Minister for Justice and Constitutional Affairs, who is just a political appointee. In any case, my friend, Mr. Kiraitu Murungi, has been an active political activist. I think, definitely, there is really no serious, sincere and honest lawyer who will say that there is nothing wrong with that.

Mr. Speaker, Sir, we have two by-elections forthcoming in a few weeks or months, because of the unfortunate demise of our two colleagues who were elected only the other day. The Electoral Commission of Kenya is supposed to be an impartial body or arbiter. We are now being told that the Electoral Commission of Kenya is answerable to a Minister, who is a politician and political appointee! More than that, in fact, he has been a political activist and I do not think---

With those few remarks, I beg to support.

Mr. Speaker: Mr. Machage, the Floor is yours. Although I know your name, the others do [**Mr. Speaker**]
not! So, tell them who you are and where you come from.

The Member for Kuria (Dr. Machage): Mr. Speaker, Sir, I am Dr. Wilfred Gisuka Machage, Member of Parliament for Kuria Constituency, South Nyanza District.

Mr. Speaker, Sir, the President's Speech was truly splendid. It was very encouraging. All Kenyans were proud to see their President make that beautiful Speech; full of advice and goodwill; more so, when he mentioned about drawing attention to those areas that were marginalised by the former regime; including North Eastern Province. This will also include the area I represent in Parliament, Kuria Constituency, which was marginalised

and forgotten for 40 years. We were actually denied our basic human rights.

Mr. Speaker, Sir, Kuria is a place which was denied access! You have to travel 600 kilometres to come to the City, when you could easily travel 300 kilometres to come to the same place! This is because tourism was supposed to be retained in the Rift Valley and was never opened up to western Kenya.

We truly believe that the NARC Government, in its endeavour to create more jobs, will open the Western Kenya Tourist Circuit to achieve that goal and generate Government revenue. Our roads in Kuria District are mere animal tracks. We have not seen even one kilometre of a tarmac road!

Mr. Speaker, Sir, to add insult to injury, our neighbouring country, Tanzania, has electricity right to the border and one bulb is pointing towards the Kenya side. The place is dark and there is no electricity!

An hon. Member: That is serious!

The Assistant Minister for Home Affairs (Dr. Machage): Mr. Speaker, Sir, I believe revenue will be collected under the Rural Electrification Programme to provide electricity to this important town in Kuria District, which is also a gateway to Tanzania. Whenever you leave Tanzania to Kenya, it is the first place to visit.

Mr. Speaker, Sir, His Excellency the President said he will make very many changes in his appointments. I believe one of the changes he will make is to change the bad names given to certain positions, for instance, Assistant Ministers. He should change this into Deputy Ministers. This is because 40 years ago, Assistant Ministers were just appointed to vote for the State whenever it wanted to pass a bad policy. I do not think the current Assistant Ministers are ready to do that. They are ready to work and they should have a proper title.

It is imperative that the national cake should be shared equally. Unfortunately, for the last two months, our President has been sick. We are happy that he has now recovered fully to see some of the things that have been going on.

In Kuria District, if I may remind everybody here, we have never had an ambassador, a Permanent Secretary, a chairman of a parastatal, a full Cabinet Minister or even an OCPD. Yet we are supposed to be Kenyans as any other Kenyans in the Republic. We voted for the NARC Government and my people expect to see changes. A lot of changes should be directed to marginalised communities. It is unfortunate that the Ministers are not here to listen to me.

Security is a problem in the area----

Hon. Ministers: We are here!

The Assistant Minister for Home Affairs (Dr. Machage): Our President has set a precedent of fair distribution of resources. He should be commended for what he has done in the first two months. Somebody reckoned the liver has been eaten. We believe the head, limbs, intestines and the heart are yet to be eaten. Maybe the Kurias will get the heart.

Mr. Speaker, Sir, ours is to remind ourselves of wrong doings the former regime did to Kenyans. I believe the NARC Government will fully address these issues and give the people of Kenya their legal and human rights, and other rights. We believe the marginalised places will not only be seen and heard in Parliament, but truly, services will be provided. They have very educated people who are also very hard working. Let them be given their due respect and share.

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

Mr. Speaker: Well, just before I call upon anybody to contribute, I think Dr. Machage, in his newness, has raised a very sensible issue. Today is the First Allotted Day for the Presidential debate. This is a speech that was far-reaching. Where are the Ministers? Mr. Ndwiga, are you the Deputy Leader of Government Business? I think it is a very serious issue and you had better send somebody to tell Ministers to come and listen. It must continue to be that Ministers stay in Parliament to listen to hon. Members when they speak. I think you had better get somebody to do that job.

The Member for Ntonyiri (Mr. Maore) Mr. Speaker, Sir, thank you for giving me the opportunity to make a few remarks about the Presidential Speech delivered yesterday. I would like to put it that I am one of those who would also like to congratulate the Government side for the mandate they got from the Kenyan people. However, I would like to express my fear that the popular demand for populist behaviour should not get into the heads of Cabinet Ministers. The rise of the Third Reich in Germany came with a popular mandate like the one we have now. When they started committing all the evils and horrors that they were remembered for, they were cheered on by the populace.

Mr. Speaker, Sir, if there are policies that need to be followed by the Government, it is only fair to have a lot of people who were in KANU less than 60 days ago to say which river they went to for cleansing so that they can actually turn around and say unprintable things when their behaviour is the same.

The Member for Gachoka (Mr. J. Nyagah): On a point of order, Mr. Speaker, Sir. Is it in order for a man who left DP just the other day for KANU, hoping it would win, as opposed to some of us who are very clean and in a clean Government, to make such a statement?

Mr. Speaker: Order! You are bringing me into this question of criss-crossing the political divide which I am not known for. The two of you can have a very private discussion over that issue outside the Chambers. But if you choose to say it here, tell us: What is the process of undergoing change when you change parties?

The Member for Ntonyiri (Mr. Maore): Mr. Speaker, Sir, my argument was that it would be good, for transitional behaviour which is accommodative, not to try to look holier than thou. That is what I meant. I have in mind the behaviour whereby the parties forwarded names of civic candidates to the Electoral Commission of Kenya (ECK), and the ECK duly, as per the law established, forwarded the names to the Minister for Local Government. However, the Minister went ahead and carelessly replaced over 100 names just to make sure they win mayoral seats and positions of chairman of several civic authorities. This behaviour is that of yesterday. When people say that they are clean and they are walking in decency and that they are bringing changes, they are not telling the truth.

When we talk of reforms, we want to publicise those people who have been engaged in irregular deals in Government. It is very cruel for the Ministry of Roads, Public Works and Housing to publish names of individuals they want to destroy, and where their people are involved they say "LR.No. was allocated to unknown."

There is no LR.No. in this country that has ever been allocated to anybody unknown. This is mischievous. We are saying, if you want to act "clean", behave the same and we will give you the support.

Mr. Speaker, Sir, I did see the leader of the LDP and the leader of NPK knocking at the doors of the KNUT headquarters. They promised to pay the contentious teachers' salaries within 100 days in Government. After they were sworn in, they turned around and said that they will honour the agreement as agreed upon previously between KNUT and the KANU government. We are asking for consistency with what they promised and how they behave. We are not asking for any double standards.

Mr. Speaker, Sir, I would like also to mention the same story of corruption. When you are trying to deter or to reduce corruption, it is only fair to begin with institutionalising the process. First of all, start by putting in place a legal process, stating how one can declare their wealth and even how they got the wealth. Declaring the wealth is not enough. It is not fair for somebody to say that he wants to surrender a plot and then all of a sudden turn around and say he is repossessing it. You need to be ethical enough. What is the difference between the time you were allocated the plot and now, when you are talking about it? I am saying this just for the purpose of national debate. I have neither been allocated any plot nor applied for any.

An hon. Member: I do not agree with you!

The Member for Ntonyiri (Mr. Maore): Mr. Speaker, Sir, I am sure that the hon. Member can lead the others into the river for cleansing, so that they can deny these things.

Mr. Speaker, Sir, during his Address to this House, the President mentioned about what he wants to do with loss-making parastatals. If you go through the relevant paragraph on page 16 of the President's Address, you will notice that the President talks about reforms in the Civil Service. How will you effect reforms in the Civil Service without retrenchment? How would you retrench some civil servants when you talk about creating 500,000 jobs in a year? How will you disband loss-making parastatals such as the National Cereals and Produce Board (NCPB), as well as the Kenya Meat Commission (KMC) and the Agricultural Finance Corporation (AFC), which the Government wants to revive, plus the Kenya Industrial Estates? These are the engines needed for growth. Lately, all these parastatals have been making losses. The best language to use should have been that the Government wants to revitalise these parastatals by ensuring that they are properly managed and supervised.

I was very impressed by the President's assertion that corruption starts from the top, and that the cleaning-up process of the vice should start from the top. If there are no telephone calls from State House to parastatal chief executives directing them to give contracts to particular companies, that would mark the end of corruption. Chief executives who will be caught misbehaving will be punished.

An issue I have not heard anybody from the Government talk about is that of the Government being involved in private business such as banking. What business does the Government have in maintaining the Kenya Commercial Bank (KCB)? The current Government wants to inherit the old cash cows, or the old instruments for the home boys; it is not interested in genuine reforms. If the Government is interested in genuine reforms, it would get out of the KCB, the National Bank of Kenya (NBK) and the Development Finance Bank (DFB) and concentrate on making regulatory laws rather than engage in core banking business, which should be undertaken by the private sector. The Government has an eloquent "preacher" on privatisation. For the last ten years, Prof. Anyang'-Nyong'o has been talking about privatisation. So, we need the process speeded up.

Mr. Speaker, Sir, we have the Roads Levy Fund and money from the World Bank. The other day, we were surprised by the Minister for Roads, Public Works and Housing, when he said that the Government would wish to privatise some public roads. We do not want a situation where if the World Bank, the European Union and other donors give us money for the construction of roads, those roads are subsequently privatised to the benefit of the friends of those in the Government. We would like public roads to remain public.

(Applause)

For many years, we have complained of parastatals having been placed under the wrong Ministries. I remember having complained many times about the bloated Office of the President. There is no glory in the Office of the President, under which chiefs, district officers and district commissioners fall, managing the National AIDS Control Council (NACC). If the current Government is looking for genuine change, it should streamline its operations and avoid inheriting the old structures that benefitted the home boys previously.

Among the salient features contained in the Presidential Address, which I would like to support, is the stated policies regarding our forests and the water catchment areas. We are here today; we may not be here tomorrow. It is only fair that we bequeath to the future of this country an environment which will continuously sustain agricultural activities. We should ensure that rainfall patterns are not interrupted because of our greed. So, any legislation which will be brought here with a view to restoring or strengthening the laws regarding the protection of water catchment areas or the forest cover of this country will get my support.

Mr. Speaker, Sir, I would now like to emphasise on the issue of transition. It is good to leave political activists to do the lamentation bit. It is inappropriate for Government Ministers to forget that they were sworn in and that they are supposed to work. We want delivery of service from them and not activism.

(Applause)

In case the need for activism arises, the Government side has some very good friends who can do activism, check the Government and correct anybody else who may make a mistake. So, Ministers should not go onto the streets and issue policy statements without having consulted anybody else and wait to be cheered upon by the crowds. The moment for cheering was during the political rallies last December. This is time for the Ministers to look forward and not to look for bridges that will lead them to the past. The more you look for bridges that lead you to the past, the more trouble you are likely to make.

Mr. Speaker, Sir, there is another behaviour of the past which manifested itself yesterday. There were hired goons near the precincts of Parliament to accost some hon. Members who are perceived to be unfriendly to the Government. Next time, there will be bloodshed at the entrance to Parliament Buildings. Other hon. Members in this House have their supporters as well. If they call upon their supporters to come and clear their way around the precincts of Parliament, those supporters might come with machetes, knives and even pistols. That kind of behaviour should be from those people who lost the election, and not from the Government, which purports to have won the election. Those in the Government should behave like winners and not like losers.

With those few remarks, I beg to support.

(Applause)

Mr. Speaker: Hon. Members, everybody should get his or her goons out of the precincts of Parliament. Very soon, I will find out who have brought some goons to Parliament, and I will announce their names from the Floor of this House. So, get all your goons out of Parliament.

Could you proceed, Prof. Kibwana!

The Member for Makueni (Prof. Kibwana): Mr. Speaker, Sir, my names are Prof. Kivutha Kibwana. I am the Member of Parliament for Makueni. Receive greetings from the people of Makueni Constituency.

Mr. Speaker: I accept them!

The Member for Makueni (Prof. Kibwana): Mr. Speaker, Sir, yesterday I was extremely happy because of one particular aspect His Excellency the President mentioned in his Address to this House. Perhaps eradication of corruption was his main agenda. Between 1993 and 1995, a non-governmental organisation (NGO) I was working for carried out a premier research on corruption. When that NGO published its report, for a few days I went underground because I was told that some very important people were looking for me. There was a discussion in this House about my conduct. You can, therefore, understand why I felt so happy when the President of this country acknowledged that something that was not done a long time ago was not really that bad but was what we should have done for the future of our country.

Therefore, I would like to join other hon. Members in saying that the Presidential Address was very eloquent in terms of stating what should be the agenda for a new democracy and a recovering economy, which we hope will soon recover fully. Even the Leader of the Official Opposition eloquently stated what the focus of the President was. I would not like to repeat what the President explained so well, and which has also been summarised by the Leader of the Official Opposition, whom I must say was extremely impressive in terms of

wanting to be part of the larger Government. Truly, the Government and the Opposition form the larger Government.

Mr. Speaker, Sir, with regard to corruption, it is true that we can have some very good laws capable of combating corruption. However, as a nation, we must develop a culture which will enable us to rid ourselves of corruption. It is good to start combating corruption from the top. Corruption must be combated at the three levels of society, namely, the *walala hai*, or those who are very able like ourselves; the *walala heri*, who comprise of the middle class people, and the *walala hoi*, who comprise of the down-trodden members of our society. As we realised during the electioneering period, the dignity of the down-trodden members of society was lacking so much that nearly everybody was asking for *kitu kidogo*. Therefore, corruption is something that should be fought by the entire country. We have to be very careful to make sure that there is an anti-corruption culture throughout the country. That is where the role of civic education will be very vital in terms of combating corruption in schools.

The President mentioned that people will have to declare their wealth. I think it is important to make such declaration public because some of the proposed laws are saying that it should be secret, so that one can only go to the High Court to allow whatever somebody declares to be known. Wealth declaration should be public. Even when leaders file their taxes, it should be public. That happens in other democracies. That way, if I have a lot of money and houses, people will quickly ask me where I got them from. In my constituency, I was told that when I declare my wealth, they might realise that I do not have much and next time, they might not vote for me. They do not like voting for poor people. Perhaps, there should even be a Ministry of Ethics and Integrity because the question of corruption is so vital that it will make all breakers and other African countries want to improve themselves.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, for me, the question of the Constitution, as articulated in the President's Speech, is really central. All the important things that were proposed like corruption, free and compulsory primary education, security, revival of the economy and good governance cannot go anywhere until we have a foundation via the Constitution. I believe that President Kibaki's legacy is going to be the Constitution, and how it will be handled and concluded. I believe that, as Members of Parliament, and Kenyans generally, we will have to focus on consensus-building. There are many issues in the proposed Constitution where consensus-building is required without grandstanding. Normally, to get a Constitution that is accepted by all the people requires a lot of consensus-building. Of course, it will be necessary to have a firm timetable, so that we know when we begin, what stages we will go through, until we finalise. I do plead with the House that constitution-making should be a joyous event, and not an event which is acrimonious. That is something that the President stated in terms of how the Commission should conduct itself.

Mr. Deputy Speaker, Sir, I think one aspect, in terms of the revival of the economy, which is critical in my view, is how we are going to ensure that the youth have jobs. That is because even as we talk about "goons" who wait outside Parliament, if they had jobs, they would not be there. Sometimes they come there to ask for some money. So, I think we need to be very creative in terms of making jobs, like we did when we had the National Youth Service (NYS). It was supposed to give jobs to the young people, even tripartite agreements and so on. If Mr. Raila is here, I think his Ministry is that of building roads, railways and so on. That is a Ministry that could be used to employ many young people. I think we need to focus on the young people.

Even as we do away with the non-performing parastatals, we must ensure that there are strategic parastatals that should be preserved. We must have public property. We cannot give up all the parastatals. For me, that would be a very important aspect.

Mr. Deputy Speaker, Sir, the President emphasised that there will be comprehensive reforms in the public sector, so that competence and merit are accepted, and pay and performance are intertwined. I do think that, at some point, particularly through the constitutional review process, Parliament should vet constitutional officers as well as senior public officials, so that we can get people who are accepted by a broad mass of all of us. I think free education is an enduring legacy of this Government, and it is going to remain an enduring legacy. But, perhaps, we need also to review secondary school education. That is because the fees are very high for most of the parents. That is something that needs to be looked at. Also, bursaries for the poor and gifted, including even the question of fees for nursery schools--- Many parents are asking us: "If you are making primary school education free, you should also consider nursery school education." Civic education also--- That is why, perhaps, we have problems within towns. The national civil education programme was done in the rural areas. Perhaps it is time for that programme to be extended to urban centres, so that citizens in towns begin to appreciate

the role of good citizens. I think there should be a national civic education programme to educate our people in terms of the values of the new democracy.

Mr. Deputy Speaker, Sir, I hope that in the health sector, there will be a comprehensive HIV/AIDS role. That is something that has been missing and it is very critical.

For my people in Makueni, land, water and agriculture are like the three stones of an African fireplace. They are so critical. Indeed, a lot of land in that constituency was given away for political patronage. There is a lot of confusion in terms of the land regime, for example, in Nguu Settlement Scheme, and land which was originally owned by a co-operative society, but it was taken away by influential people. Those are aspects that will have to be looked at in terms of land reforms. On the question of water, the reason why KANU used to bring famine relief in that part of the world was because there was no land and water. Therefore, the people were very poor.

With those few remarks, I beg to support.

Mr. Deputy Speaker: I would like to recognise this gentleman! Please, say your name. Next time, I will be able to say who you are.

The Member for Isiolo South (Mr. Bahari): Mr. Deputy Speaker, Sir, my names are Abdul Bahari Ali, Member of Parliament for Isiolo South. I would like to make my comments on the Speech made by His Excellency the President. I think it was a very comprehensive Speech by His Excellency the President. It covered most of the fundamental issues that this nation ought to focus on. However, a few areas were not covered. I think we need to bring those areas to the attention of the Government. Any Government that would like to improve the economy of its country cannot afford to leave out a policy on the manufacturing sector. In the Speech by His Excellency the President, I did not see anything that covered the manufacturing sector. No wonder then, perhaps related to that, issues relating to energy did not come out properly. Those are very fundamental issues in the recovery of the economy of this country. However, like I said before, most of the general issues have been properly covered. But I would like to get out of the generalities and, perhaps, focus on those specific issues, as they relate to the disadvantaged and marginal areas.

Mr. Deputy Speaker, Sir, certainly, we appreciate the fact that the President has seen and acknowledged that the marginal areas of this country ought to be addressed as a matter of priority. This is particularly so because the marginal areas comprise 80 per cent of the land mass of this country, and any meaningful development has to address itself to those areas as a matter of priority. It is our hope and expectation that this should be done as urgently as is possible. This is the beginning of the Financial Year - 2003/2004 - in terms of budgetary allocation.

Mr. Deputy Speaker: Order, Prof. Kibwana! You should bow at the Bar as you walk out!

(Prof. Kibwana bowed to the Chair)

Proceed, Mr. Bahari!

The Member for Isiolo South (Mr. Bahari): Mr. Deputy Speaker, Sir, with reference to free primary education, we very much appreciate the Government's policy that has been implemented so far. But I must mention that in the marginal areas, there has not been a marked improvement in enrolment. This is particularly so because there are other very serious constraints on education enrolment. It is important for the Ministry of Education, Science and Technology to stop generalising and start addressing the specific problems of the marginal areas in relation to education enrolment so that a comprehensive approach is undertaken.

In the past, we know that the marginal areas have trailed in education performance. I would like to quote a blanket policy like the teachers having to be paid through the Postbank, and in most of these areas, Postbanks are not found there. The teachers have to travel distances of between 350 and 400 kilometres to be able to get their salaries. This is a disaster, and we must stop it, and the Government must find a better way of paying the teachers in the ASAL areas, so that they do not lose out; so that the pupils do not lose out on learning hours because the teachers have to go or travel that distance to be able to get their salaries paid.

The Member for West Mugirango (Mr. Obwocha): On a point of order, Mr. Deputy Speaker, Sir. Mr. Wanjala is sitting on the wrong side of the House.

Mr. Deputy Speaker: Order! There is nothing that bars any hon. Member from crossing the Floor to the other side. You may even wish to go out if you want as long as you will always remember where you belong.

Proceed, Mr. Bahari!

The Member for Isiolo South (Mr. Bahari): Mr. Deputy Speaker, Sir, this is why I said that generality cannot work, and it is high time we got out of this generalisation.

Regarding health care, the President said that the Government will avail affordable health care. It is not only a question of affordability; it must be reachable. In some of these marginalised areas, the distance between the health centre or the dispensary and the villages makes it impossible for particularly the vulnerable groups - women

and children - to access health care. It is high time these issues were addressed in specifics.

I do not think there are also roads in those areas. I will refer to them as off-roads(?). There are no roads in that part of the world - in the marginal districts of North Eastern Province, upper Eastern, some parts of the Rift Valley and the rest of the districts which are referred to as the marginal districts. There are no roads there, and it is high time the Minister responsible constructed for us good roads.

I cannot fail to mention the issue about livestock because that is the mainstay of the economy of those marginal areas. This issue did not come out very specifically in the Presidential Speech, unlike the problem of *matatus*. It did not come out properly. I think these are some of the biases which are there. It is high time the issue of livestock marketing was addressed.

There have been a lot of talks about this issue. We have seen even citizens complaining about the Minister for Agriculture and Livestock Development, that he only talks about tea, coffee and the rest of the crops. Nothing has been mentioned about livestock. We would like these issues to be addressed in terms of marketing, availability of water and security. We all know that cattle rustling has been a serious impediment to the development and growth of this sector.

I must mention, like I have done before, that any economy that does not focus on manufacturing will not achieve perhaps the desired results. Of late, there have been problems of industrial relations in the Export Processing Zones. While it is easy to condemn the rioting workers and the NGOs who are said to have incited the workers, I think it is critical for the Ministry concerned to look into their welfare, and the serious and fundamental industrial relations problems, including unionisation of those workers in the EPZ. There has to be a balance between attracting investors and the welfare of workers in this country. We know that the energy sector is very important in advancing our industries. We know very well that the energy costs in this country are expensive; it is among the highest in the world. This has made our industries to be uncompetitive, and we are talking of job creation; 500,000 jobs every year, when we have not addressed the issue of energy as a matter of priority. I hope the Minister responsible is here.

With those few remarks, I would like to support the Motion.

The Assistant Minister for Co-operative Development (Mr. Kenneth): Thank you very much, Mr. Deputy Speaker, Sir. My names are Peter Kenneth from Gatanga Constituency in Thika District.

I would like to thank the President for the Speech that he delivered yesterday because he was able to give us his vision and direction in which he expects the Government to follow. I was very happy to hear the Leader of the Official Opposition saying that they are willing to support the Government. I think it is upon all of us who believe in that Speech to work in the spirit of trying to help the Government recapture the lost glory.

There are a few things that the President did speak about, and I will touch on a few of them. I think it is very important that the security of everybody in this country is guaranteed. We keep hearing of sporadic clashes and of mafioso on certain routes, like from Mwingi to Garissa. I think security needs to be guaranteed so that we have freedom of movement from any part of the country to wherever one would like to go.

Mr. Deputy Speaker, Sir, as we address the issue of agriculture, we need to address the plight of the farmers. There are quite a number of farmers right now, especially in the coffee and the cotton sectors, who have delivered their products, but have not been paid their dues. It is important for these farmers to be paid their dues immediately, to give them the incentive to continue producing their products.

Secondly, the Presidential Address dwelt on the delivery of services to the common man. The common man voted for the Government in anticipation that there will be faster delivery of services. In this context, I would like to urge the Government to ensure that projects benefit the local people. The local people should be the direct beneficiaries of those projects. In Gatanga Constituency, we have the Ndakaini Dam, which supplies water to Kiambu and Nairobi areas, but the water has not been supplied to the local people. If we want to create a conducive environment for development for the local people, it is important for us to supply water to them.

On the issue of electricity, high density power lines pass through the southern part of Gatanga Constituency, but the local people have not been provided with electricity. It is important for the people to appreciate that these projects belong to their Government. They can only appreciate this if they enjoy the facilities that pass through their land.

The President talked about security. One of the issues that we need to address is the issue of the illicit brews that continue to kill our people. These brews encourage our people to roam all over at night, causing insecurity. We read everyday in the newspapers that people have gone blind or have died after taking these illicit brews. We need to take action before more people die or become blind. This is important as we try to build a healthy nation. We should be in a position to guide the people against taking illicit brews.

I want to touch on the issues of afforestation and water conservation. The President said that water is life. We need to take the initiative in this House to preach and teach the people about afforestation. We need to plant trees in the water catchment areas. We need to protect our water resources and think about the future. I sometimes

read in the local Press about the private sector taking initiatives, and this House needs to take the initiative to teach our constituents about afforestation. This is important and we need to think about it.

Finally, I really want to thank His Excellency the President. If we all support him with the spirit in which he delivered his Presidential Address, our country will move forward.

With those few remarks, I beg to support.

The Member for Eldoret East (Mr. Kipchumba): Mr. Deputy Speaker, Sir, my names are Mr. Joseph Lagat Kipchumba, the Member of Parliament for Eldoret East.

(Applause)

Mr. Deputy Speaker: The hon. Member has identified himself. Let him now make his contribution.

The Member for Eldoret East (Mr. Kipchumba): Mr. Deputy Speaker, Sir, I wish to make my contribution towards the Presidential Address. In my view, it was a very nice Address. I would just like to make a few observations. I would like to echo what my colleague has said, that the President forgot two fundamental issues. My experience is that the energy sector is very critical in the development of this country. Currently, the prices of petroleum products are very high. We have never witnessed the prices of petroleum products rising to Kshs60 per litre. All the Government of the day is doing is to criticise the high prices. It is important that the Government comes up with policies that can ensure that the prices of the petroleum products are affordable by the people. We know very well that even during the Gulf War, the prices of the petroleum products never went beyond Kshs50 per litre. So, we need to critically look into that issue.

I come from an agricultural area. I congratulate the President for mentioning that we need to look into the issue of the agricultural inputs. I realise that for a very long time, farmers in my constituency have been marginalised. The prices of fertilizers have gone up instead of going down this year. This is an area of a lot of concern to us, the farmers of that region. Seeds are also unaffordable, yet during the campaign period, farmers were promised, especially by the National Rainbow Coalition (NARC), that the prices of farm inputs would go down. Instead, they are going up. This is an area that has to be looked into critically because agriculture is the mainstay of our economy.

On the issue of education, we all appreciate free primary education. But we must look into the issue of private schools. Some of the private schools that existed before the start of free and compulsory primary education are now empty. We realise that the increase in numbers of students in public schools could be as a result of a shift by pupils from some of the private schools to the public schools. If the Government could come up with a policy, whereby instead of constructing more schools, it liaises with owners of private schools and gives them some subsidies so that some children could learn in those schools, this problem could be solved.

The Minister for Health at some point mentioned that the Ministry would provide free primary health care. Many of my constituents rushed to hospitals to get free medical care only to be disappointed because that was not to be. I wish to thank the President for making it very clear that the Government will provide affordable health care for that will put to rest the expectations of our people to get free health care.

Primary health care should not only be affordable but also available. This is because in some districts, for example, Uasin Gishu District, we do not have a district hospital. The only district hospital that we had was turned into a referral hospital, and is quite expensive because it is operated like a private entity. Those are some of the areas that we need to look into.

I also appreciate the fact that the President mentioned that there will be reforms in the public sector. I would have wished to see a situation where some of the Ministries are not given wrong functions. The NARC Government promised to realign the functions of some of the Ministries. A company like Kenya Pipeline Corporation has an objective. Its main objectives are transportation and storage of petroleum products, yet it has been placed under the Ministry of Energy. To me, the KPC is quite misplaced. It does not produce any energy at all. All it does is to transport petroleum products from Mombasa to Western Kenya. It does not produce any energy. The NARC Government should look into this issue and reorganise some of the Ministries. For example, the fact that the Kenya Railways Corporation (KRC) transports agricultural products does not mean that it should be placed under the Ministry of Agriculture and Livestock Development.

The President also mentioned the issue of Harambees. This is an issue which has been talked much about by some of the Ministers.

In my view, the Harambee spirit has been very good but the only problem is that it has been misused in the past. I think that the Government should have come up with a policy where the spirit of Harambee is encouraged. This is because it is enshrined in our culture. The Harambee spirit has been there before and the Government should come up with a policy, so that it is carried on but in a more organised way, devoid of corruption and the money raised is used well. This is because you will realise that as much as we appreciate that

the President said that schools will be built in certain areas, it will take some time. This will not be done tomorrow. This might take a few more years. Meanwhile, we need to get the schools going. In areas where some of us come from, there are very few schools, which are built of mud, while others are incomplete. We had hoped that the Harambee spirit will continue so that the schools could be completed. We have no problem if the Government can provide an immediate alternative. But this is an issue that all of us should look into. This is because we cannot politicise the education of our children. This is an issue which all of us should look into. All of us will agree that without education, our children will have problems in future.

As regards land, I appreciated when the President said that it will be used for economic, environmental and social values. We would like to see settlement schemes where people have settled being retained. You should not tell people to move from the settlement schemes. It is important that a discussion is held so that the land can be allocated to people in the right manner, in order to use it for their economic benefit and this country.

Mr. Deputy Speaker, Sir, it is not a matter of saying that we are revoking the allocation or the settlement of people. The people who you will resettle will be the same Kenyans and they will use that land for the same purpose. So, it is important that, that issue is looked into so that people can be allocated land properly and use it because it belongs to all Kenyans.

With regard to the liberalisation of the economy, I think it is important that we do not do partial liberalisation. If you look at a company, for example, the Kenya Petroleum Refineries--- We liberalised the energy sector but said that the Kenya Petroleum Refineries will retain some old "traditions" where the company was required to import crude oil and refine it. The private companies were also forced to import crude oil and process it at the Kenya Petroleum Refineries. If you liberalise the market, let people import what they want. Do not protect certain industries to the detriment of Kenyans or to the extent that for any crude oil which is imported into this country, Kenyans pay an extra Kshs2 as opposed to imported materials.

If we carry out reforms or restructuring, let us do this in totality. Let it not be partial restructuring. This is because the Kenya Petroleum Refineries was initially meant to be the only institution which could produce LPG, which can now be imported.

The Assistant Minister for Tourism and Information (Mrs. Mugo): Thank you, Mr. Deputy Speaker, Sir. First of all, let me congratulate the President for giving such a good and comprehensive Speech which touched on all the areas. It also revealed what we should do to achieve economic growth and enhance the social sector. It also promoted unity and harmony.

I also want to thank the people of Kenya for electing so many women to this House for the first time. There is still room for more. I would also like to thank the political parties from both sides of the House for nominating women in large numbers. I would also like to thank the President for appointing many women Ministers in the Cabinet.

We all agree that we have to revive the economy of this country. We cannot revive the economy of this country unless we put to use the assets which are available. One such asset is the KICC, which was built with public money. The money was paid in form of cheques from the Treasury. Nobody can claim that this building is private property or belongs to a political party when the public coffers paid for the construction of such a building. Our Ministry has been charged, together with the Ministry of Agriculture and Livestock Development, to find money to pay for the services the hon. Members of this House are happy about, such as education and health. This is because money has to come from somewhere.

When the KICC used to host conferences, the hotels in Nairobi were full all the time. It brought a lot of money through conference tourism. It is to such use that the Ministry of Tourism and Information intends to put it to, so that we can earn money to pay for services to Kenyans and stop depending on donor aid all the time when we have the resources. I would like to inform my colleagues on the other side of the House that we follow the rule of law. Had KANU followed the rule of law, it would never have taken what had not belonged to them from the beginning.

The Member for Mwatate (Maj. Madoka): On a point of order, Mr. Deputy Speaker, Sir. Is the gracious lady in order to keep on bringing up this issue when the matter is in court?

The Assistant Minister for Tourism and Information (Mrs. Mugo): Mr. Deputy Speaker, Sir, if I remember correctly, it is the other side of the House which started that debate. It was not us who started this debate.

Mr. Deputy Speaker: Order, Mrs. Mugo! Earlier on, this side of the House started the issue of the KICC. Indeed, Mrs. Mugo stood on a point of order and the Chair ruled that she could reply when her time came.

(Applause)

The Assistant Minister for Tourism and Information (Mrs. Mugo): Thank you, Mr. Deputy Speaker, Sir. I will not dwell very much on it. I would like to say that in a building where there is a coat of arms and a police post in the basement, these are signs that this is a public place. We have no intention of turning it to a NARC building, but all we have done is to take it back to the people and ensure that everybody housed there pays rent. Even KANU is welcome to pay rent when they come there and behave.

(Applause)

I would also like to assure my brothers and sisters on the other side of the House that the building still belongs to them. All we want is to share with them what is obtained from there as Kenyans because we helped in its construction. Again, we implied that we are ready to go to court. We maintain the *status quo* that this is a public property. We are prepared to go and explain our side of the story, just like KANU did. The judge did not give us a chance to explain. We are going to explain the people's case.

I am happy the hon. Member for North Horr did acknowledge that the courts require reforms and corruption is rampant there. Sometimes, you do not know the rulings which come from that place, but we are ready to go and defend our action. We follow the rule of law. May I remind them that my appointing agent is His Excellency the President. So, my bosses are the President and the people of Dagoretti who elected me to this House.

Mr. Deputy Speaker, Sir, I would like to commend the President for his care, and especially in the area of education by making it compulsory for every Kenyan to have free primary school education. Indeed, the NARC Government has already implemented quite a lot. Remember we found this country in a very big mess and we are doing a lot to change this. So, most of the things the other side of the House are talking about are in the pipeline to being implemented.

On education, I would like to ask the Minister for Education, Science and Technology to take care of the girl child, especially from North Eastern Province. It was very sad to read about the child who walked all the way to Nairobi only to be raped. As we support education for all, specifically, we would like to see a certain amount of bursaries being given to the girl child, especially in the arid districts.

Mr. Deputy Speaker, Sir, I also want to thank the President for appointing a lady Minister to be in charge of water. This means we shall have water. I would also request the Minister for Water Resources Management and Development, the Nairobi City Council and the Ministry of Local Government to co-ordinate the supply of water in urban areas. The people of Nairobi and those of other municipalities deserve better delivery of water and we know that is going to happen.

Mr. Deputy Speaker, Sir, we also want to thank the President for putting a lot of emphasis on the area of agriculture because this means that we shall feed our people. I would call on cheaper implements to be supplied in order to make sure that the small-scale farmer who is the woman is able to deliver.

Mr. Deputy Speaker, Sir, I also want to bring out the point of hawkers. We thank the Minister for Local Government who we have seen everywhere sorting out the mess in the city and relocating the street families. We ask for more support from all Kenyans and NGOs to take this fight as their own so that these families are taken care of. Another area is that of hawkers. In fact, when we start relocating them, we should relocate them in areas where they can do meaningful business because this remains the only sector that can really create a lot of employment besides the *jua kali* sector.

Mr. Deputy Speaker, Sir, the NARC Government did promise a lot of service delivery. We have seen this already on the roads. I was surprised to hear one of the shadow Ministers say we do not want private roads, but we want public roads. Yes, we want public roads, but we know that even in developed countries like the USA, certain stretches of major roads including bridges are undertaken privately. I think instead of just opposing for the sake of opposing, it is good to look into the wisdom behind what is being said. We do not want to close up the private sector. Roads belong to everybody, but there are some areas that the private sector can help and we should not close that opening if we get help from international donors. At least, the private sector is here with us.

Mr. Deputy Speaker, Sir, I want to support the hon. Member who talked about illicit brews. We have seen too much of suffering on the part of our youths and husbands. Two weeks ago, women demonstrated in Gatanga and complained for being taken to court for pouring illicit brews. That should not happen again. I would like to call for the closure of the Naivasha brewery which prepares such lethal brews. We know that the liquid that is taken to the Government Chemist for these breweries to get a licence is not normally the one that is sold. So, all those questionable brews should be discouraged and not only that, but their licences should be withdrawn. It is the only way we will save our youths from collapse. We will encourage our youths to work. Now that there is an opportunity for those jobs to be created, we want to help the youths who are ready to take up their employment.

Mr. Deputy Speaker, Sir, I wish to support.

The Member for Mosop (Mr. Sambu): Thank you, Mr. Deputy Speaker, Sir. I also wish to thank His Excellency the President for his Speech which covered most of the areas of the life of this nation. Firstly, I congratulate the President for being elected and forming the Government. In his Speech yesterday, the President started off by saying that this Government will have zero-tolerance on corruption. I totally support that and I say that let us show it by practical examples. We know that officers have been taken to court after being investigated by the Anti-Corruption Unit. However, I also do know that there are officers who are still serving in the Government and have appeared either here in the Public Investments Committee (PIC) or in Public Accounts Committee (PAC), and this House has adopted reports of these two Committees which have recommended that such people should not hold public offices and they should be prosecuted by the Attorney-General.

Mr. Deputy Speaker, Sir, I wish to say that the Government should start with those ones who are still serving in the Government because they are still there. I do not want to name them, but we do know them. Some have even appeared in court, but they have ended up in the Government. So, whereas I support the President for his zero-tolerance on corruption, that must be shown by an all-round action so that it may not look like it is targeting certain groups or communities.

Mr. Deputy Speaker, Sir, I do support the policy of the Government that it is going to support the *matatu* operators in eliminating those goons who purport to manage the bus stages. It has been a sad affair that for somebody who has invested nothing comes every morning and harvests where he did not sow. Let the *majeshis* or whatever they are called be abolished.

Mr. Deputy Speaker, Sir, I also do support the Government's policy on job creation. For many years this nation has suffered because instead of it growing and creating jobs, because the population is growing, it has rather been going down. I come from a town which has witnessed the deterioration and closure of industries. These include Rift Valley Textiles (Rivatex), Furfural and Kenya Co-operative Creameries (KCC). All the industries in the Kenya Industrial Estates (KIE) owned by Africans have all been closed down. If you go to Kisumu, there is Kisumu Cotton Mills (Kicomi). In Nanyuki there is the Nanyuki Textile Mills. There is the Kenya Taitex Mills (KTM) in Thika. I wish to state that before we call for foreign investors, let us first revive these industries. Rivatex, for example, employs well over 3,000 people. So, whereas we are calling for foreign investors let us first revive the Government investments which have gone to waste. If we revive these industries, it will also mean that we generate direct revenue to the Treasury which, as it is now, is just lying idle.

Mr. Deputy Speaker, Sir, we talk of foreign investors and we talk of giving them incentives, but there are also African or Kenyan investors. I know of people who own industries which have been closed down because of high interest rates. We should also look at the Kenyan investors. Let us revive the Kenyan industries as well. We should not just please the Indians. Many Indians, and I am sorry to say this, have made Kenya the milking cow and that is why the dollar exchange rate always remains high up there at Kshs70, Kshs76 or Kshs80. Let us do something about the African investors whose industries have also suffered, and there are many. If you go to Industrial Area you will find that many industries have closed down and they were owned by our people. They should be revived.

Mr. Deputy Speaker, Sir, whereas we talk of African Growth and Opportunity Act (AGOA), whereby the US market is being opened for duty-free apparel or garments from Kenya, we do not grow our own cotton and hence we do not benefit. So, I am saying that I want the new Government to look again at the cotton industry. Where did we go wrong? If it is the Cotton Lint and Seed Marketing Board that brought these problems, then it should be abolished. I wish the Minister for Co-operative Development was here to know that it is the co-operative sector which has a major role to play in the revival of the cotton industry. We have to revive the cotton industry.

Mr. Deputy Speaker, Sir, we know that we cannot create industries to employ all Kenyans. I would urge the new Government to start irrigation schemes so that Kenyans can invest in the fragile ecosystems like the forests or the mountains. We have a lot of water flowing freely and causing floods in areas like Western Kenya. Why do we not dam these rivers and create irrigation schemes for a start? Other governments have caused the demise of the irrigation schemes. Let us revive those ones and then also create new irrigation schemes where we can produce goods. We are now importing rice from Vietnam and Pakistan. Why should we do so when we have water going to waste in the Indian Ocean or Lake Victoria and going to Egypt? Let us revive the irrigation schemes and let us create new irrigation schemes.

Mr. Deputy Speaker, Sir, yesterday, this nation marked the death of Dedan Kimathi as a show of respect for the freedom fighters of this nation. I would urge this Government to do something about the freedom fighters of this nation. They could not educate their children because many of them were in detention. The Government should settle them if there is land. Kenyan freedom fighters are not just those who belonged to the Mau Mau movement. There were also other freedom fighters including those who resisted the British rule like the Nandis, while other communities submitted. Therefore, the struggle for freedom should look at all aspects. Today, Nandi

District has been subdivided into two, and one half of the district is still owned by British colonialists.

If you go to London, you will notice that Kapchorwa Tea Estate in Nandi Hills, George Williamson, Kakuzi Limited and Eastern Produce are quoted on the London Stock Exchange. This country is subsidizing the living standards of the Britons while our own people are living as squatters, and whenever they want to expand their tea estates, they are pushed. That is why some "Black" Europeans both on the Government and the Opposition sides of the House have also come to push out the Africans. Instead of the Nandi or the Kipsigis, or the people in Limuru, buying the tea estates, the "Black" Europeans have taken over these tea estates because they can get access to loans. In Nandi, this time, we are saying no. We need to have a stake in the tea estates there so that while they are being quoted in the stock exchange in London or here, the benefits should be ploughed back to the local people. From a population of 30,000 people, over 3,000 people were killed and all our cattle were rounded up, driven to Muhoroni and transported by railway to a place we do not know.

Mr. Deputy Speaker, Sir, I said this when I was on the Government side, and I will repeat it now, that there will be no peace in this nation unless land is restored back to its original owners. Unless the freedom fighters, including the Mau Mau, are respected and given their rightful share of this nation's resources, there will be no peace.

Mr. Deputy Speaker, Sir, I concur with the policy of this Government on free education. We have seen what happened when we allowed schools to charge what they wanted. I am happy that they are going to audit the schools. I would urge the Government to audit all the primary schools and they should not use the district auditors. Now that the schools are full, we need to employ more teachers.

I am urging the Government to ask the Teachers Service Commission to employ more teachers. When we pass the Supplementary Estimates, funds should be set aside to employ more primary school teachers. There is a shortage of over 60,000 primary school teachers. Let them be employed.

Mr. Deputy Speaker: Order! Your time is up!

The Member for Kerugoya-Kutus (Mr. Karaba): Thank you, Mr. Deputy Speaker, Sir. My names are: Daniel Karaba, the Member for Kerugoya-Kutus, Kirinyaga District. I will start by thanking His Excellency the President for his wonderful speech that he delivered yesterday. Although most people were expecting it to be shoddy, it turned out to be good and balanced, it touched on every environment and region. He started off by talking more about agriculture, which is the mainstay of our economy, and he put emphasis on the measures that will be taken to improve agriculture. He further explained how prices of inputs like fertilizers and other related items are going to be reduced so that we improve on agriculture. That one was very commendable and we are hoping that in future we will be talking of agro-based industries and other cottage industries so that we can move ahead. For that, he deserves a pat on his back.

On the infrastructure, that is on roads and railways; it is important to note that for a long time, the railway transport system has declined over time. That one has even caused a lot of damage on our roads and we are hoping that with the appointment of a very dynamic Minister, we are going to improve on the railway transport so that the bulk transport system can be retained and maintained so that we restore the roads which otherwise would have been destroyed by the heavy trucks.

We ask the Government to think about power supply to most of our areas, especially where I come from. It is serious to note that some of the places where power is produced do not have electricity. For example, we have the Kiambere and Turkwel Gorge Dams which produce power. The power is transmitted to areas far away, leaving the surrounding areas without power. I am, therefore, urging the NARC Government, as it takes over, to ensure that those areas which are endowed with power generation plants are also supplied with power. That can be done through the Rural Electrification Programme, which I believe should be initiated.

I also agree with the President that free education should be introduced, and it is true that it has been introduced. As we talk about free education, this is the toughest Ministry to most of us. I, also having been a teacher for a long time, echo that this is a very important exercise and I believe if it succeeds, we will not be talking about poverty reduction because most of the people in Kenya will be literate and they will be able even to carry out their business without any hindrance.

Mr. Deputy Speaker, Sir, I would like the Government to give attention to the school fees charged in secondary schools. We might take a lot of time educating pupils from Standard One to Standard Eight, but they may not continue with secondary school education after qualifying because of the high fees charged by schools. I, therefore, ask the Government to look into secondary school education so that the fees is either reduced or the secondary schools are assisted so as to lower the fees which is already very high.

While considering free education for primary schools, it is important to talk about nursery schools. If we do not consider them, that can be a misplaced effort. I would like to ask the Government to come up with a policy to provide free nursery education, particularly in urban areas, so that those who cannot even afford to pay fees in Standard One can start off fairly well in nursery schools. I, therefore, look forward to this.

Mr. Deputy Speaker, Sir, it is also very important for the Government to consider putting up extra classrooms. It is true that many areas in Kenya do not have adequate learning facilities. It is also true that right now some of the students are learning under trees. I would, therefore, like to ask the Government to think of how they can come up with extra funding so that we put up more classes.

It is gratifying to note that in the President's Speech, he said that he is going to set aside funds to put up classrooms. Some schools in the rural areas up to now are charging the building fund. They are talking of a building fund that was in existence last year which some parents had paid. We should come up with a clear-cut policy so that parents are not necessarily bothered by the Building Fund.

Mr. Deputy Speaker, Sir, when it comes to who is going to provide that education, I believe quality education is also the mainstay of our nation. We should talk of quality and not quantitative education. When we talk about quality education, we should address ourselves to the plight of teachers. It is true that the teachers have really suffered a lot over the past decades and they are the ones who are put into problems when a policy like this is to succeed. Teachers are forced to put more effort in their work in order to manage a bigger class and more subjects. Teachers should surely be considered. One of our campaign pledges was that the teachers were going to be paid within the first 100 days as a Government. I do not know whether that pledge still stands. Some of us are in this august House because we promised teachers that that would be our first priority. I would like to ask the Government to consider teachers as they talk of free education. If we do not remunerate or motivate teachers adequately, they may not really support this free education policy. We might not get the quality education that we are talking of.

With regard to security, His Excellency the President was very emphatic. He talked of how he is going to beef up security in all areas, and particularly in North Eastern and other trouble-ridden areas. I believe that even those stage-managed tribal clashes will be history from now henceforth. Even hon. Members of Parliament should also be protected in the House and in the rural areas. In some instances, security is provided to a chief or a sub-chief who is usually surrounded by six *askaris*, whereas the area Member of Parliament does not have anybody to protect him. I would like to request the Government to provide security to all hon. Members of Parliament.

Mr. Deputy Speaker Sir, regarding international relations, His Excellency the President talked of the importance of relating well with our neighbours. It is important that even other distant friends like Britain and America recognise that Kenya is a country and we should be accorded the membership that we used to hold in the United Nations Charter. We are members of the United Nations and, therefore, we should be accorded the freedom that is accorded to many others as we struggle to get visas to travel to those places. It has been noted that sometimes when a Kenyan travels out, he is treated like a second-class citizen. You are not regarded as a national of Kenya. I, therefore, ask the Government to put a lot of emphasis on this issue so that we enjoy international freedom like many other people have enjoyed elsewhere. We allow very many people to come to Kenya and accord them all the hospitality. The same should apply to Kenyans when they travel outside the country.

Mr. Deputy Speaker, Sir, with regard to Parliamentary Committees which are charged with looking into various aspects, I wish that these committees could vet the appointments of some of the public officers so that we are directly involved in their appointments. Some of the appointments are questionable because some of the officers are wanting. When you talk about balancing, we should be involved in all aspects. *Siasa mbaya ni maisha mabaya*. I do not know whether the same applies this time. Kenyans should be treated equally as partners of progress. We should not ignore some areas because they are represented by the Opposition. We were in the Opposition last time and we suffered. Now that we are in Government, we should continue exercising zero tolerance to corruption as stated by the President.

Mr. Deputy Speaker, Sir, lastly, the environment is very important. If there is no rainfall we cannot produce any food. We should protect and maintain the forests just as the President noted with a lot of interest. We should, therefore, as hon. Members of Parliament support this.

Thank you very much.

The Member for Keiyo North (Mr. Chepkitony): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I would like to congratulate His Excellency the President for his Speech which covered a wide scope of our economy. However, I would like to comment on some areas.

Whereas I agree with him fully that we should have zero tolerance on corruption, I think in order to put this proposition into effectiveness, we should put some measures in place. In the past, civil servants were not allowed to participate in business, but there came a time when they were allowed to go into business. This was after the famous Ndegwa Commission. Recently, I heard the Minister for Roads, Public Works and Housing warning his engineers to resign if they are road contractors. I think, in order to have zero tolerance to corruption, it should start from the Government and the private sector. A policy should be formulated whether civil servants should participate in business. This goes in line with the Civil Service Reform Programme. Civil servants,

including doctors and engineers, should be given good salaries and barred from engaging in business.

Mr. Deputy Speaker, Sir, although universal free education in primary schools is a good policy, the same should be extended to secondary schools. If this is not possible, at least they should review secondary school fees, because many parents are unable to pay fees.

The whole Speech revolved around the economy. The President mentioned that without a good economy, we cannot move forward. In the last ten years, the economy has not grown. This coincided with economic and trade liberalization. When there was liberalization, our industries which were operating under the old systems could not compete. In order for our industries to thrive, measures should have been taken to revive them. Many have collapsed, and we should find out why they have collapsed. It is not only the public institutions or the parastatals which have collapsed, but all those industries which are owned by private individuals have closed. If you go to the Industrial Area you will note that industrial plants which used to make good business have all gone under. In order to develop our industries, we should allow modernisation. A lot of our industries are operated with obsolete machinery which cannot compete with the modern industries outside the country. In order to revive these industries, I think they should be allowed to import capital machinery, duty-free. They should be allowed to borrow at very low interest rates in order for them to be revived. Some of the problems they face are high interest rates, high cost of energy, non-availability of raw materials and high duty on raw materials. We have had a lot of problems affecting our manufacturing sector which should be addressed in a broader way.

There is one issue which has cropped up recently since the new Government was elected. We have had hawkers blocking streets in most towns. It is not even possible to get parking space in many towns. We would like the Government to issue a policy decision and take action concerning this problem. The Government should allocate specific areas for these hawkers so that they do not roam all over the towns.

It used to be said that agriculture was the backbone of our economy, and I think this is still the case. It is also the engine of our development because most of our industries are agriculture-based. Agriculture needs to be supported by creation of wealth. Farmers lack credit facilities. A lot has been said in the past about making the AFC an agricultural bank. I think this should still be pursued. It should be made an agricultural bank, but it should not fall under the Banking Act so that it can have special interest rates. It should be turned into a regional bank geared towards financing agriculture throughout the Republic.

On the energy sector, financing of rural electrification was provided until three years ago when this was stopped, except for foreign donors who have only been financing a few areas. A policy should be made with regard to financing of rural electrification. It is not clear whether rural electrification should be provided for free or not. In some areas people are told to pay 10 per cent for financing of these projects, and that the remaining 90 per cent will be covered through the Rural Electrification Fund. Rural electrification should be carried out in the rural areas in order to create employment opportunities, improve the quality of life, and stop the rural-urban migration. We will require a policy which will encourage the expansion of rural electrification to public areas, schools, hospitals and so on.

Thank you, Mr. Deputy Speaker, Sir.

The Member for Ikolomani (Dr. Khalwale): Thank you, Mr. Deputy Speaker, Sir. My name is Dr. Khalwale. I am the MP for Ikolomani in Kakamega.

I would like from the onset to say how grateful I am to the people of Ikolomani for giving me a chance to be here with you, nice people of this country. I would also like to thank them for voting in the NARC Party and a very able Head of State. I would also like to thank the President for having recognised the people of Ikolomani because in the history of this country they have never had a son or daughter of theirs being appointed to the position of a Provincial Commissioner. We have also never been appointed to the position of a PPO. To us, this is a very important and momentous thing. I would like to also thank the Speaker for allowing me to speak here because on my way to this House, I have had to address college student meetings, funerals at home, weddings and public rallies in rehearsal for this moment. I want to say thank you very much. This is very important to me because I want to speak in this House on the very first day.

I would like to speak on behalf of the retrenched civil servants in this country. In the President's good speech yesterday, he told us that our Government would be for the welfare of all Kenyans. I am urging the Government to either probe the manner in which Kenyans were retrenched or reinstate all of them. On the issue of free primary education, I would like to urge the Government to go an extra mile in ensuring that free primary education be converted to universal education. I would like the Government to recognise the fact that free primary education has erected new obstacles that are now very evident back at home. One is that we do not have enough teachers and it is, therefore, very important that we urgently employ at least 50,000 primary school teachers.

It is also important that instead of limiting free education purely for primary schools, this should also be extended to pre-primary schools. We have the early childhood development teachers. This House urges the

Government to convert employment of early childhood teachers so that they can fall under the Ministry of Education instead of being where they are presently. In Kakamega, these very important teachers are paid by the Parents-Teachers Associations. Now that parents are aware that education is free, they are very reluctant to give any money to heads of schools.

There is also the problem of over-age students. I believe when we read in the print media that a 29-year-old boy enrolled in a primary school and he was allowed to attend class, this is converting a noble cause into a joke. You cannot expect a 29-year old man to sit in the same classroom with a six-year old child. I, therefore, urge the Government to re-introduce adult education so that such people can then be accommodated in that way.

Mr. Deputy Speaker, Sir, much as we like the President, we would like the people of Ikolomani to take him as their President. History has taught us in this country that, during the founding father of this nation, President Jomo Kenyatta's Government, we had something called the "Kiambu mafia"; and during President Moi's Government, we had something called "Rift Valley mafia". We had started to read funny things to the effect that we are now having something called the "Mt. Kenya mafia". I am urging that this be got rid of with immediate effect, so that all Kenyans feel that they have direct access to our good President.

Mr. Deputy Speaker, Sir, the President mentioned the issue of health and the official Government position towards health in this country is the National Hospital Insurance Fund (NHIF). I would like to urge the Government to ensure that matters pertaining to hospital insurance be handled in such a manner that the current system, which supports patients who are employees and subscribers to NHIF to pay for the bed, it should be changed such that it should go towards meeting the cost of the drugs, laboratory charges and other investigations. The NHIF should also cater for out-patient services.

I would like to congratulate the Chair for having said that there will be a special retreat for us new hon. Members, for proper induction. However, may I chip in and say that, I hope this induction retreat will not be done in Mombasa or Nairobi. Instead, I request that, it should be done at the Golf Hotel, Kakamega, so that the Minister for Tourism and Information, hon. Tuju, can see for himself the great potential in Western Province.

I am aware that on 15th March last year, the Western Circuit of Tourism was made official. However, nothing has been done towards addressing the issue of the necessary infrastructure that would make this a reality. Hon. Members, in fact, I am a promoter of bull fighting back at home; a unique sport that has not been seen anywhere else in the world. I offer hon. Members a free show, when they will come for that retreat in Western Province.

(Applause)

Mr. Deputy Speaker, Sir, towards this end, I am aware for a long time, Kakamega Forest, just like all other tourist resources in this country, has been attracting visitors. However, it is important that as we now welcome a rational Government in office, the issue of the local community surrounding such great attraction, like Kakamega Forest, benefit directly from the tourists who come to this country. So, I am urging this House to put a legislation in place that would state categorically that monies realised from tourism will go directly to the local communities and a small portion goes to the Central Government.

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

The Member for Sigor (Mr. Rotino): Mr. Deputy Speaker, Sir, thank you very much for giving me the opportunity to contribute to this Motion.

My names are Philip Rotino, Member of Parliament for Sigor, West Pokot. I served in this House in 1992 to 1997, I went on leave and I am back again.

From the outset, I want to thank the people of Sigor Constituency for voting me back to Parliament and restoring their confidence in me again. I think when I was their Member of Parliament in 1992-1997, I did a good job and they decided to vote me back to the House to represent them. So, I want to thank them as I give my maiden speech. They did a good job to vote me back to Parliament and I am here to stay!

Mr. Deputy Speaker, Sir, I want to thank the people of Kenya for voting the NARC Government into office to bring a change. We always say that: "Change is as good as a rest." When you are used to a system, sometimes it is good to have a change and then you can see what the change is going to be. This is because my colleagues on the other side of the House were very good when they were in the Opposition. They were shouting and telling the Government to do this and that. It is them now who are sitting on the Government side, let us see what they are going to do.

Mr. Deputy Speaker, Sir, during the inauguration ceremony of our beloved President Mwai Kibaki, I was

very offended because he did not thank the retired President in his speech. I read the speech very well and I noted that he did not make any reference to the retired President. It was very offensive. It is African that when a President has ruled peacefully for 24 years, he should be appreciated. This country never went to war. We enjoyed peace for those 24 years. I would have expected His Excellency President Kibaki to thank the retired President because he even handed over the Government very peacefully. I believe he offended many Kenyans. In my view, I felt that speech was not good.

Mr. Deputy Speaker, Sir, I want to talk about the Civil Service in this country. Civil servants in this country are demoralised. I want to thank the President because he talked about them in his speech. He said he will strive to take care of civil servants because they are the backbone of the Government, and run its day to day activities. The Government should take care of them and restore confidence in the Civil Service. I do know of countries like Germany or Italy where the Government changes hands all the time, but the Civil Service remains intact. The police force is also demoralised. It is my prayer that the NARC Government, despite its many promises to citizens of this country, will restore confidence in the police force.

Mr. Deputy Speaker, Sir, I want to talk about affordable health service. The President did mention that his Government will provide affordable health service to all Kenyans. Right now, in my area, malaria is killing our people. They cannot afford drugs because they are very expensive. I would like to thank the President for promising Kenyans affordable health service. I would also like to thank him for appointing a capable Minister who will take care of our people. Drugs in this country are very expensive and our people cannot afford them. The health institutions are very far apart, especially in the ASAL areas. Many of our people cannot access them on time when they are sick. Some of us avail our vehicles to be used as ambulances because there are no ambulances in Sigor Health Centre. Our people live very far from health institutions. It is my prayer that this Government will provide ambulances and avail drugs to our people. They should even provide preventive medical services. Many of my people are using herbs because they cannot afford drugs.

Mr. Deputy Speaker, Sir, I would now like to talk about pastoralism. In his Address to this House, the President indicated clearly that his Government will make a deliberate attempt to assist nomadic communities. I come from a nomadic community myself where at one time, children could not access education because the Government then did not make any effort to put up nomadic schools. People in that area move from one place to another in search of pastures.

As the Government implements its policy of free primary education, it should go ahead and put up the necessary infrastructure, provide other basic facilities and provide teachers. The Government should also try to assist local people to go through teacher training colleges and have them posted to those areas. If you post to my area somebody from, say, Central Province, or other part of the country, he will not stay there because of the harsh environment in that area. So, through the quota system, the Government should try to help those who come from those areas in the field of education.

Mr. Deputy Speaker, Sir, I would like to join some of my colleagues in addressing issues relating to the agricultural sector. As we all know, agriculture is the backbone of our economy. When he was the Leader of the Official Opposition, every time he stood here, the President reiterated the need for us to revive the agricultural sector. Seventy-five per cent of this country's population depends on agriculture for its survival. Therefore, I would like the Government to make a deliberate effort to subsidise the production costs incurred by farmers.

Agricultural inputs such as fertilizers are imported from countries such as the United States of America. When a bag of fertilizer reaches the Port of Mombasa, its cost stands at approximately Kshs600. However, when the same fertilizer reaches upcountry, it goes for between Kshs900 and Kshs1,500. So, the Government could charge, say, the National Cereals and Produce Board (NCPB), with the responsibility of distributing fertilizers to farmers as a way of ensuring that this very important agricultural input does not become so expensive. The distribution of fertilizers from the Port of Mombasa should not be left to the Asians. These people are "killing" our farmers. They sell the commodity to farmers at exorbitant prices on the pretext that transportation costs are very high.

I would now like to talk about the co-operative societies. I come from an area where people grow pyrethrum. As I speak, pyrethrum farmers have not been paid their dues for the last seven months. The Kenya Pyrethrum Board makes money. The Board receives the crop from the farmer and exports it to the United States of America. However, it does not pay the farmer his dues despite the fact that the pyrethrum farmer depends entirely on the produce. I am, therefore, requesting the Minister in charge of co-operative societies to intervene and save our pyrethrum farmers. Currently, pyrethrum farmers in my area are contemplating abandoning growing the crop in favour of growing something else. That will not be a very good move to make. I am, therefore, appealing to the Minister for Co-operative Development to intervene and save the farmers the soonest possible.

I will now talk about our water resources. I would like to thank the President for noting that our water

resources are being depleted. Water catchment areas in this country are being destroyed. The Government should, therefore, assist our foresters to effectively protect our forests. Moving around and sacking everybody will not solve the problem. The Government should rather build confidence in its forest officers. As it is now, when the Minister for Environment, Natural Resources and Wildlife visits any given district, the District Forests Officer gets shaken, fearing that he may be sacked. The Minister for Local Government also moves around the country and sacks chief officers of local authorities. Right now, he is on a sacking spree. Ministers should stop instilling fear in Government officers and instead take the necessary steps to improve service delivery.

Mr. Deputy Speaker, Sir, lately, this country has witnessed increased cases of industrial unrest because the National Rainbow Coalition (NARC) promised Kenyans a lot of things during the electioneering period. However, it has not fulfilled those pledges.

Mr. Deputy Speaker: Your time is up, Mr. Rotino.

The Member for Sigor (Mr. Rotino): With those few remarks, I thank you, Sir.

The Member for Malindi (Mr. L. Maitha): Mr. Deputy Speaker, Sir, my names are Lukas Maitha, Member of Parliament for Malindi Constituency. I wish to commend the Speech by His Excellency the President which, to me, was very bold and courageous. It gave so many Kenyans hope. Actually, I wonder sometimes; if it were not for the change that took place, I cannot imagine what could have happened in the next five years had the last regime continued to be in power. Sometimes I know the wind of change started blowing right back in the early 90s. But, unfortunately, my own people, especially from the Coast Province, were very rigid. They were anti-change. I want to take this opportunity to commend the people of Coast Province because this time round, they were not left behind. They joined the train for change and we are part of the changed society as everybody else. But the wave of change, especially in the Coast Province, came because of many reasons.

Actually if we talk about marginalised societies, many people imagine that the Coast Province region is developed. That is not the case. Coast Province is one of the most marginalised areas, despite the fact that it is one of the richest areas which generate a lot of revenue to this country. But it has been misused for all that time. For example, I want to commend the President's Speech with regard to the reviving of the economy. As my colleagues have said, Kenya is not an industrial country. Its economy is agricultural based. But when we talk about reviving and having a meaningful economy, the question of land is very central. We want to give incentives to the farmers, but first, we should encourage people to be farmers. If we have to encourage them to be farmers, we have to give them land.

Mr. Deputy Speaker, Sir, out of the 30 million Kenyans, only 12 million own land, while 18 million people do not own an inch of land. That is a pathetic situation. How do you expect the economy to grow, if we do not give land to our people? I know that has been what we call a misrule.

For example, in the coast region, land has been used as a form of rewarding people who are politically-correct in the last regime. Anybody who was politically-correct in the KANU regime used to be given a beach plot or some land in the Coast region. I wish the Minister for Lands and Settlement was here. Since the President said that his Government is committed to zero tolerance of corruption, it should start with the Department of Lands. That is the hub of corruption. Anybody could walk in there and get a title deed. Some land was even registered twice or thrice!

I want the Government, and it is the expectations of my people, to address the land issue. I remember that in 1983, out of a Presidential Decree, it was said that all frontline beach plots could only be issued with the consent of the President. That was the single line which deprived my people of land on the beach. None of the Giriamas own a single beach plot! Those people have lived there for centuries! We have people coming with title deeds from nowhere! We call them "foreigners" and they are Kenyans, but we do not allow them to come and evict us from parcels of land where we have lived for 50 years.

ADJOURNMENT

Mr. Deputy Speaker: Order! Mr. Maitha, I have been told that you still have five minutes. So, you will be the first to speak tomorrow and utilise your five minutes.

Hon. Members, it is now time to interrupt the business of the House today. The House is, therefore, adjourned until tomorrow, Thursday, 20th February, 2003, at 2.30 p.m.

The House rose at 6.30 p.m.