

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 5th May, 2009

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

TRIBUTE TO THE LATE HON. CHARLES
LILECHI LUGANO

(Several hon. Members stood at the Bar)

Mr. Speaker: Order, hon. Members! Could those Members at the Bar, please, step in? Hon. Members, I have the following Communication to make. It is, once again, with profound grief and shock, that I learnt of the sudden and untimely death of hon. Charles Lilechi Lugano, Member of Parliament for Shinyalu Constituency, which occurred on Monday, 4th May, 2009, while undergoing treatment at the Nairobi Hospital. It is particularly saddening to note that hon. Lugano becomes the fifth Member of this House to pass on in such a short span of the Tenth Parliament.

Hon. Charles Lugano was born in 1953 in the then larger Kakamega District. He was elected to Parliament during the General Election of December, 2007, on an Orange Democratic Movement (ODM) Party ticket. During his short parliamentary career, he served in the Constituency Development Fund (CDF) Committee, of which he was an active and committed Member. Hon. Lugano will be remembered for his humility, dedication to service, not only to his constituents, but also to the country as a whole. Before being elected to Parliament, the late Member served as the General Manager of Turkana Fisheries Co-operative Society and as a Chief Accountant with the Kenya Red Cross Society before venturing into and curving a distinguished career in business. Many of us who interacted and worked with hon. Lugano will acknowledge that he was a humble, gentle and amiable personality and we will all miss him.

On behalf of the House and, indeed, on my own behalf, I send out our heartfelt condolences to the family, relatives, friends, constituents and the people of Kenya during this difficult moment of loss and grieve. May the Almighty God grant solace and comfort to the bereaved family and give them strength to bear the great loss. May God place his soul in eternal peace. Amen.

Hon. Members, in honour of our departed colleague, and in our established tradition, I will request that we all stand up and observe a minute of silence in his honour.

(The House observed a moment of silence)

Thank you, hon. Members!

PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of Research Development Unit Ltd. for the year ended 30th June, 2006, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Research Development Unit Ltd. for the year ended 30th June, 2007, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Office of the Deputy Prime Minister
and Ministry of Finance (Dr. Oburu)*

Annual Report and Accounts of Kenya Investment Authority for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Capital Markets Authority for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Office of the Deputy Prime Minister
and Ministry of Finance (Dr. Oburu on behalf of the
Deputy Prime Minister and Minister for Finance)*

Annual Report and Accounts of Industrial and Commercial Development Corporation for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Office of the Deputy Prime Minister
and Ministry of Finance (Dr. Oburu) on behalf
of the Minister for Trade)*

Annual Report and Accounts of Tana Water Services Board for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Water Services Regulatory Board for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Kikuyu Water Company Limited for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of the Ruiru-Juja Water and Sewerage Company Limited for the year ended 30th June, 2007, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Ruiru-Juja Water and Sewerage Company Limited for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Office of the Deputy Prime Minister
and Ministry of Finance (Dr. Oburu) on behalf of the
Minister for Water and Irrigation)*

Annual Report and Accounts of the Kenya National Examinations Council for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Registration of Certified Public Secretaries Board for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Office of the Deputy Prime Minister and
Ministry of Finance (Dr. Oburu) on behalf
of the Minister for Education)*

Annual Report and Accounts of Tea Research Foundation of Kenya for the year ended 30th June, 2007, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Tea Research Foundation of Kenya for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Office of the Deputy Prime Minister
and Ministry of Finance (Dr. Oburu) on behalf
of the Minister for Agriculture)*

QUESTIONS BY PRIVATE NOTICE

Mr. Speaker: Order, hon. Members! We will begin with Question No.2 on the Order Paper. That is because on Question No.1, there are still consultations between the Questioner and the responding Ministry. So, we will start with Hon. Shakila Abdalla's Question.

LOSS OF ANCESTRAL LAND IN LAMU

Ms. S. Abdalla: Mr. Speaker, Sir, I beg to ask the Minister for Labour the following Question by Private Notice.

(a) Could he confirm that, following the designation of Lamu as the "6th World Heritage Site" in 2003 and the proposed development of Lamu Port, many indigenous people have lost their ancestral land to grabbers, settlement schemes and Marine Game Reserves?

(b) What steps will the Government take to address the issue, which has rendered many into permanent squatters?

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Speaker, Sir, we received the Question just yesterday and we intended to respond to it on Thursday.

The Assistant Minister for Lands (Mr. Bifwoli): On a point of order, Mr. Speaker, Sir. Hon. Ngonzi Rai is on his way coming! He is stuck in the jam!

Mr. Speaker: Order, hon. Members! Will the Front Bench, please, note that we have new Standing Orders and that, it is out of order to fail to answer a Question. To fail to answer a Question includes failure to do so timeously! The Front Bench, please, note! We will come back to the Question later.

Mr. Mututho!

DISMISSAL OF MS. LUCY MAGURU
BY M/S CONSOLE BASE

(Mr. Mututho) to ask the Minister for Labour:-

(a) Why did M/S Console Base (agents of Kenya Ports Authority) sack the only lady employee, Ms. Lucy Wambui Maguru from the motor vehicle section and paid her only Kshs15,000 in lieu of notice after working for two years with the firm?

(b) Could he order her reinstatement or payment of her terminal dues?

Mr. Speaker: Order, hon. Members! Now that we have had to bend backwards to wait for the Assistant Minister, maybe, we should grant the same indulgence to the Member.

Mr. Lekuton!

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

Mr. Speaker: Mr. Affey, please, let us transact business!

EXISTENCE OF LIVESTOCK QUARANTINE
LINE IN NORTHERN KENYA

Mr. Lekuton: Mr. Speaker, Sir, I beg to ask the Minister for Livestock Development the following Question by Private Notice.

(a) Why is livestock from northern Kenya not considered “disease free”?

(b) Why does livestock quarantine line, which requires that livestock can only be sold for direct slaughter in the Nairobi market and not other markets, still exist in northern Kenya districts?

(c) What concrete plans does the Government have to provide regular vaccinations against common livestock diseases in those districts?

(d) When will the quarantine line be lifted to enable the people of northern Kenya sell their livestock in markets of their choice?

The Minister for Livestock Development (Dr. Kuti): Mr. Speaker, Sir, I beg to reply.

(a) First, I would like to clarify that the term “disease free” is in reference to a specified geographical area and time for a specified disease or diseases and not livestock *per se*.

The concept of “disease free” refers to a situation where the veterinary authority demonstrates that a free status, as defined by World Organization for Animal Health (WOAH) for a specified disease, has been achieved either in a country, a zone or a compartment. Provisional “disease free” status is awarded by the veterinary authority while the WOAH verifies that claim and confirms it by issuing a freedom certificate for

that specific disease. The certificate is valid for one year and it is renewable if the free status has persisted over a specified period as confirmed through surveillance.

A country, a zone or a compartment is not able to gain and retain freedom from all animal diseases, but can acquire a freedom certificate for four notifiable trade-sensitive diseases; namely, Rinderpest, Contagious Bovine Pleuropneumonia, Foot and Mouth Disease and Bovine Spongiform Encephalopathy (BSE) or the Mad Cow Disease.

Northern Kenya and, indeed, the whole country, has been declared by the WOAHP free from Rinderpest disease after implementing a ten-year eradication programme partly. At the moment, northern Kenya, as a region, has not achieved the free-status, as defined by WOAHP for the other three major trade sensitive diseases. It is, therefore, not considered a disease-free zone.

My Ministry is in the process of establishing two disease-free zones at the Coast and in Laikipia/Isiolo Complex in the mid-term period of 2008-2012. In the Vision 2030 Programme, we intend to have a total of five such disease-free zones.

(b) The quarantine line was imposed as a sanitary measure to prevent the spread of Contagious Bovine Plura-Pneumonia, also called CBPP, from northern Kenya, where the disease was prevalent. There has been great success in reducing the prevalence of the disease through vaccination, testing and slaughter of positive cases.

However, the risk of CBPP in northern Kenya is still significant due to the challenges of cross-border movement of cattle. A regional approach to address the disease is being contemplated, as was the case with rinderpest, which enabled its eradication.

(b) The Government recognizes regular vaccination as an important tool for management of animal diseases. To control CBPP

(c) which is among the major diseases of concern in northern Kenya, regular vaccination is required. Vaccination has been adequately offered over the years but lately, the service has gone down due to inadequate budgetary support.

It is important to note that vaccination against ten priority diseases will require about Kshs4.2 billion annually. The Ministry is currently allocated Kshs360 million for vaccination, which is not sufficient for regular and programmed vaccination. The Ministry will continue carrying out strategic vaccination programmes, and at the same time work towards accessing additional funds. My Ministry direly needs the support of this House to increase funding so as to carry out this endeavour, amongst others.

(d) It is necessary to retain the quarantine line for sanitary reasons, and continuously review the risk status for CBPP. This is because it is very difficult to have control over the porous borders. Control of animal movement across the border, especially amongst pastoralists, is a major challenge. Therefore, it is very difficult to remove that quarantine line for now.

When and where the risk is insignificant, such quarantine may be lifted. Meanwhile, hon. Members should be aware that movement of cattle sold for breeding purposes to other markets is not prohibited by the quarantine line, but the animals are, first, required to undergo two tests of CBPP at an interval of 21 days. This service is being offered by Veterinary Investigation Laboratories at Garissa and Isiolo, so as to serve the northern part of the country, in respect of which the hon. Member was

questioning. This has enabled many northern Kenya cattle to access other markets in the country, especially for breeding.

Thank you, Mr. Speaker, Sir.

Mr. Lekuton: Mr. Speaker, Sir, I thank the Minister for his answer. For many years, the people of northern Kenya have been restricted to bringing their livestock to Nairobi only, when the markets are better in Embu and Meru. The people of Laisamis bring their cows straight to Nairobi. This is a free market economy. By the Government not ensuring that nomads are given the right of accessing the market freely--- It has continued to restrain us from operating freely in a free market!

My question to the Minister is this: You have said that the Rinderpest disease has been eliminated, and we greatly appreciate that. When are you going to make sure that the other three diseases are taken care of in northern Kenya, so that people in that region can absolutely and efficiently access the markets?

Dr. Kuti: Mr. Speaker, Sir, coming from the same region as the hon. Member, I fully understand his concern. There are two methods of addressing the other three diseases in order for our livestock to access markets in the so-called "highlands". As I said earlier, one of these methods is to carry out regular vaccinations. Vaccination is a preventive measure and, therefore, the animals will be free from diseases.

The other very key method, which has fallen apart because of the policy changes of the 1980s, following the implementation of the Structural Adjustment Programmes (SAPs), which literally sidelined the livestock sector--- The Government at that time could not afford to take care of livestock services and most of the services were privatized.

Mr. Speaker, Sir, therefore, the second method is to revive the holding grounds. During that time, when northern Kenya was classified as a disease-prone region, there were also holding grounds at the quarantine lines, where animals would be kept for four weeks and vaccinated.

Therefore, they could access the highlands and, thus, access the markets that the hon. Member has referred to. The second method is, therefore, to revive the holding grounds, most of which have been grabbed. Others like the Isiolo livestock holding ground, which is 124,000 acres in size, is still in use. The main challenges are inadequate staffing budgetary provision and unavailability of holding grounds in most areas outside Isiolo.

Mr. Abdirahman: Mr. Speaker, Sir, I would want to thank the Minister for his response although I feel that a lot more is being done only at the national level. The revival of the Kenya Meat Commission (KMC) alone is not enough to meet the needs of people who keep livestock. An isolated project like de-silting of a pan in one particular area will not be able to address the marketing problems of livestock in our area. I know that the Government is about to conclude the Budget-making process now, but I do know what the Ministry's focus has been. So, could he tell us what they intend to do in terms of critical and long lasting impact projects? The Ministry talked about setting up of abattoirs in Financial Years 2006/2007 and 2008/2009, yet nothing has taken off. What is he going to do this time round to help the people in northern Kenya?

Dr. Kuti: Mr. Speaker, Sir, the issue of abattoirs, including the KMC one, is key to improving the livestock market. I was in this House earlier, and I spoke about the satellite abattoirs. We changed the principle on which it was based earlier, when I became

the Minister, from local abattoirs competing with local council butcheries, to two abattoirs in Isiolo and Garissa. We have changed the design, and we are seeking more funds.

More importantly, the Ministry of Finance introduced the guidelines on public/private partnership. I hope hon. Members have seen it reported in the Press that we are now seeking a public/private partnership in those satellite abattoirs, so that they do not just slaughter animals for local consumption or even for Nairobi consumption, but for external markets.

Mr. Speaker, Sir, the principal thing in disease control is long-term improvement of services in the livestock sector. The second one is marketing. So, some of the factors that hamper disease control are lack of personnel and budgetary constraints.

The other factor affecting the livestock industry is marketing. However, the revival of KMC and the construction of abattoirs is key in addressing marketing problems. Kenyans do not consume all the meat and so, we need to find an overseas market to export this product.

Mr. Letimalo: Mr. Speaker, Sir, I thank the Minister for the elaborate answer he has given the House. From my experience, one of the factors that make vaccination ineffective is the inadequate number of veterinary officers and livestock personnel. What arrangements has the Minister made to deploy enough veterinary officers and livestock personnel to pastoral areas where people depend on livestock for their livelihood?

Dr. Kuti: Mr. Speaker, Sir, I fully agree with the hon. Member for Samburu East that shortage of staff is a major crunch in the Ministry. Currently, we are operating at 37 per cent less the number of staff this Ministry is supposed to have. Even that percentage was improved after we hired 100 veterinary officers and 800 support staff. Because of the current economic situation, there is a ban on employment. However, I am pursuing this matter so that we can be allowed to employ more officers.

The problem of staffing in hardship areas, especially the northern part of Kenya is that most staff do not like staying there unless they are from those areas. Unfortunately, we had very few veterinary surgeons in those areas. We are trying our level best to ensure that the newly recruited officers are posted to hardship areas and other parts of the country that require them.

Mr. Mungatana: Mr. Speaker, Sir, I would like to follow up on the question of shortage of staff in the Ministry of Livestock Development. There is a Ministry known as the "Ministry of State for Development of Northern Kenya and other Arid Lands". We voted about Kshs2 billion for its functions. Since the economy of the northern part of Kenya is dependent on livestock and the Ministry of Livestock Development is already in place, is it not true that, indeed, there is replication? Is it not possible for that money to be transferred to Dr. Kuti's Ministry so that he can hire the staff he requires? If it is a matter of appointing Ministers, could we not have that Minister without a portfolio?

Dr. Kuti: Mr. Speaker, Sir, while appreciating the hon. Member's question, you will realise that it is not related to disease control, animal keeping, quarantine or anything to do with livestock. Having said that---

Mr. Speaker: Order, Mr. Minister! The question is straightforward. I think it is a legitimate follow-up question. Is there duplication or no duplication of duties between your Ministry and that of Development of Northern Kenya and other Arid Lands?

Dr. Kuti: Mr. Speaker, Sir, I am not qualified to answer that question because I do not create Ministries!

Mr. Speaker: Very well! Otherwise it is a genuine question and you had better draw it to the attention of whoever should answer it.

Dr. Kuti: Thank you, Mr. Speaker, Sir. Genuine as the question may be, it is outside my jurisdiction.

Mr. Imanyara: On a point of order, Mr. Speaker, Sir. You have heard the Minister say that, that question is outside his area of jurisdiction and yet we know there is collective responsibility under the Constitution. Should you not direct the Minister to go and establish who is supposed to answer that question so that he can come and tell us? As far as we are concerned in this House, there is collective responsibility on the part of the Government.

Mr. Speaker: Mr. Minister, can you give an appropriate undertaking to the House and indicate which Minister will answer that question tomorrow?

Dr. Kuti: Mr. Speaker, Sir, having considered the question and accepted the issue of collective responsibility, I think I can go ahead and answer it. Definitely, in their wisdom, the President and the Prime Minister, in their Coalition Government felt the need to have a Ministry that should address *in toto* the challenges facing the northern part of Kenya. That is not only livestock but also education and health. This Ministry will address marginalisation. "Livestock" is just a small component of the general picture. While I recognize the hon. Member's comment that livestock is the livelihood for the people who live in the northern part of Kenya and other Arid and Semi-Arid Lands (ASALs), there are many challenges that the Ministry of Livestock Development cannot address alone. Therefore, the creation of the Ministry of State for Development of Northern Kenya and other Arid Lands is a step in the right direction. I am sure with time, it will address in totality the challenges facing northern Kenya.

Mr. Lessonet: Thank you, Mr. Speaker, Sir. Now that there is an outbreak of the Swine Flu in some parts of the world, what plans does he have for our pig farmers? What plans does he have to vaccinate the pigs?

Dr. Kuti: Mr. Speaker, Sir that is a very good question. The Ministry of Livestock Development, in collaboration with the Ministry of Public Health and Sanitation, is on high alert on the issue of Swine Flu. My technical team and that from the Ministry of Public Health and Sanitation have already put in place the necessary arrangements to counter the disease. I am sure advertisements are already out in the public domain. This is done as a preventive measure through an Inter-Ministerial Committee that is already in operation. The country has been put on high alert in terms of resources, surveillance and all that appertains to Swine Flu.

Mr. Mungatana: On a point of order, Mr. Speaker, Sir. I am not absolutely satisfied with the explanation the Minister has given us in respect of the Ministry of State for Development of Northern Kenya and other Arid Lands and the Ministry of Livestock Development. We have heard the Minister complain loudly that the money he has been allocated is only enough to pay salaries and cannot be used to carry out a programme.

Mr. Speaker, Sir, there is also the question of the former Ministry of Health which was split into the Ministry of Public Health and Sanitation and the Ministry of Medical Services.

Mr. Speaker: Order, Mr. Mungatana!

Mr. Mungatana: Mr. Speaker, Sir, if I could be heard---

Mr. Speaker: Order, Mr. Mungatana! If you begin to talk about the former Ministry of Health, then you will be going into an area different from the question you had earlier asked. Your point of order must relate to the answer given by the Minister to your question.

Mr. Mungatana: Mr. Speaker, Sir, could the Government clarify the roles these Ministries play? We need facts and figures. When a Minister says that he cannot carry out a programme and that he is only paying salaries, then that money needs to go to a Ministry which can carry out programmes. I beg that you direct that a proper answer be brought by the Prime Minister so that this country can be satisfied that the money we are voting here is utilized for programmes and it is not utilized to pay salaries and maintain bureaucrats.

Mr. Speaker: Order, Mr. Mungatana! Once it is put in that manner, that becomes a different Question. The Minister, for purposes of the Question before the House, has adequately dealt with the matter in as much as he has said to the House that the two Ministries cover different portfolios.

Mr. Lekuton: Mr. Speaker, Sir, the quarantine line was put in place during the colonial era, in 1940, and for all those years, about 70 years, the people of northern Kenya still suffer. It looks like the bottleneck here is the World Organization for Animal Health. Could the Minister clarify whether we have a local office of this body in Nairobi? If we have one, they should adequately address that issue.

Dr. Kuti: Mr. Speaker, Sir, I would like to say that the World Organization for Animal Health is the one that verifies whether a country, zone or compartment is disease-free and it gives out certificates. While I would like to answer the issue of the OIE, I would like to point out that the issue of the border makes it almost impossible to get a disease-free status in the northern Kenya, especially in the border districts because of the cross-border movement of the pastoralists. Most of those pastoralists are just separated by a line but they are just one community. The Maasai in Tanzania and the ones in Kenya, the Borana in Ethiopia and those in Kenya and the Somalis in Somalia and those in Kenya. So, control of animal movement is a key thing in starting to think of a disease-free zone in northern Kenya. That is one area I would like to clarify.

But on the OIE issue, we have fought very hard as a country because the OIE has regional offices, that is, the Eastern and Central Africa Regional Office. We just won that petition and I am now taking a Cabinet memo so that the Government can house the OIE offices at the African Union International Bureau for Animal Resources (AUIBAR), which is a very small token. We hope very soon to have the OIE regional office based here in Nairobi.

LOSS OF ANCESTRAL LAND IN LAMU

Ms. S. Abdalla: Mr. Speaker, Sir, I beg to ask the Minister for Lands the following Question by Private Notice.

- (a) Could he confirm that following the designation of Lamu as the Sixth World Heritage Site" in 2003 and the proposed development of Lamu Port, many indigenous people have lost their ancestral land to grabbers, settlement schemes and Marine/Game Reserve?

- (b) What steps is the Government taking to address the issue which has rendered many into permanent squatters?

The Assistant Minister for Lands (Mr. Bifwoli): Mr. Speaker, Sir, I have just received the answer.

Mr. Speaker: Are you prepared to give it?

The Assistant Minister for Lands (Mr. Bifwoli): Let me try, Mr. Speaker, Sir.

(Laughter)

Mr. Speaker: Proceed!

The Assistant Minister for Lands (Mr. Bifwoli): Mr. Speaker, Sir, I beg to reply.

- (a) I am aware that Lamu was designated as the “Sixth World Heritage Site” and that a new port is to be developed in the area. The local people have not been dispossessed of their land and the establishment of a new port is in line with Vision 2030. That is expected to empower the locals as a result of the economic activities that will be generated by the project.
- (b) The Ministry has a deliberate programme for the Coast Province and Lamu in particular, whereby a land profile is being done to identify committed and uncommitted land and also land occupied by the indigenous people. This is meant to ensure that the rights of the locals are secured. Indeed, a number of communities are going to be issued with block title deeds for the land they occupy while several settlement schemes have also been established. In the past, it was perceived that the beneficiaries of the allocations were outsiders but efforts are geared to change this perception.

Ms. S. Abdalla: Mr. Speaker, Sir, I appreciate that the Assistant Minister has tried to answer the Question. Could he tell us when the Ministry intends to issue the block title deeds to the locals?

(Loud consultations)

The Assistant Minister for Foreign Affairs (Mr. Onyonka): On a point of order, Mr. Speaker, Sir. It looks like some hon. Members have a tendency of making unnecessary noise in the House!

Mr. Speaker: Mr. Onyonka, hon. Members do not make noise! They only consult!

The Assistant Minister for Foreign Affairs (Mr. Onyonka): I stand corrected, Mr. Speaker, Sir.

Mr. Speaker: Very well! It is noted! Proceed, Ms. S. Abdalla!

Ms. S. Abdalla: Mr. Speaker, Sir, could the Assistant Minister tell us when they intend to issue the block title deeds to the community?

Mr. Bifwoli: Mr. Speaker, Sir, we have a programme of issuing title deeds to the Coast next week.

Mr. Yakub: Mr. Speaker, Sir, on the same issue of local people in Lamu, 61 villages were earmarked for the programme of sponsored utilization since 2007. By 2009,

only one village, Faza, has gone through the proper process. Could the Assistant Minister tell us when they will finish the other 50 villages? If you take into consideration one---

Mr. Speaker: Order, Mr. Yakub! You have already asked the question. Mr. Assistant Minister, can you tell the House when?

Mr. Bifwoli: Mr. Speaker, Sir, issuing block title deeds to villages is a very tedious job. Therefore, we must issue title deeds to legal identities and those villages must have directors. There is a lot that goes along with issuing title deeds to villages. However, we are in the process of issuing some block title deeds to the villages.

Mr. Bahari: Mr. Speaker, Sir, I just want to make a follow-up on the Question asked by Ms. S. Abdalla, particularly on the block title deeds. The Assistant Minister was not quite clear on when he was going to issue block title deeds to the people of Lamu. He referred only to the Coast. Because of the specific nature of that issue, I will request that the Assistant Minister clarifies when he is going to issue the block title deeds to the people of Lamu.

Mr. Bifwoli: Mr. Speaker, Sir, I have said that we are in the process of giving block title deeds and you can only do so when you have identified a particular village or block which has come out as a legal identity.

Mr. Mwiru: Mr. Speaker, Sir, the problem of squatters is not only confined to the Coast Province, or Lamu specifically, but it affects the whole of this country. I wanted to know whether the Ministry has any plans to ward off the problem of squatters who have become professional and are ahead of the Ministry.

Mr. Bifwoli: Mr. Speaker, Sir, I want to agree that Kenya has some genuine squatters but we also have some professional squatters. It is true that we have come out with a proper list. If the Government can give us money to purchase land, we can settle the genuine squatters.

Mr. Mbugua: Mr. Speaker, Sir, land grabbing has become a very serious issue in this country. What steps is the Assistant Minister taking to combat land grabbing? In Nairobi, all the fire stations have been grabbed. What steps is the Ministry taking to ensure that land grabbing is not rampant in the cities?

Mr. Bifwoli: Mr. Speaker, Sir, land grabbing is like corruption. It takes two people---

An hon. Member: It is corruption!

Mr. Bifwoli: It is corruption, Mr. Speaker, Sir. This Government is in the process of putting in place laws to curb corruption vis-a-vis land grabbing.

Mr. Gunda: Mr. Speaker, Sir, for the record, could the Assistant Minister confirm that the land around the port which is being constructed in Lamu has not been grabbed?

Mr. Bifwoli: Mr. Speaker, Sir, grabbing of land is illegal. If it has been grabbed, I am sure it is not within our knowledge. I am, however, sure that the land has not been grabbed.

Mr. Njuguna: Mr. Speaker, Sir, development of the second port in this nation is a very important undertaking. Could the Assistant Minister assure this House that adequate arrangements have been made to make sure that land owners in Lamu will be satisfactorily compensated?

Mr. Bifwoli: Mr. Speaker, Sir, I said from the outset that people who will be affected will definitely be compensated. If they are not compensated, they will be allocated new sites.

Dr. Khalwale: Mr. Speaker, Sir, in the late 1980s, Dr. Robert Ouko stood in this House and asked the then Minister for Lands this same question. He asked what they were going to do with the people around Kisumu Airport who had been displaced to pave way for the development of the airport. The answer he got was exactly the same as the one this Assistant Minister is giving.

Mr. Speaker, Sir, today, as we ask this Question, the Assistant Minister knows that the adjudication of the land in Lamu is not yet complete. If he really respects this House, how can he cheat us that he will come here next week and give the people what they deserve? He knows very well that even adjudication is not complete. Is the Assistant Minister in order to mislead the House?

Mr. Bifwoli: Mr. Speaker, Sir, I want to start by correcting my hon. brother that I am not cheating. The word “cheating” is unparliamentary.

(Applause)

Mr. Speaker: Order! Now that the Assistant Minister has expressed concern, I thought he would take it lying down. The word “cheat” is unparliamentary and Dr. Khalwale, you will have to withdraw that.

Dr. Khalwale: Mr. Speaker, Sir, I withdraw this word but the pain of the people waiting---

Mr. Speaker: Order, Dr. Khalwale!

Mr. Assistant Minister, can you now respond as to whether or not you are misleading the House?

Mr. Bifwoli: Mr. Speaker, Sir, I am not misleading the House. The truth of the matter is that this is what we are trying to do. We shall compensate the people who will be affected.

Mr. Speaker: Last question, Ms. S. Abdalla!

Ms. S. Abdalla: Mr. Speaker, Sir, could the Assistant Minister tell us what the Government is doing to make sure that those who were evicted from their ancestral land get back to their land?

Mr. Bifwoli: Mr. Speaker, Sir, we have not evicted people. However, if we shall encroach on anybody’s land, at least we shall show him or her where to go.

Mr. Mungatana: On a point of order, Mr. Speaker, Sir. With a lot of respect to the Assistant Minister, he failed to address the question of Lamu being a world heritage site. We are aware that in 2003, Lamu was declared a world heritage site. From what we know, the UNESCO World Heritage Committee allocates funds for development of world heritage sites. How much of those funds have been applied to the people of Lamu? How much was received and how much is being utilised for purposes of settling those people? A lot of money is being wasted and misused by this Ministry.

Mr. Bifwoli: Mr. Speaker, Sir, that is a very different Question that I need to investigate.

Mr. Speaker: Order, Assistant Minister! You can deal with this easily. The Question, as originally framed, does assert certain things. It says: “Following the

designation of Lamu as the sixth world heritage site in 2003". What the hon. Member is asking - he says you have not been in order by avoiding to recognise this fact, and that following the designation, money has been allocated to Lamu - has it been properly utilised?

Mr. Bifwoli: Mr. Speaker, Sir, I do not know anything about the issue of money. I like calling a spade, a spade. I would like to be honest that I have no idea about the money.

(Laughter)

Mr. Speaker: Very well! The Assistant Minister does not know and that is an answer that he is entitled to.

Next Question by Mr. Mututho!

DISMISSAL OF MS. LUCY MAGURU
BY M/S CONSOLE
BASE

(Mr. Mututho) to ask the Minister for Labour the following Question by Private Notice.

- (a) Why M/s Console Base (agents of Kenya Ports Authority) sacked the only lady employee, Ms. Lucy Wambui Maguru from the motor vehicle section and paid her only Kshs15,000 in lieu of notice after working for two years with the firm?
- (b) Could he order her reinstatement or payment of her terminal dues?

Mr. Speaker: Hon. Members, the Chair has received information that Mr. Mututho has traveled to Israel to attend to parliamentary business. He has not assigned this Question to any other Member to ask on his behalf.

Therefore, this Question is deferred for ten days henceforth!

(Question deferred)

POINTS OF ORDER

ASSAULT ON MR. WASHIALI

Mr. Wamalwa: Mr. Speaker, Sir, I wish to request for two Statements. One is from the Minister of State for Provincial Administration and Internal Security on the circumstances under which a Member of this House; the hon. Benjamin Washiali, was assaulted while consulting his constituents in Mumias Town on the 31st March, 2009.

(Applause)

He was assaulted by an unknown police officer who caused him grievous bodily harm, including fracturing his right arm.

In his Statement, I would like the Minister to tell the House:-

- (a) What measures have been taken to ensure that this officer has been arrested and brought to justice?
- (b) What measures have been taken to ensure the safety of Members of Parliament during the execution of their duties whether in their constituencies or nationally?
- (c) When the Government intends to embark on the long desired reforms in the police force to ensure that we have a highly disciplined, efficient and professional police service?

MYSTERIOUS DISEASE OUTBREAK IN BUNGOMA DISTRICT

Mr. Speaker, Sir, I would also like to seek a Ministerial Statement from the Ministry of Public Health and Sanitation on a mysterious disease that has cost several lives in an outbreak in Bungoma.

I am requesting the Minister to issue a Statement to confirm to the House and the nation that the mysterious disease is not the dreaded Swine Flu that has hit Mexico and other parts of the world.

If it is not, what disease is it, and what measures has the Government put in place to deal with the situation?

Mr. Speaker, Sir, I would also like the Government to tell the House and Kenyans what measures have been put in place to protect Kenyans from the menace that is the Swine Flu.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Lesrima): Mr. Speaker, Sir, we will provide the Ministerial Statement on Tuesday, next week.

Mr. Speaker: Very well. The Minister for Public Health and Sanitation on the break out of Swine Flu!

The Minister for Education (Prof. Onger): Mr. Speaker, Sir, in the spirit of collective responsibility, I will definitely inform the Minister for Public Health and Sanitation to issue a Ministerial Statement on Wednesday, next week.

Mr. Speaker: Order, Mr. Minister! This is a matter of life and death. It has to be on Thursday!

The Minister for Education (Prof. Onger): Mr. Speaker, Sir, it suffices to say that the hon. Member should not be unduly worried. This is neither the Swine Flu nor any other flu. I will be able to inform the Minister for Public Health and Sanitation.

Mr. Speaker: Thursday, this week! It is so ordered!

Yes, Mr. Imanyara!

IRREGULARITIES IN SUPPLEMENTARY ESTIMATES

Mr. Imanyara: Mr. Speaker, Sir, I rise to seek a Ministerial Statement from the Deputy Prime Minister and Minister for Finance in relation to what appears to be a monstrous fraud committed, not only to this House, but also the country. Through you, I

would like your guidance as to what we should do with documents which come from the Government and laid on the Table of the House, but on their own face, contain discrepancies that reveal fraud. Last year, we approved the Budget Estimates. Supplementary Budget for this year arose as a result of the approved Budget. Looking at the two sets of figures tabled by the Deputy Prime Minister and Minister for Finance, for example, from a random selection, I am able to point out a figure of Kshs9.2 billion which has been shown as having been falsified in these documents. I want to give an example, whereas last year under Vote 05, The Office of the Vice-President and Ministry of Home Affairs, we approved Kshs86 million. However, the Estimate that were approved in this House last Thursday indicate falsely that this House had approved Kshs26 million; a figure of Kshs60 million is unaccounted for.

Mr. Speaker, Sir, looking at 20 Ministries, there is a figure of at least Kshs9.2 billion which is on documents tabled by the Deputy Prime Minister and Minister for Finance in this House. We are talking of a sum of money that is three times more than the amount that was set aside for strategic food reserves.

In these circumstances, I want him to come and tell this House why he presented documents that were forged or that contained false entries that resulted in this House approving Supplementary Estimates that show an amount in excess of Kshs9.2 billion having been either stolen or unaccounted. To enable him to do so, I am making available a random selection of the entries from the Estimates that we approved in this House last week. In this regard, if it is true that these were falsified documents, then Mr. Speaker as the Presiding Officer of this House, have an obligation to tell us what we, as Members of Parliament, should do with Government documents which are tabled in this House bearing Government seals and prepared by senior officers of this Government who conspire to steal public funds and then get approval of this House.

Mr. Speaker, Sir, I am sorry I could not raise it last week because you had sent me out of this country on Parliamentary business. The Estimates were approved despite these glaring discrepancies which show colossal amount of money that has not been accounted for or has been stolen. He should tell us whether this is the money that is secretly being used to pay the Anglo leasing, Kenren and all these other fake contracts that the Government continues to pay up to this day. I am laying these documents on the table of the House to enable the Minister to look at the figures to give an explanation to this House.

(Mr. Imanyara laid documents on the Table)

(Several hon. Members stood up in their places)

Mr. Speaker: Order! Order! Prof. Ongeru, I would want to urge you to hold brief for the Minister.

The Minister for Education (Prof. Ongeru): In fact, Mr. Speaker, Sir, I am seeking your guidance. Once Supplementary Estimates have been tabled before this House, after they have been scrutinised by the Finance, Planning and Trade Committee, whether this House can again be treated to ad hoc information coming much later when this issue should have been substantively dealt with by the relevant Committee to its finality.

Mr. Speaker: Order, Prof. Onger! On the face of it, the matters narrated by the hon. Gitobu Imanyara are very grave. The Chair would want the Minister to respond to those matters. If they are factual, then they must be dealt with and clarified. So, Prof. Onger, please, hold the Minister's brief and carry this information to him, including the document which has been tabled, so that he can come with a suitable response by Thursday, this week.

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

Mr. Speaker: Not on the same matter! I have already directed!

Dr. Khalwale, do you have a request for a Ministerial Statement?

Dr. Khalwale: Mr. Speaker, Sir---

Mr. Speaker: Order, Dr. Khalwale! This matter must rest, Dr. Khalwale! The hon. Imanyara has sought a Ministerial Statement. When that Statement is brought, Dr. Khalwale and all other hon. Members, will be at liberty to interrogate the matter further. So, please, reserve your concern until the Minister comes with a response.

Mr. Mungatana!

FAILURE TO HOLD CABINET MEETINGS

Mr. Mungatana: Mr. Speaker, Sir, I am rising on a point of order to seek a Ministerial Statement from the Office of the President on the question of failure to hold Cabinet meetings for four weeks consecutively.

Mr. Speaker, Sir, in the response that the Minister will give, I want to seek the following clarifications: I want to know whether there is an attempt to change the tradition of this Republic from Thursday morning Cabinet meetings to once a month Cabinet meetings or a new tradition of once-in-a-while Cabinet meetings. I want to know whether there is legitimate exercise of the delegated responsibilities that the Ministers exercise on behalf of the President. It has been very clear that there have been no meetings; therefore, there is no delegation practically of those responsibilities.

The third clarification is that under Section 17 of the Constitution, the function of the Cabinet shall be to aid and advise the President in the governing of the Republic. I want to know whether there has been any discussion on the policy direction such as proposed legislation that is supposed to come to this House and whether there is, in fact, the seriousness that we require from the Executive and its answerability to this House.

The fourth clarification is on whether the lack of Cabinet meetings is not one of the contributing factors to the instability within the Coalition Government and whether the lack of structured consultation is not a cause to the delay in naming of the Leader of Government Business; which cause, I am beginning to understand that, that has caused a credit crunch within the economy. This forced the Government, through the CBK, to pump in at least, Kshs32 billion to stabilise interest rates. We also want to know whether the President is too busy. He can allow his Principal Assistant to chair the Cabinet meetings on a restricted agenda so that the Presidency can move with the country.

Mr. Speaker: Order! Order, Mr. Mungatana! You are seeking clarifications and not making suggestions.

Mr. Mungatana: Mr. Speaker, Sir, yes, I beg to seek that clarification on whether that can be done.

Thank you.

Dr. Khalwale: Mr. Speaker, Sir, hon. Members have received a copy of the Supplementary Appropriation Bill, 2009---

Mr. Speaker: Order, Dr. Khalwale! If that matter is with respect to the issues that were raised by Mr. Imanyara to do with the Supplementary Estimates, then I am afraid that you have to comply with my direction that, that matter must rest until Thursday when the Minister will come up with the Ministerial Statement. It is so ordered. If you wish to persist, you may do so. However, I am afraid I have already given direction. Do not be irksome! Try and avoid that. That matter must rest.

Mr. Mungatana: On a point of order, Mr. Speaker, Sir. The Chair has not directed when the Office of the President will come up with that clarification I sought.

Mr. Speaker: Prof. Onger, once again, hold brief for that office!

The Minister for Education (Prof. Onger): Mr. Speaker, Sir, I beg your indulgence. Hon. Mungatana enumerated a couple of issues. If he would be kind enough to put them down in an eligible order, I would be glad to---

Mr. Speaker: Order, Prof. Onger! You have been a Member of Parliament for a long time. All this is recorded in the HANSARD. We can all access it. So, bring the statement on Wednesday next week.

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday, 21st April, 2009; laid on the Table of the House on Tuesday, 21st April 2009.

*(The Vice-President and Minister for Home Affairs
(Mr. Musyoka) on 21.4.2009)*

*(Resumption of Debate interrupted on
29.4.2009)*

Mr. Speaker: Hon. Members, who was on the Floor? Mr. Yakub was the last contributor to this and so we will take the next person. The next person is the hon. Kenneth.

The Assistant Minister, Ministry of State for Planning, National Development and Vision 2030 (Mr. Kenneth): Thank you, Mr. Speaker, Sir, for giving me an opportunity to contribute to the Presidential Speech which was read on the State Opening Day.

I would first like to congratulate you for the decision that you took last week to ensure that the business of the House continues uninterrupted. Listening to His Excellency the President, one of the points that he spoke about was on the way forward on the agenda for this country. However, that agenda will only succeed if we avoid grandstanding, political posturing and on realization that this country belongs to all Kenyans and that all Kenyans are stakeholders. I recall when we were discussing the issue of the Leader of the House Business Committee, Mr. Mutava Musyimi said that

despite the changes that take place in this Parliament, there is a cartel that seems to hold the whole country at ransom. There is a cartel that seems to control and say what will happen in this country. Therefore, the effective changes do not take place. It is true that until we have people who are willing to work for this country with a lot of passion and resolve to deliver services to the people of this country, this nation will not move ahead.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

As I speak, Mr. Deputy Speaker, Sir, there are issues that arose from the 2007 General Election and have brought a lot of divisions amongst us. We have IDPs in various camps in this country and it is now over one year. We really have no justification why these people are still housed in tented camps as IDPs in our country. When we speak about service delivery, and there are many types of services, what Kenyan people are looking for is the bottom line of those services. No matter how good our intentions are, no matter how sweet those intentions are, the bottomline is lacking. If the services are not delivered, we will not have moved any inch forward. We will have impoverished our country further. Therefore, I appeal to the House to have passion and resolve to provide services to the people of this country.

Mr. Deputy Speaker, Sir, the issue of insecurity has been raised by various hon. Members who spoke before me. I want to restate that we have various well-funded security agencies in this country. However, we have a situation where our security agents are behaving like pathologists. I am not demeaning pathologists, but I am aware that pathologists are only consulted by the dead. If we are going to approve money in every successful Supplementary Budget to the security agencies, then they must be there to protect ordinary Kenyans. We should not be discussing events that have taken place yet we have lost lives. We cannot, at this stage in life, really look at a situation like the one that happened in Mathira Constituency where 29 people were killed and we were being informed after the event. This just shows that even for cases like the one of the Mgingo Island, we only came in after it had been taken. We were not even in a position to go in because Ugandan forces had already invaded the island. That shows that we are coming in after the horses have bolted out. We must put emphasis that the security of every single Kenyan in this country must be protected. We must ensure that there is no more loss of lives arising from insecurity.

In his Speech, Mr. Deputy Speaker, Sir, the President spoke about the youth. The youth of this country form the majority of the population. In fact, as we speak, 15 million Kenyans are under the age of 15. Whereas I appreciate that we have continuously allocated money for Free Primary Education Programme (FPE) and Free Secondary Education amounting to Kshs150 billion, we have not invested any money worth any significance to the Ministry of Youth Affairs and Sports to create employment, despite having paid Kshs150 million for their education. I am appealing to the Government that for us to appreciate that we have educated our youth by spending Kshs150 million, we must allocate more money for the Ministry of Youth Affairs and Sports to create employment for those youths who have been educated from Standard 1 to Form 4.

Mr. Deputy Speaker, Sir, the President spoke about water. Water is life and key to anything. It is the key to energy, irrigation and for our daily living. Simply, putting up six dams will not help this country. We have three big rivers that flow into the Indian Ocean. We must do much more to harness our water collection system. If you look at our water catchment areas today, you will see that they have been destroyed. As we speak, Ndakaini Dam, which supplies 70 per cent of the water to Nairobi, is at its lowest point, despite the scattered rains that have fallen in this country.

Mr. Deputy Speaker, Sir, we must be able to protect these water catchment areas because the majority of the population in this country are young people and we must practice sustainable development for the future of these young men and women.

Let me briefly speak about reforms. If we are genuine about reforms, then they must start right from the top. We are in this situation because of the events of 2007 but our economy cannot be shrinking and we are facing a global recession and yet we continue to have a big and large Government like we have today. Part of the reforms that must take place is that we must constitutionalise the number of ministries that this country is going to have. If you look at the estimates of last year's Budget, the Government was going to collect Kshs480 billion from tax-payers but the same Government was going to spend about Kshs400 billion in Recurrent Expenditure; therefore, living only Kshs80 billion for Development Expenditure. When Kshs80 billion is scattered over Kshs40 Ministries, it simply tells us that we can never develop this country. So, we have to reduce the size of the Government to increase the slice of money that goes towards development.

I know that we have done a lot on our roads but surely, we are only maintaining the existing roads and we have not started or reached a stage which we can start to construct new roads to open up this country. Therefore, we seem to be in a vicious cycle of maintaining what is there. So, we need to move forward. We need reforms by way of a new Constitution. I know that year-in, year-out, whoever is the Minister in charge of constitutional affairs tells us that we shall have a Constitution within one year. I heard the remarks of Mr. M. Kilonzo that we can have a new Constitution by the end of the year. I really want this House to put the Minister for Justice, Constitutional Affairs and National Cohesion to hold to his word; that, indeed, we shall have a new Constitution by the end of this year. Unless we have a Constitution that is able to look after the majority of this country, then we will never be able to move forward.

Mr. Deputy Speaker, Sir, we need reforms in the judiciary. Any business in this country that has to thrive requires the wheels of justice to move in an efficient manner; to be seen to be working and also to be fair to everybody. Therefore, we must carry out reforms in the judiciary to ensure that there is fairness and the wheels of justice is moving in the right direction that they are required.

Listening to Mr. Wamalwa seeking a Ministerial Statement on what happened to the Member of Parliament for Mumias; Mr. Washiali, shows you clearly that the reforms in the police force are long overdue. They continue to be long overdue because, if it is service to everybody as per their motto, then that service must be seen not only in emblems but in real action in the manner in which police force treat normal ordinary Kenyans in this country. It is a shame that a Member of this House can undergo what Mr. Washiali underwent in the hands of the police force.

Mr. Deputy Speaker, Sir, let me conclude by saying that Kenyans require a lot of services from this Government. Good intentions have never had any place in a balance sheet. Any accountant will tell you that. It is always the bottomline. It is time we show our passion and our resolve to serve the people of this country so that they can derive the services that they so desire. The time when we used to be compared with the neighbouring countries like Tanzania and Uganda is long gone because those countries have moved on. Therefore, it is our time to move on and ensure that our people have the services that they require.

With those few remarks, I support.

(Mr. ole Ntimama stood up in his place)

Mr. Deputy Speaker: Mr. ole Ntimama, do you want to contribute?

The Minister of State for National Heritage and Culture (Mr. ole Ntimama): No, Mr. Deputy Speaker, Sir.

Mr. Musyimi: Mr. Deputy Speaker, Sir, I join others in commending you for the ruling that you made last week. I found it to be sound in logic, in law and policy. I also cannot help, on a more philosophical note, appreciate that it is true that power is indivisible. But we must also remember that we chose to split the atom and when that happens, there are consequences. I am reminded that maybe, it is Hiroshima which ended the Second World War II. As we think about Hiroshima, we should also remember that the United States of America (USA) and Japan are two very friendly countries today. When we come to discuss the Constitution and the Executive in particular, there will be lessons to learn from the current crisis that we are going through with regard to the sharing of power, particularly in the Executive.

Mr. Deputy Speaker, Sir, let me now go to the President's Speech. I also commend it. I think it is very worthy. However, one finds that it has a rather ambitious menu. I took note of the fact that there are 16 proposed Bills and 24 proposed policies. You cannot find enough said with regard to the judicial, security sector reforms and corruption. One fears that the pace of the reform agenda is not convincing. There seems to be a lax in the collective will to deal with the current crisis within the Coalition. I think that that is the burden of this House and this Parliament as we think of reforms, which are our primary responsibility within the next couple of years. Like many other Kenyans, when we see that the Principals are not consulting enough and the Cabinet is not meeting, it sends all the wrong messages to the Kenyan people. As I commend this Speech, we must again, plead with the Principals to lead from the front and to help us move forward on the reform agenda.

Thank you.

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Mr. Deputy Speaker, Sir, thank you very much for giving me this opportunity to support the Motion on the President's Speech. In his Speech, His Excellency the President did highlight quite a number of challenges that are facing this country. Among them are insecurity, unemployment, food crisis and energy crisis among others. It is very clear that this country has many challenges. So, to face those challenges, it requires a united people to overcome them. Even as we have those challenges, we must give the people of Kenya hope that this country has a future.

If one jetted from outside the country and came into the country, one would be forgiven to think that this country is at war or near an election period. We should endeavor to give our people hope so that they do not always think of hopelessness. During the last few months, we have made political statements which continue to give Kenyans reason for being apprehensive as to the future of this country. Inflammatory and partisan statements which have always found prominence in the media have made Kenyans wonder whether this country has a future. We seem to highlight negatives all the time instead of positives. We have many positives in this country. If you go around the country, you will find a lot of infrastructure development going on. There is a lot of rural electrification going on. Communication is also improving. The optic fibre cable is being laid down all over the country and the private sector is doing a lot. The private sector is doing a lot to develop this country! Therefore, we can all agree that the amount of development that is going on in this country is unprecedented. It has never taken place before!

Therefore, Mr. Deputy Speaker, Sir, I appeal to all of us to give Kenyans hope that this country has a future by, sometimes, talking about the positive things that are happening here. We must give hope to our children. We must give hope to foreign and local investors. We must give our visitors and other potential visitors hope that this country has a future and it is worth visiting.

Secondly, Mr. Deputy Speaker, Sir, the President talked about the national food crisis. In this country, it is estimated that over 10 million people need urgent food assistance. Out of those, 3.7 million people are in Arid and Semi-Arid Lands (ASALs). Half a million are school children. That has happened because ASALs have gone without rains for close to two years. I am not, of course, isolating the problems that Internally Displaced Persons (IDPs) are going through. They are facing an acute lack of food. Urban dwellers are also facing the same problems.

But, Mr. Deputy Speaker, Sir, I note with a lot of concern that the Government is spending billions of shillings to import food. Most of that food is being given away as famine relief to those people who are in need. But I beg to say that the Government has, so far, not done enough to address the food situation. The six dams that the President talked about are a far cry from the needs of this country in as far as irrigation water is concerned.

Mr. Deputy Speaker, Sir, for many years, some communities, including mine, have been subjected to food handouts whenever there is drought. We are sick and tired of being given famine relief. We want the Government to empower communities that have land and energy to farm. All they require is water. Therefore, I appeal to the Government to make it a policy to store water that can be used for irrigation so that we can grow our own food.

I think, Mr. Deputy Speaker, Sir, it is just a little common sense that the amount of money that the Government is spending now, if it spent it on conserving water, building dams, providing and empowering communities, there will be no need of famine relief! So, I think that it is time we changed our focus from famine relief to water storage so that communities may be empowered to grow their own food.

Mr. Deputy Speaker, Sir, the President also talked about the energy crisis. With reduced rainfall that I have already talked about, the country cannot continue to rely on water to generate electricity. In addition to the geothermal power, the only other option

that the Government has is the development of coal. Many a times, I have stood on this Floor and spoken about the enormous quantities of coal that remain unexploited in Mwingi and Kitui districts.

Mr. Deputy Speaker, Sir, we strongly oppose the proposed importation of coal by KenGen to generate electricity. We urge the Government to invest and put money into the exploitation of coal so that energy can be generated through coal. That way, we will save the country enormous foreign exchange. We will create many employment opportunities and we will ensure that we get cheap and clean energy through coal generation. Therefore, the Ministry of Energy, which has, up to now, been doing investigations in those areas for the last four years, should go ahead and exploit that coal so that it can be used for generating energy.

Finally, Mr. Deputy Speaker, Sir, I want to speak about education. As I speak now, there are many children who have been expelled from school because they are unable to pay fees. Most of those children are from ASALs and, already, they are in need of food aid. It looks like the Government has not addressed that problem and, therefore, I would like to call upon the Ministry of Education to ensure that instructions reach all heads of schools not to expel children, particularly from poor families, from schools on account of not paying school fees.

On the same note, Mr. Deputy Speaker, Sir, I want to appeal to the Ministry of Education to note that primary school children who have been under the school feeding program are no longer receiving food from the World Food Programme (WFP). It is the responsibility of the Government of Kenya to ensure that those children are looked after. It is not the responsibility of WFP, as it has been said here! Therefore, I urge the Government to ensure that those children are fed to ensure that they can continue with schooling.

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

Mr. Mwiru: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the President's Speech on the State Opening of Parliament.

Mr. Deputy Speaker, Sir, I do understand that quite a number of policies were spelt out in that particular Speech. But the factors that would really contribute to the implementation of those same policies are what are many Kenyans waiting to see.

Mr. Deputy Speaker, Sir, you realise what happened thereafter – no consultations, no anything from the Executive. If those consultations are not there, some of these things or some of the envisaged policies of the Government may not be implemented fully. It is in this light that I feel I should contribute a little on the food security in this country.

Mr. Deputy Speaker, Sir, most of the times, and whenever people talk about food in this country, most of them think of maize. Quite a number of food crops in this country have not been given due attention, and that would have been one way of trying to alleviate hunger or payments that this country has gone through. Indeed, when you hear the cry out there, people only talk about *unga* from maize. But this country that God gave us has got quite a number of zones. We have arid lands, semi-arid lands and the most productive parts or zones of this country. It is only crucial that proper policies are put in place to promote those areas, which receive less rainfall to have irrigation agriculture.

Mr. Deputy Speaker, in this country, quite a number of big rivers are not utilised even for irrigation agriculture. I will give an example of a region on the eastern side of Mt. Kenya where they boast of more than 20 permanent rivers. The area has a lot of

potential, but no exploitation of the same for irrigation. Some of these lands like in Ukambani or Tharaka are considered to be arid. They boast of most of the water that runs into the Indian Ocean. The Government has done nothing much to improve on agriculture in these areas. It may not be necessarily maize that can be planted in these areas. I have cases where cassava does very well in these areas. I have cases where green grams, millet and sorghum do well in the lower parts of the larger Meru like Tharaka. Rainfall is not enough, but we have enough rivers.

It is only crucial that resources are provided by the Government to make sure that these areas also contribute to the economy of this country and food security. Whereas we are talking of improving food security, specific measures and affirmative action are necessary to such areas, so that we can increase the production of food for our people in Kenya.

Mr. Deputy Speaker, Sir, the President cited a few dams that he wants utilised for irrigation in this country. In his Speech, he did not touch on anything to do with the famous dams that we have along River Tana Basin. We have Masinga, Kindaruma and Kiambere dams. There are quite a number of dams in those places, but they are only used for hydro-power. I am aware that these dams were not only meant for hydro-power, but also for irrigation. Right now, the Government has plans for the Grand Fall Dam. It is my belief and hope that this time, the Government will not only think of production of hydro electricity, but also irrigation.

What has been happening is that electricity is produced and it is usually released to the national grid. Unfortunately, the communities in the neighboring areas do not benefit. The only way for them to benefit, and probably, contribute positively to the development of this country is to allow them to do irrigation. It is crucial that this matter is taken to be considerably important, so that the areas that are seen not to be contributing enough in this country, can also contribute.

Mr. Deputy Speaker, Sir, I would also like to look at the issue of land tenure system in this country. There is no food production if there is no security of tenure. It is high time the Government came up with a quick master-plan to give security of tenure in the ownership of land in this country. When people are adjudicating their land, we are able to know the extent of the land and the ownership. This will ensure that they have strength to secure some loans from the bank and improve on agriculture in areas where land adjudication has not been done.

Mr. Deputy Speaker, Sir, adjudication in this country is taking a lot of time. It is necessary that the Minister for Lands brings a Bill to shorten the period within which the exercise begins and ends. That way, we shall secure the land tenure system and have it properly done, so that people can benefit and secure loans from banks for improvement.

This country has got a lot of insecurity. Insecurity is a combination of so many other factors. The other day, we had the problem in Mathira and Kirinyaga. The other day, we had a problem in Kisii. These are not idle people. They are people who think very fast; beyond even the Government. It is my request and observation that the Government must come up with a master-plan to see how it can counter this problem of insecurity. We cannot develop in this country if the situation of insecurity continues the way it is. I would also request the leadership, including us, as MPs, that we be genuine enough and help the Government to curb the problem.

We are headed for some reforms. Unless we are genuine enough or we sacrifice or there is give and take, the reforms may not be tenable. The reasons are very clear. There has been a culture in this country, sometimes of trying to create a personality cult other institutions. It is only necessary now that we move to strengthen institutions and not personality cults. It is not who serves who and who is who, but what institution is strong to move this country forward. That is what we should be looking for in our reform agenda for this country. The enormous task on this is bestowed upon this honorable House.

Mr. Deputy Speaker, Sir, you will realise that there has been creation of quite a number of districts. We are talking of taking services closer to the people. I agree that the services will be closer to the people. However, this has to be done together in consultation with the Ministry of Finance. Do we have enough resources to run them? If we do, it is crucial that coding for these new districts is also done, so that proper budgets are given to those districts. This will ensure that there is no hue and cry after July when they have no allocations in the budget. It is crucial that the Ministry of Finance moves very fast, to fast track the issue of the coding of the new districts, so that they are accorded their budgetary allocations for purposes of their development.

Mr. Deputy Speaker, Sir, it is very crucial that time is set aside for purposes of logical thinking. Where leaders cannot afford to respect others, just because of pride or egocentric kind of thinking; it is not proper for our country. We should be humble because we were elected to give service. We should be humble to the people that elected us and show that we have respect for them, so that they can respect us. In any case, so many people try to be elected to this Parliament. Maybe, out there, there are others who want to get into this Parliament. The only way that we can afford to have respect from the electorate is for us to continue respecting each other because charity begins at home. This is our home because we are supposed to make laws from this House. Charity begins here and we spread it out there. This will ensure that in our comments to each other, there is respect and consultation.

With those few words, I beg to support.

The Assistant Minister for Tourism (Ms. Mbarire): Thank you, Mr. Deputy Speaker, Sir. I rise to support this Motion. I begin by saying that the President did address several things in his Speech. However, I will concentrate on three key ones that I think are of great concern to Kenyans.

There is a great sense of hopelessness in the country, especially among the young people and women of this country. First and foremost, this sense of hopelessness is caused by the fact that we have these economic challenges that we are facing. More importantly, it is because the leadership of this country, Parliament included, does not seem to give a lot of hope in the way that we are doing business. Maybe, that is why we are seeing people resorting to very extreme measures to remind us of the challenges faced in this country. This is because they strongly believe that we, probably, do not have ears to hear or eyes to see or that we have lost our sensitivity to the challenges that the country is facing. Because of this, we see women having sex boycotts which many people have trashed, laughed about it and thought it is just a big joke.

Perhaps we need to ask ourselves what it is that is making women resort to such extreme measures. I strongly believe that if we were to listen to the message behind the boycott, probably, we would begin to realize that Kenyans are becoming desperate every

single day. I think that desperation was very well spoken of by the people who attended Labour Day Celebrations at Uhuru Park. I hope that the leadership of this country – that is we, Parliament, and the Executive – will begin to get really sensitive to these issues and start addressing them accordingly.

Mr. Deputy Speaker, Sir, let me also focus on the issue of food insecurity. Now more than any other time, we have seen a great challenge of famine in this country, to a great extent, caused by ourselves and by nature. It was caused by ourselves because we are endowed with wisdom and the necessary technical know-how to know that there is need to save for a rainy day. There is need to always make sure we have something else aside from depending fully on rain. There is need to have adequate food reserves for the nation. I think we have done none of these.

The President talked about the need for us to give more money to the Ministry of Water and Irrigation. That is the route to take. That is the right direction. We need to begin to, really, address the issue of how we can ensure that there are adequate irrigation projects across the country.

I hope that the Minister for Water and Irrigation will begin to think about how the money that is given to her Ministry will trickle down to the constituency level, and allow every Member of Parliament (MP) to focus on one major irrigation project in the constituency, and also allocate money to each of these constituencies. That way, we can begin to think about how to ensure that we have food even when there is no rain.

Mr. Deputy Speaker, Sir, even as we address the issue of irrigation, we also need to realize that we are facing challenges of environmental and climate changes – challenges that we must begin to seriously address. We need to think of how to save our forest cover, and ensure that it gets back to where it used to be. Therefore, reforestation must become a key project by this Government. Even we, MPs, within our Constituencies Development Fund (CDF) allocations, can have some money set aside for tree planting.

I was very excited when the two principals – the President and the Prime Minister – said that it was time we had people moved from Mau Forest. I know that some people are extremely uncomfortable with this particular issue, but I urge hon. Members to begin to look at it as a real threat to this country. What we need to do is put a human face to evictions, so that we can move people to an alternative land and compensate them accordingly.

I do not think the option of people remaining in Mau Forest, or in any other forest cover or water catchment areas in this country, can be debated any more. It is time for action. I hope that alongside dealing with the environmental issues, we are also going to begin thinking of how to save our rivers, so that people can take care of them and ensure that we save as much water as possible.

Mr. Deputy Speaker, Sir, allow me to also dwell on the issue of unemployment of young people in this country. The issue of unemployment is very big. It is a time bomb that we do not know when it will explode. I applaud the President for launching the *Kazi Kwa Vijana* project, although we are yet to see its impact at the grassroots level.

We are yet to feel the trickle-down effect of *Kazi Kwa Vijana* project at the grassroots level, where most of the unemployed youth are found. We want to feel that this project is at work in our constituencies. I hope that through this initiative, much more money will be put in the Ministry of Water and Irrigation and the Ministry of Roads, so that more young people can be engaged at that level.

Mr. Deputy Speaker, Sir, we also have the fibre optic cable project that still has a great opportunity for creating employment in this country, as is the case in India and other places, where outsourcing centers have become a key source of employment for young people.

However, the questions I asked myself are: How prepared are we to take advantage of the opportunities that the fibre optic cable project is going to provide? Are our young people adequately trained? Do they have the necessary skills to start digital villages and outsourcing centers? Do we have money set aside for that purpose? We need to prepare ourselves accordingly and adequately for this particular opportunity.

Mr. Deputy Speaker, Sir, I, therefore, hope that in the coming Budget, which is going to be presented to this House next month, we will have some Budgetary allocations to enable us take advantage of the opportunities that result from fibre optic cable installation.

I would also like to talk about the issue of increasing the retirement age to 60 years. It is so obvious that we are suffering from an acute unemployment. If we are, really, serious about dealing with unemployment, then it does not make sense to increase the retirement age to 60 years when we still have so many young people out there, who are unemployed. Let us retain the age at 55.

Perhaps we should think of increasing the salaries of civil servants, instead of increasing their years of service, so that the better salaries will better prepare them to leave public service and begin new life after retirement.

Mr. Deputy Speaker, Sir, I also want to talk about the reform agenda. We have a heavy agenda ahead of us in this Parliament. We have the issues of the review of the Constitution, and the constitution of an electoral commission and a commission to review electoral boundaries. I hope that hon. Members will play a bi-partisan role and give Kenya the much-awaited new Constitution.

With those few remarks, I beg to support.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Prof. Kaloki) took the Chair]*

The Assistant Minister, Ministry of State for Immigration and Registration of Persons (Mr. Baya): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to record my appreciation and thanks for the Presidential Address to this House.

There are very many issues that are very pertinent to our times that His Excellency the President mentioned. However, before I comment on those issues, I would like to narrate my experience over the weekend. I have just come from the villages, where, last Sunday, we held a very huge inter-denominational prayer meeting.

Mr. Deputy Speaker, Sir, that meeting was important to us because the people at the gathering asked me to pass their appreciation regarding the decision that was made by the Speaker last week. They noted that we were not yet out of the woods. However, they were hopeful that the two principals, for whom they have a lot of respect, would sit down and resolve the remaining issues.

Personally, I have a lot of confidence in and respect for the two principals. Our feeling is that if they – and they alone – should go back to Kilaguni Lodge, they should sort out all the pending issues.

I am saying this because of the fear that I have. Some of the people who accompany the two principals would, perhaps, wish to over-do things. We would like to be seen as being very strong and very good in arguments and forget that there are two parties that are sharing power.

Mr. Temporary Deputy Speaker, Sir, in his Address to this House, the President mentioned the resettlement of Internally Displaced Persons (IDPs). I think the committee that resettled the IDPs did a commendable job. This is a job I personally did when I was the Provincial Commissioner, Rift Valley Province. I can assure you it is not a very pleasant thing. It is a difficult job. I am happy to note that 90 per cent of the IDPs have already been resettled, 36 police stations and/108 Administration Police posts set up. It is also good that schools have been rebuilt in the affected areas. However, leaders within that province have to walk an extra mile. There is need to engage the communities within that area in constant dialogue. I know there is a lot of mistrust just as it was during my time as the Provincial Commissioner in the area in the 1990s. The mistrust cannot end simply because of the presence of many security personnel. There is need for the leaders and the people in this areas to talk and find the way forward.

With regard to agriculture, I am happy that the President underlined the need for irrigation agriculture. It is unfortunate that we spend a lot of money on imports we could do without. The President indicated in his Address that Kshs8.5 billion has already been spent on maize imports. This is the case and yet we can produce maize and wheat in our country. However, we are unable to produce enough because we heavily rely on rain-fed agriculture.

Mr. Temporary Deputy Speaker, Sir, I have just come from a country that has a population of about 1.1 billion people. This country feeds its people and is able to export the surplus. This country which is India is the largest democracy in the world. I have a feeling that we can do the same. If the exercise of building six dams and reviving eight irrigation schemes will be properly co-ordinated, it will increase food production substantially.

On the same note, we can do irrigation using water from River Chala. The Coast Development Authority (CDA) has already done studies and written reports which have not been implemented. The studies done by the CDA and experts from Israel indicate that we can use water from River Chala at the rate of 200 million litres per day and the level would have dropped by one-eighth within 20 years. The researchers were confident that we could irrigate the drier parts of Taveta, Kwale and Kilifi districts and still have enough water for domestic use. Studies have also been done on the Galana River whose water flows into the Indian Ocean. Again, we can construct a dam and irrigate the drier parts Ganze which is my constituency. I believe that since the President has underlined the need for irrigation, there will be expansion in this area after the six dams and the eight irrigation schemes are completed.

Mr. Temporary Deputy Speaker, Sir, the President touched on a very sensitive issue during his Address to the House. That is the youth and unemployment. We have many youths who are well educated. I do not have the statistics, but a good number has undertaken postgraduate studies. Even my constituency, which has earned a dubious title

for being the poorest in the country for three consecutive years has unemployed graduates. This is a very sensitive matter because these are the people who can engage in destructive activities. Therefore, I appreciate the fact that the President noted this aspect and underlined it. The establishment of Special Economic Zones will also assist.

The President also talked about energy. I appreciate the fact that plans are underway to ensure that we get power from geothermal and coal. That will increase the voltage we have currently and possibly lower the cost of electricity in this country.

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

Mr. Wamalwa: Thank you, Mr. Temporary Deputy Speaker, Sir. May I also take this opportunity to support and welcome the President's Address, which came at a very historic time. Indeed, the Speaker of this House eloquently captured the mood and the moment in the nation. We must congratulate the Speaker because of his wise and historic landmark ruling that has enabled the business of this House to move forward and the nation as well. He said that history is beckoning us to enter its annals as that generation of politicians that rose to the occasion when it was expected to. That generation that demonstrated extraordinary leadership in extraordinary times. I think it was just a matter of hours before the Speaker himself entered the annals of history with his landmark ruling. If we were to celebrate leadership in parliamentary democracy this side of the Sahara, I think this House and the Speaker will definitely enter the annals of history.

Mr. Temporary Deputy Speaker, Sir, I do not know whether the Tenth Parliament or the President and the Prime Minister will rise to the occasion as the Speaker said. Sometimes, we wonder whether the Tenth Parliament will be the one that enters and finds a distinguished place in the annals of history as the Parliament that gave this nation the Constitution that they had long desired; as the Parliament that brought about reforms in our institutions, whether it is the Judiciary, the police and other institutions in this nation. Will this Parliament be the one that bickered itself into the dustbin of history; the Parliament that could not agree even on the constitution of Committees of the House or parliamentarians who refused to pay their taxes; or the Parliament that was divided as a House along tribal and partisan lines? Will we be that Parliament when history is written? I think it is something that we need to pause and think about. For the principals, we know that they have demonstrated leadership before. We know that at the beginning of last year when this nation was at its lowest ebb, indeed, the two principals rose to the occasion by signing the National Reconciliation and Accord. By stopping the post-election violence, they rose to the heights of statesmanship. In the days ahead, the same level of statesmanship they demonstrated last year will be required of them so that the national interest is put above partisan, regional and sectional interests. Only they can provide that leadership!

If we are to succeed in disposing of the heavy legislative agenda ahead of us, indeed, we will need to embrace, not just the letter but the spirit of the National Reconciliation and Accord that is the basis of the existing Grand Coalition. That spirit behind the Accord is rooted in dialogue, consultation and compromise. Unless we are able to embrace that, we will not be able to discharge our obligations that are very heavy. They are looking at us as we move forward.

My late brother, Mr. Michael Wamalwa Kijana, once said that if there is a killer disease of coalitions - it is a greater killer disease than malaria, cancer or any other - it is lack of consultation. Indeed, he said that this is what affected the last NARC Government

when partners, instead of talking to each other, started talking at each other: When power gets to our heads, we stop playing with the full deck of cards and we start hiding the dangerous ones under the table. Those times and symptoms have started manifesting themselves in this Grand Coalition. I think we must do everything within our powers to ensure that we do not fall into the trap that led to the fall and disintegration of the NARC. Indeed, the challenges that lie ahead of us are very heavy. When you look at the food insecurity of this nation, a country whose 80 per cent of its population derives a living from agriculture, a country that has fertile soils and enough rain but cannot feed its self, we have a problem. When we look at other countries that are less endowed than our country like Malawi, if they are able to feed themselves, reverse the situation from a food-insecure nation to a food-secure nation and to even export food, we must ask ourselves why we have not been able to do this. I recognize the efforts that the Government has made so far and I must congratulate the President and the Minister for Agriculture, Mr. Samoei. Last year, I think if there was one issue I fought for, and many of us from the bread basket area of Kenya fought for, was the issue of fertilizer. When the high cost of inputs skyrocketed from Kshs2,000 to almost Kshs6,000 farmers were unable to access fertilizer. This year when we went on recess, the President himself together with the Minister for Agriculture came to the bread basket of Kenya and delivered fertilizer at a subsidized price of Kshs2,500. On behalf of the farmers of this country, when a Government performs, we must salute them. For the first time, as farmers, we have had fertilizer in time. We had seed in time. In fact, we had to wait for the rains. This year, I believe, farmers have ploughed more than ever before but we must look at a more long-term solution where we do not keep importing food and fertilizer. We have proposed time and again, and I had expected the President would address this in his Speech that we will, in the near future, have a fertilizer factory in Kenya. This will be a long-term solution to the constant problem of lack of or high cost of inputs.

Mr. Temporary Deputy Speaker, Sir, apart from food insecurity, we have the issue of insecurity in this nation. One President of the USA, J.K. Kennedy, once said that freedom is indivisible. When one of us is enslaved, we are all not free. Indeed, because of insecurity, whether it is in Mathira, Nyeri, Kirinyaga, where Mr. Githae lost his constituents – I congratulate him for his appointment – or Migingo Island and fishermen are fearful and whether it is in Kanyeru in West Pokot, Kenyans are enslaved by fear; this should not be allowed. Everything should be done to ensure that our borders are secure.

With those few remarks, I beg to support.

Mr. Kombo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the Speech by His Excellency the President.

In his Speech, the President, indeed, enumerated many areas that needed to be tackled. He talked on the issues of security, reforms, economic development and employment. All these issues that the President addressed, unfortunately, during this period are hinged on a proper working of the Grand Coalition. In this area, the President, having gone through a whole year in a Coalition which was brought about by the National Accord and having realized the pitfalls and weaknesses that may exist within the Accord, did not dwell on how to deal with these issues so that they are properly fixed for us to continue. Without a proper functioning Coalition, all these issues of reforms will come to naught. The issues of insecurity will come to naught! So, it is very important that we now sit back and ask the question that this National Accord, in itself needs some

reforms and where need be, we go ahead with reforms that will ensure a smooth running of the Coalition. The National Accord may not be perfect. When you think about it, I am reminded of the words of Winston Churchill during the formation of the UN. He said that this organization will not deliver us to heaven but it has delivered us from hell. The same can be said of the National Accord. It has shortcomings: It did not deliver us to heaven but definitely, delivered us from hell; the period that we were going through in January 2008. So, it is important that the President, the Prime Minister and everybody that is concerned, we re-look at these issues and where there are conflicts, we try and fix them amicably through dialogue and other methods that do not cause Kenyans anxiety. At the moment, Kenyans are extremely anxious. Wherever you go, Kenyans ask you: "What is happening? Will this Coalition last the five years?" From time to time the two principals go to the platform and tell us, "do not worry, the Coalition will last and nothing is wrong with it". However, at the same time, you can see they are not moving. We are not working on development issues.

Mr. Temporary Deputy Speaker, Sir, when Alston came around, he told us that we should sack the Attorney-General and the Commissioner of Police. That is not the issue! Unless we reform the institutions that have given us these problems, it does not matter which individual you put there. Those problems will still exist. Therefore, the reforms are key. For a long long time, Kenyans have been promised constitutional reforms. Now, the way things are going, you hear leaders saying: "Do we really need a new Constitution? Why can we not have minimum reforms and move on?"

Mr. Temporary Deputy Speaker, Sir, it will be a great betrayal to Kenyans if we do not deliver a new Constitution. These are the reforms we are talking about. We are also living at a time when the financial crisis in the world is looming. We cannot pretend as a country or Africa, we will definitely be hit. There may be a delay on when, but we shall definitely be hit.

We can only ameliorate the effects of the financial crisis if the Government is functioning smoothly and working properly. For me, those are major issues that I thought the President should have addressed.

Mr. Temporary Deputy Speaker, Sir, there is the question of corruption which again, the President just glossed over, and yet it is fundamental. It is at the core. It is the root cause of many problems that we have in this country. In the past, we have talked about the problems of Anglo Leasing. We have talked about many other problems yet without dealing with those corruption issues, we are getting no where.

I am not sure whether my time is up.

The Temporary Deputy Speaker (Prof. Kaloki): Yes, your time is up! Could you make your concluding remarks?

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

The Assistant Minister for Housing (Bishop Wanjiru): Thank you Mr. Temporary Deputy Speaker, Sir. I want to begin by saying congratulations for rescuing us last week. We were in a dilemma as a nation and as a people we faced very embarrassing situations outside. People were asking us: "What are you doing in Parliament, making noise all the time and fighting?" The decision that the Chair made restored our dignity and the glory that we had lost to the society.

Mr. Temporary Deputy Speaker, Sir, on the Presidential Speech, it addressed some issues very well. These are issues to do with agriculture, water, health, education and youth matters. We thank God for the *Kazi Kwa Vijana* initiative that has started. It is a very good project for the youth.

However, as I sat in this House listening to His Excellency the President giving his Speech, I was extremely disappointed that our President ignored one of the sectors that is very important in this country. We always say that the basic needs of human beings are food, water and shelter. The President addressed food and water but forgot to address shelter. We have 5.4 million people living in slums. We have 66 per cent of the Kenyan population living in slums and yet he forgot to mention anything about shelter.

Mr. Temporary Deputy Speaker, Sir, we have made Kibera and Mathare a tourist attraction. When tourists come, we take them to Kibera and Mathare to see how real slums look like. To me, I did not like the fact that shelter was ignored.

Mr. Temporary Deputy Speaker, Sir, going to policy, the Presidential Speech was full of policies, which was very good. However, going to the housing sector, there are two Bills we are working on which were totally ignored and nothing was mentioned about them in the Speech. One of them is the Housing Bill. This is the Bill that will make sure that we build houses and facilitate our people to build houses in the right way. The other one is the Building Code. We are currently operating with one drawn in the early 1960s. That is the reason we have buildings falling and killing people without anybody being prosecuted. We cannot apportion blame to the architect or engineer in charge of such buildings because the Building Code does not give us a leeway to plan and implement properly. I did not take it lightly that such Bills were ignored and not factored in the Presidential Speech.

Mr. Temporary Deputy Speaker, Sir, we have many problems in our country and a good number of them were well addressed. I observe that the Presidential Address mentioned a little bit about infrastructure. This is especially on roads with a good amount of money factored there. However, it was totally silent on the same road users, especially the *matatu* industry that has major problems which have not been addressed; neither by the security agents nor the transport sector. We also have the hawkers and small traders that nobody seemed to have remembered.

Mr. Temporary Deputy Speaker, Sir, our tourist industry has been suffering and some people have been laid off especially in Malindi. Nothing much was mentioned on this industry.

Mr. Temporary Deputy Speaker, Sir, I congratulate the President because he spoke very well about Migingo Island and what we are doing to resolve the dispute. However, on the same breath, we have problems with our borders. At Kacheliba in West Pokot there are problems but that was not mentioned in the Speech. At the time His Excellency the President was giving his Speech, we were struggling and battling with the beacons that had been removed from our border.

Mr. Temporary Deputy Speaker, Sir, I would like to say that when it comes to reforms, we are doing well but not well enough. We are moving at a snail's pace. We are moving so slowly that some of us are wondering when we shall ever get there. As most of my colleagues have said, nothing much was said in the Presidential Speech to address corruption in this country and yet we know that corruption is a monster that is destroying our nation. Mine is to pray and wish that the Tenth Parliament shall not go down in

history as that which did a lot of bickering in the House but one which achieved a lot for this nation.

With those few remarks, I beg to support.

The Minister for Industrialization (Mr. Kosgey): Thank you Mr. Temporary Deputy Speaker, Sir, for noticing me to be able to contribute to the Presidential Address. I wish to support it.

Mr. Temporary Deputy Speaker, Sir, we have faced a number of challenges in this country. We have pledged ourselves to be a middle income industrialized country by the year 2030. In order to be able to achieve that, we need to do certain things. One of the things we need to do is to attract investors, both local and foreign, to put their money in this country so that we can get our young people employed. That way, the hopelessness and desperation we see in our country can be brought to order.

One of the things that we need to do is to create an enabling environment for investors to come to this country and put their money here. We need to create confidence. One aspect, which we Kenyans do best, is politics. We need to do the right kind of politics and send the right messages, so that investors can know that they can come to this country to invest and their money is secure and they will get good returns. So, as we have said categorically, we need to embrace dialogue. From now onwards, we need to make sure that dialogue is the guiding principle in whatever we do.

Mr. Temporary Deputy Speaker, Sir, to this end, I wish to congratulate you for your historic ruling that saved this nation. The nation had been waiting very anxiously for your ruling. The ruling that you delivered last week gave a sigh of relief to all Kenyans. Now there is hope. We were reaching a situation where we did not have hope. You created that hope and now we can move forward. We hope that the two principals; the President and the Prime Minister, can continue from where you left in creating the right environment for investors to invest in this country.

Mr. Temporary Deputy Speaker, Sir, one other aspect is that of security. Everybody knows that it is the duty of any Government to protect lives and property of its citizens. That is the primary purpose why a Government exists in the first place. In Kenya, we have seen a situation where there are vigilante groups; whether legal or illegal, taking the law into their own hands. We must ask ourselves why vigilante groups see the need to organize themselves and take the law into their hands like they did in Central Province. Why do wananchi have to do so? They are doing so, because the security arm of the Government has failed to provide security to them. This was wrong. They thought one way of defending themselves is to arm themselves against this “force” which is existing, which the Government cannot deal with. That is not the right way to go. We need our security forces to be alert all the time and protect our people. They must create the right environment for investors to come in. Nobody would want to invest in an insecure environment.

Mr. Temporary Deputy Speaker, Sir, one other aspect is infrastructure. I want to touch on one very important aspect of infrastructure in this country. That is energy. Energy is a very important input in industry. I am glad that the President touched on this issue. We need to explore cheaper sources of energy. At the moment, energy costs industries US cents 22 per kilowatt-hour. Other countries like South Africa and Egypt pay 5 US cents per kilowatt-hour. It, therefore, means that manufacturing in this country is very expensive. Our goods cannot be competitive in the regional or global markets. So,

we need to find cheaper sources of energy. We have no option, but to do so. In the meantime, we find our energy bills are inflated. There are so many levies. When industries receive their bill, there is even a new levy called inflation adjustment levy. There is also fuel adjustment, Electricity Regulatory Board (ERB) levy, rural electrification levy and Valued Added Tax (VAT). By the time you add up all these levies, you find it is more than double the actual bill. We need to remove all these levies, particularly for industries. We need to have a new tariff, which would assist industries to manufacture competitively in this country. Industries are not asking for a favour. We can be a free market if we are able to manufacture competitively. We need a level playing field for all industries within the COMESA or African region, so that we can compete. Kenyans have shown that they are industrious and very hardworking. They can compete with any country, so long as the right environment and costs are in place.

Mr. Temporary Deputy Speaker, Sir, a lot has been said about reforms. It is now 20 years since we started talking about constitutional reforms. It is about time that we actually had a new Constitution. This is a challenge to the Tenth Parliament. We must deliver this new Constitution. We have seen what happened during the last elections. If we had a new Constitution, probably, we would not have gone through what we went through. Unfortunately, because of the bickering that went on after Bomas and doctoring of the document, it was not passed. We hope that this time, the Tenth Parliament will give Kenya a new Constitution. Other institutional reforms are required. We hear quite often; "Oh! We need to change this or that personality. We need to change the Chief Justice and so on." It is not a person that we want to change. We want to bring in institutional reforms. We want to reform the judiciary, the police force and other sectors or institutions in our country to conform with present day realities. Some of these institutions still operate with very archaic laws that were enacted during the colonial times. We need to change all that.

Mr. Temporary Deputy Speaker, Sir, I want to say something about the food situation in this country. It is very saddening that 40 years after Independence, year in, year out, we see hunger, starvation and lack of food devastating half of our country. Yet, we know that we can feed ourselves. We must create the necessary will to feed ourselves. We now know that rain-fed agriculture is not the answer. We now know that the answer to our food security situation is irrigation. We need to go very quickly into the area of Ukambani and create the necessary dams for irrigation. We also drill dams in North Eastern Province for irrigation. We also need to have irrigation schemes in the Upper Rift region such as Turkana and Pokot areas. We do not need to have expensive schemes. We can have modest schemes, which can be operated by wananchi. We really need an urgent measure to make sure that we are able to feed ourselves, so that what we see on our television screens, year in, year out, is eliminated in this country. We know that a country that cannot feed itself cannot really boast of being a nation. So, we need to make sure that we are able to feed ourselves from now.

Mr. Temporary Deputy Speaker, Sir, while I was on energy I forgot to mention that the primary reason why Panpaper closed down was because it could not pay its energy bills. The energy bill of Panpaper went as high as Kshs300 million a month and, therefore, it had to close. I wish to assure the people of Webuye and all Kenyans that we will revive this factory. Hopefully, come next financial year, we shall move in and get it running.

With those few remarks, I beg to support.

QUORUM

Eng. Gumbo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to inform you that there is no quorum.

The Temporary Deputy Speaker (Prof. Kaloki): It is true that we have no quorum. Ring the Division Bell.

(The Division Bell was rung)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, due to lack of quorum, we have to adjourn. This House is, therefore, adjourned until tomorrow, 6th May 2009 at 9.00 a.m.

The House rose at 5.15 p.m.