

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 3rd March 2010

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

WELCOME TO TANZANIA PARLIAMENTARY DELEGATION

Mr. Speaker: Hon. Members, I wish to introduce to you and welcome this afternoon a delegation from the Parliament of Tanzania who are seated at the Speaker's Row. They are as follows:-

Hon. Fuya Kimbita, MP, Leader of the Delegation, Dr. Thomas Kasilila, Clerk of the National Assembly of the Republic of Tanzania, Mr. Fares Tarimo, member, Mr. Majid Kikula, member and Mr. Elisa Mbise, Secretary to the Delegation.

Hon. Members, they are members of a taskforce on the Chamber sitting arrangements for the Tanzanian Parliament. On behalf of the House and on my own behalf, I wish the delegation a fruitful and happy stay in Kenya.

Thank you.

(Applause)

PAPERS LAID

(Mr. Haji stood up in his place)

Mr. Speaker: What is it, Mr. Haji? Do you wish to table those documents?

The Minister of State for Defence (Mr. Haji): Mr. Speaker, Sir, I wish to table these documents.

Mr. Speaker: You may proceed, except that you did not make the Chair aware that you would be tabling documents this afternoon.

Proceed!

The following papers were laid on the Table:-

Financial Statement of the Kenya Safari Lodge and Hotels Ltd for the year ended 30th June, 2009, and the certificate thereon by the Controller and Auditor-General.

Financial Statement of the Sunset Hotel Ltd for the year ended 30th June, 2009, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister of State for Defence (Mr. Haji)
on behalf of the Minister for Tourism)*

Financial Statement of the Nyeri Water Sewerage Company Ltd for the year ended 30th June, 2009, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister of State for Defence (Mr. Haji)
on behalf of the Minister for Water and Irrigation)*

Financial Statement of the Kenya Plant Health Inspectorate Services (KEPHIS) Ltd for the year ended 30th June, 2009, and the certificate thereon by the Controller and Auditor-General.

Annual Report and Financial Statement of the Agricultural Finance Corporation (AFC) for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister of State for Defence (Mr. Haji)
on behalf of the Minister for Agriculture)*

Financial Statement of the National Social Security Fund (NSSF) for the year ended 30th June, 2008, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister of State for Defence (Mr. Haji)
on behalf of the Minister for Labour)*

Financial Statement of the Kenya Roads Board (KRB) for the financial year 2008/2009, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister of State for Defence (Mr. Haji)
on behalf of the Minister for Roads)*

Abstract of accounts of the Municipal Council of Nakuru for the year ended 30th June, 2004, and the certificate thereon by the Controller and Auditor-General.

Abstract of accounts of the Municipal Council of Nakuru for the year ended 30th June, 2005, and the certificate thereon by the Controller and Auditor-General.

Abstract of accounts of the County Council of Kwale for the year ended 30th June, 2006, and the certificate thereon by the Controller and Auditor-General.

*(By the Minister of State for Defence (Mr. Haji)
on behalf of the Deputy Prime Minister and
Minister for Local Government)*

Mr. Speaker: Order, hon. Members. Mr. David Ngugi, will you, please, approach the Chair?

(Mr. Ngugi approached the Chair)

(Mr. Keynan stood up in his place)

Mr. Keynan, you may proceed!

Mr. Keynan: Mr. Speaker, Sir, for purposes of complying with your order yesterday, even though I tabled this Report on 10th December, 2009, I wish to table it once again.

(Mr. Keynan laid the document on the Table)

This is a report of the Departmental Committee---

Mr. Speaker: Order, Mr. Keynan! You need not re-table the Report because, indeed, I was able to ascertain from the HANSARD that you tabled that report on 10th December, 2009. So, your bid to give notice of Motion yesterday afternoon was proper and in accordance with the Standing Orders.

NOTICE OF MOTION

ADOPTION OF COMMITTEE REPORT ON STUDY TOUR TO TURKEY, IRELAND/UNITED KINGDOM

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

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the study visit to Turkey, the Republic of Ireland and the United Kingdom which took place between 22nd November and 10th December, 2009.

QUESTION BY PRIVATE NOTICE

AMOUNT OF MONEY DISBURSED TO WAMBA DEB PRIMARY SCHOOL

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

(a) Could the Minister state how much money Wamba D.E.B Primary School is entitled to as a low cost boarding school per year, indicating the number of boarding students as well as the breakdown on the allocation for the last four financial years?

(b) Why is the Government not providing food in the boarding section and boarders are having only one meal (lunch) per day through the school feeding programme?

(c) Could he also confirm that due to lack of beds and mattresses, boarding students sleep on the bare floor?

(d) What plans does he have to improve the conditions in the school so as to minimize the suffering of the students?

The Assistant Minister for Education (Prof. Olweny): Mr. Speaker, Sir, I beg to reply.

(a) Wamba D.E.B primary school, with a population of 380 boarders, is entitled to a total of Kshs1,664,000 at a capitation of Kshs4,000 per child, per year. Of this amount, Kshs144,000 is used for paying the salaries of four non-teaching staff members and Kshs1,520,000 is for food. However, in the financial year 2009/2010, the capitation per child reduced from Kshs4,000 to Kshs3,000 per year due to national increase in the number of boarding schools and enrolment. At the same time, the rate of annual budgetary allocation from the Treasury remained constant at Kshs375 million since 2008/2009. Consequently, the school received a grant of Kshs1,284,000 at the capitation of Kshs3,000 per child per year. From this allocation, Kshs144,000 is used for paying the salaries of four non-teaching staff and Kshs1,140,000 is for food. The hon. Members has the list for the breakdown, unless he wants me to read it out.

(b) The Government is providing food in the boarding section. In the current financial year 2009/2010, the Ministry has disbursed a total of Kshs1,128,000 as grant to Wamba DEB Primary School. The first disbursement was done in July 2009 and the second one in January, 2010, both of which had Kshs72,000 for salaries and Kshs570,000 for food. In addition, the Government is also providing food to the school through the School Feeding Programme.

(c) The policy of the Government has been parents, communities and local leaders should provide boarding facilities including beds and mattresses for the students while the Ministry pays salaries for the non-teaching staff and provides food for the boarders. The hon. Member is also advised to use local resources and devolved funds such as CDF and LATF to improve the facilities in the school.

(d) Currently, there are no plans for improving the condition of low-cost boarding primary schools including Wamba DEB Primary School. Nevertheless, as a condition and a necessary requirement for providing grants, the parents, local community and leaders must provide boarding facilities to the school.

Mr. Letimalo: Mr. Speaker, Sir, even though I do not have a written answer and specifically what is being referred to by the Assistant Minister so that I can interrogate him, my concern is now drawn to part "c" of the Question. The school has an enrolment of 700 pupils. Out of this, 260 are boarders. These boarders take only one meal in a day; that is, the food that is provided through the School Feeding Programme. The school has only 140 desks for the 700 pupils. If three students were to share a desk, it means 420 students will be able to seat. The rest 300 students will be taking lessons while standing.

Mr. Deputy Speaker, Sir, students there eat while standing because there is no single dining table. They sleep on a bare floor. I do not know the number of children who are being taken to hospital because of cases like pneumonia. What is the intention of this Government with regard to this school which is a low-cost boarding school that is supposed to receive financial assistance from the Government? Is it their intention to close the boarding section? There is no reason why they should be mistreating and frustrating the students.

Prof. Olweny: Mr. Speaker, Sir, the hon. Member says that they have day scholars in the school, if I got him well. As I said, we give financial support for boarding to the boarders that have been registered with us. If you have day scholars in the school that are not registered, then we cannot take care of that. We have to have the data on the number of students in the school and in this case the boarders, and then we provide the financial support. As of now, we are providing enough support to the boarders---

Mr. Letimalo: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House? By saying that the school is a low-cost boarding school, that is an indication that it is registered. When he is asking whether the school is registered, I think he is misleading the House.

Mr. Speaker: Order, Mr. Letimalo. You are asking whether the Assistant Minister is in order to mislead the House. What is he misleading the House about? The simple way to put it is this way: Is the Assistant Minister in order to mislead the House that --- Then say it! Simple.

Mr. Letimalo: Mr. Speaker, Sir, is the Assistant Minister in order to mislead the House by saying that the school is not registered whereas it is a low cost boarding school? That means that it is supposed to receive financial assistance from the Government.

Prof. Olweny: Mr. Speaker, Sir, I think it is the hon. Member who is misleading us. I talked about the number of students registered with us. Otherwise, the school is registered as a district education board school.

Mr. Litole: Mr. Speaker, Sir, ASAL areas have a lot of problems. Students from ASAL areas have been asked to provide their birth certificates before they are registered for the national examinations. In my area, we have no hospitals. so it is a big problem. I do not know whether the Ministry can waive this requirement for the children who come from ASAL areas and have it done gradually, may be for two or three years.

Prof. Olweny: Mr. Speaker, Sir, that is a different topic. The registration of examination with respect to birth certificates is a different topic from this one. If you will allow me---

Mr. Speaker: Fine, Mr. Assistant Minister. You are entitled to that claim.

Mr. Letimalo: Mr. Speaker, Sir, when was the last allocation of funds disbursed and how much was it? He should also tell us whether he is---

Mr. Speaker: Order, Mr. Letimalo. During Question Time, you are allowed to ask one question at any given time. You did very well. You had got away with two, but, Mr. Assistant Minister, you may only answer one.

Prof. Olweny: Mr. Speaker, Sir, the question he is asking me is in part "b" of the answer. We have given two tranches of the financial support. The first disbursement of Kshs570,000 for the boarders and Kshs720,000 for the employees came in July, 2009. In January, 2010, another Kshs570,000 was disbursed for boarders and Kshs720,000 for salaries for the employees. He has that information there.

ORAL ANSWERS TO QUESTIONS

Question No.003

DESTRUCTION OF TRANSFORMERS THROUGH VANDALISM

Dr. Otichilo asked the Minister for Energy:-

- (a) whether he is aware that the destruction of transformers through vandalism is on the rise, increasingly disrupting electricity supply countrywide and;
 - (b) if he could state who the main culprits are; and,
- what technical solution the Ministry is contemplating to address the serious problem.

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

(a) It is true that vandalism of transformers for oil and copper windings is on the rise. The KPLC incurs huge expenses to replace each vandalized transformer with a new one at an average cost of Kshs500,000 including replacement costs. The vandals are criminals taking advantage of the lenient sentences meted out by our courts as transformer vandalism cases are treated as petty offences. From the year 2000 up to 2009, we have lost about 3,391 transformers which have been vandalized. In 2000, it was about 39. Last year, it went up to 1,200. So it is on the rise.

(b) The Ministry of Energy through the KPLC is taking the following measures:

(i) Relocating of transformers at risk to safer areas like homesteads.

(ii) Installation of higher platforms for the transformers.

(iii) Reinforcement of the transformers with extra features e.g. welding of the cocks to stop oil siphoning.

(iv) Use of single pole mounted transformers.

(v) Lobbying for stiffer penalties for both dealers in scrap metals engaged in this vandalism.

(vi) We are pilot testing some of the transformers which are not using oil; which only use copper. As you are aware, last year under the Finance Bill, the exportation of copper metal was scrapped. Therefore, we are having some of the transformers on pilot programmes.

Dr. Otichilo: Mr. Speaker, Sir, while I appreciate the answer given by the Assistant Minister, I would like him to address part "a" of the Question, in which I specifically needed to know who are the main culprits in this heinous act of vandalism of transformers. This is putting this country at risk.

Mr. Keter: Mr. Speaker, Sir, I would not say who the main culprits are because these are thieves. So, I do not know them. There are isolated cases throughout the country. I can only call upon this House and the public to be on the lookout. We have instructed the KPLC staff to use the company vehicles while on duty as well as to be in uniforms. So, if you see anybody tempering with the transformers, we are appealing to Kenyans that we all take responsibility together. This is costing us a lot of money and has impacted negatively on the implementation of the projects. As you are aware, there have been a lot of projects which have been completed, but we have not commissioned them because of the shortages of transformers. We have received transformers for 33KV and for 11KV. Therefore, I want to assure this House that within this month, most of the projects that were started last year and this year will be completed.

Mr. James Maina Kamau: Mr. Speaker, Sir, stealing of transformers is a national problem. What is the Ministry doing to make sure that Kenyans do not suffer? What are they doing to make sure that they are replaced as soon as they are stolen?

Mr. Keter: Mr. Speaker, Sir, we give priority to areas where transformers have already been supplied, so that we do not affect the customers who are already connected to power.

Mr. Mungatana: Mr. Speaker, Sir, the Assistant Minister has said that at all times, the Ministry keep replacing the transformers. Has the Ministry considered putting in place preventive measures? For example, we had problems with the tourists and a tourist police unit was set up. Has the Ministry tried to emulate this, so that they minimize loss of transformers? Even in the short term, have they considered patrols? It

would cost less to patrol than to purchase new transformers all the time. Have these measures been considered instead of the continuous replacement of the transformers?

Mr. Keter: Mr. Speaker, Sir, I said that previously the installation of transformers was done in areas where there were no existing houses. Therefore, it was subject to being vandalized. Currently, we are relocating those transformers to safer places like near market centres where there is security and also to some homesteads. We are installing them nearer to the people. We are also asking those people to take care of the transformers. Those are some of the things that we are doing because we cannot patrol them. They are so many transformers. That is why we are relocating them to places where there is security.

Mr. Mwangi: Mr. Speaker, Sir, the Assistant Minister says they are relocating and welding these transformers. The Question being asked is about the technical solutions to this problem. Could he consider using coloured oil, so that the thieves do not use this oil for any other purpose?

Mr. Keter: Mr. Speaker, Sir, I do not know about the coloured oil. However, I have said that already we have imported some transformers which do not use oil. They are copper based and they use no oil. That will also assist us. So, those are currently being installed in areas where we have had problems, for example, around Nairobi. That is what we are doing. With regard to coloured oil, I do not know about it. However, I will have to find out about that.

Dr. Otichilo: Mr. Speaker, Sir, I would like to know from the Assistant Minister whether the allegations that oil stolen from the transformers is used to fry chips, mandazis and other fast foods is true. I know this oil is very dangerous to the human body.

Mr. Keter: Mr. Speaker, Sir, I do not think that what my colleague says is true. I really do not think so, because mainly this oil is used for welding purposes and not for cooking. So, I do not think so.

Question No.011

BREAKDOWN OF FORESTRY ROYALTIES
FROM FOREST PRODUCTS IN BARINGO

Mr. Mwaita asked the Minister for Forestry and Wildlife:-

(a) whether he could provide a breakdown of forestry royalties (revenue) received from forest products in Baringo District in the last 3 years; and,

(b) whether he could also consider licensing the harvesting of sandal wood.

The Assistant Minister for Forestry and Wildlife (Mr. Nanok): Mr. Speaker, Sir, I beg to reply.

(a) The forest royalties (revenues) received from forest products in Baringo District for the last three years amount to Kshs7,065,792 broken down as follows:-

(i) In 2007, the royalties received from fuel wood, poles, monthly fuel licenses, seedlings, forest produce movement permits amounted to Kshs102,215. In 2008,

Kshs2,864,242 was received and in 2009, Kshs4,099,337 was received, making a total of Kshs7,065,782.

(b) No, I cannot consider licensing the harvesting of sandal wood. Sandal wood is a protected tree species whose exploitation is under a five year Presidential ban vide Legal Notice No.3176 of 13th April, 2007.

Mr. Mwaita: Mr. Speaker, Sir, I wish to thank the Assistant Minister for the comprehensive answer. However, on the issue of sandal wood, the harvesting and export of sandal wood is in public domain. Illegal exporters harvest and poach sandal wood, especially within Baringo District where it grows abundantly. The Assistant Minister has said that the exploitation of sandal wood is under a five year Presidential ban. What is the Ministry doing now that the five year ban is about to lapse?

Mr. Nanok: Mr. Speaker, Sir, I appreciate hon. Mwaita for that very good question. Let me state very clearly that sandal wood is an endangered tree species. The seeds of this tree have very low viability and take very long to germinate. There are very few areas in the ASAL areas where the sandal wood grows and it is not easily replaceable. This ban is most likely going to be extended.

Mr. Yinda: Mr. Speaker, Sir, sandal wood seems to be very economically viable and a lot of people are doing everything possible to exploit it. Could the Assistant Minister tell this House whether it will be possible for the Government to introduce sandal wood as a commercial tree, so that whoever wants to grow it commercially can be encouraged to do so?

Mr. Nanok: Mr. Speaker, Sir, as I have just said, we have looked into this, but considering the fact that the seedlings take too long to germinate, this may not be a viable option to look into.

Mr. Yinda: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to mislead this House that the fact that the seeds take too long to germinate is a good enough reason not to introduce it commercially?

Mr. Nanok: Mr. Speaker, Sir, this is a factor that we are looking into. Research is still being conducted, but initial indications are that this type of seedlings may be very difficult to propagate. The seedlings may even take three to four years to germinate. Therefore, it may not, in the medium-term and the short-term, be commercially viable. This is something which our scientists are looking into and they will advise us appropriately.

Mr. Mungatana: Mr. Speaker, Sir, I rise on a Point of Order under Standing Order No.40 as regards the allocation of time to the Prime Minister's Time. Under that Standing Order, the Prime Minister may be asked Questions or he may give a Statement concerning issues of national importance. I do not see any Statement or indication that the Prime Minister will be addressing the House and, yet, we have issues concerning---

Mr. Speaker: Order, Mr. Mungatana! We must come to the end of this Order before you can raise that point of order legitimately.

Mr. Yinda: Mr. Speaker, Sir, I am still not satisfied with the answer that the hon. Assistant Minister has given. The fact that it takes about three years for the seeds of sandal wood to germinate is not good enough reason. Does he know that it takes two years to propagate tea yet Kenya is one of the greatest tea producers in the world?

Mr. Speaker: That is a very good concern. Mr. Assistant Minister, I am similarly at a loss as to why you cannot go into mass production of these seedlings.

Mr. Nanok: Mr. Speaker, Sir, as I have just said, our scientists in the Ministry are looking into this issue. But so far, the preliminary information that we have gotten is that it has a very low viability and it takes too long. So far, in the whole country, we do not have any tree nursery containing this particular tree species. But it is something that we are still looking into. The researchers at the Kenya Forest Research Institute (KEFRI) are looking at this alongside many other species of trees.

Mr. Konchella: Mr. Speaker, Sir, could the Assistant Minister invite other Kenyans with knowledge on propagation of seedlings to assist the Ministry in propagating these seeds because it can be done under some scientific conditions? It can even take a year or less to grow.

Mr. Nanok: Mr. Speaker, Sir, we will appreciate that. If any anyone knows of anyone who has the knowledge and expertise to help us propagate these seeds, I think they are very much welcome to work closely with our scientists.

Mr. C. Kilonzo: Mr. Speaker, Sir, I am at a loss. Is the ban on export or growing? Aloe Vera which takes a longer period than even sandal wood is still grown commercially although there is a ban on its export. So, is the Assistant Minister telling us that we cannot grow sandal wood commercially? Is there a ban for growing it commercially?

Mr. Nanok: Mr. Speaker, Sir, Sandal Wood and Aloe Vera are two different species that really need to be compared. But our scientists have looked at different species of Aloe Vera and established that it is commercially viable be planted by Kenyan farmers. But for this particular one, the initial research still indicates that it may be difficult because currently, the plant is grown out there in the bushes and it may take a while before we can get the correct scientific information which we can use to advise the farmers to commercially grow it. So far, the few---

Mr. C. Kilonzo: On a point of order, Mr. Speaker, Sir. I think the Assistant Minister did not understand what I asked. My question is very simple. Is there a ban on growing Sandal Wood commercially? We know that there is a ban on exporting Aloe Vera, but the farmers are allowed to grow it commercially.

Mr. Nanok: No, Mr. Speaker, Sir. But the ban is there on trade in Sandal Wood.

Mr. Mwaita: Mr. Speaker, Sir, I am happy that the Assistant Minister talked about research. I just wanted him to clearly confirm whether the Government is promoting serious research on this tree, including stem cell research, to be able to get a fast-growing species.

Mr. Nanok: Mr. Speaker, Sir, that is correct. The Kenya Forest Research Institute is doing that.

Mr. Speaker: That brings us to the end of Question Time.

POINTS OF ORDER

PRIME MINISTER'S ABSENCE FROM HOUSE

Mr. Mungatana: Mr. Speaker, Sir, I had risen at 3.00 p.m., but you quite correctly pointed out that Question Time was not over. But, indeed, 3.00 p.m. is the Prime Minister's Time.

Mr. Speaker, Sir, the point of order I was bringing to your attention and that of this House is that it has been designated under Standing Order No.40 that at 3.00 p.m., every Wednesday, we shall have the Prime Minister's Question Time. Under the same Standing Order, it has been designated that the Prime Minister may give a Statement or answers to Questions that are put before him. Currently, the country is in a state of anxiety as concerns the state of the two Ministers in the Government currently, who were served with suspension notices and then something happened after that. We would have wished or, in fact, expected that the Prime Minister would have come to clear the minds of Kenyans on the Floor of the House, so that we can know exactly what the status is. Unfortunately, we do not know why he is not here neither is the Deputy Prime Minister here.

Mr. C. Kilonzo: Mr. Speaker, Sir, just before we went on the long recess, you made a ruling on the same issue. At that time, the Prime Minister was out of the country, but his two deputies were around. The Chair ruled that they owed this House an apology. Just to bring to your attention, initially, the Prime Minister was very attentive to the Prime Minister's Question Time. Then, he started reverting Questions to Ministries and now it has moved to him not showing up in the House.

Mr. Speaker, Sir, we would like you to invoke the existing Standing Orders here and take action on these three offices, that is, the Prime Minister and his two Deputies.

Mr. James Maina Kamau: Mr. Speaker, Sir, I concur with hon. Mungatana's concern, because when we were on recess, so many things happened in the country. For instance, we had the issue of guns and ammunitions that were found in Narok. That was an issue of national concern and I think it is high time we were told exactly what is going on

Mr. Speaker: Fair enough. Hon. Members, Standing Order No.40 provides for the Prime Minister's Time and not the Prime Minister's Question Time.

Standing Order No.40 is explicit on what the Prime Minister may do with that Time which is supposed to last 45 minutes. Among other things, it provides for the Prime Minister, in his discretion, to make a statement or answer Questions as may be put to him. Note that the words used in that Standing Order are "may" and not "shall". But that notwithstanding, during the meeting of the House Business Committee this week, we received intimation that the Prime Minister Office was not ready with any statement or prepared to take Questions this week. This is because the Prime Minister's Office deemed it appropriate to defer to the Presidential Speech, which I think is a good spirit for the Coalition Government. So, the House Business Committee accepted that position and, therefore, the Prime Minister was not expected to make any statement this afternoon.

I think it is good for this country if the Prime Minister defers to the President.

IMPLEMENTATION OF HOUSE RESOLUTION ON MIGINGO ISLAND

Mr. Mbadi: Mr. Speaker, Sir. I rise to seek for a Ministerial Statement from the Minister for Foreign Affairs.

Mr. Speaker, Sir, on 27th May, 2009 this House passed a Motion resolving that Ugandan security occupying Migingo Island in Lake Victoria which is part of Kenya should leave with immediate effect and that the Government of Uganda unconditionally

commits herself to respecting the territorial boundaries between Kenya and Uganda. The House further urged His Excellency the President and Commander-in-Chief of the Armed Forces of the Republic of Kenya to use all resources and options at his disposal to reclaim Kenyan land in accordance with the Constitution and to seek the assistance of the UN Security Council to deal with this issue as a matter constituting a threat to international peace and security under the UN Charter.

Mr. Speaker, Sir, also in June, 2009, the Government gave an assurance to the nation that a joint survey with the Ugandan Government was being undertaken to resolve the issue and that the survey could last two months. I am, therefore, asking the Minister to issue a statement to this House and clarify the following:-

(1) What steps the Government of Kenya has taken in implementing the resolution of the House namely: That the Ugandan security forces leave Migingo Island and that His Excellency the President and Commander-In-Chief of the Armed Forces of the Republic of Kenya use all resources and options at his disposal to reclaim Kenyan land in accordance with our Constitution.

(2) Finally, the Minister also needs to clarify to this House how far the joint survey between Kenya and Uganda which was promised has gone, bearing in mind that he made a commitment to the people of Kenya.

Mr. Speaker: Minister for Foreign Affairs!

Mr. Midiwo: Mr. Speaker, Sir, he is not here, but we will let him know.

Mr. Speaker: You will let him know this is an urgent matter. If you are taking responsibility on behalf of the Government, then you must undertake that this Statement will be availed on Tuesday.

Mr. Midiwo: Yes, Mr. Speaker, Sir, Tuesday, next week.

Mr. Speaker: It is so directed; Tuesday, 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, laid on the Table of the House on Tuesday, 23rd February, 2010.

(Mr. Thuo on 2.3.2010)

(Resumption of Debate interrupted on 3.3.2010)

Mr. Speaker: Mr. Nyammo has some minutes left of his time. You have five more minutes.

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

Before the House rose this morning, I was saying that we have a problem with our youth who have been dislocated by our system of education. This system of education does not provide them with skills. It just gives them knowledge and hope that

they will be employed. Who will employ them? We have institutions, especially secondary schools with a lot of land. They have ten to 15 acres which are not utilized at all. It is important that somebody does something to enforce the opening up of these pieces of land to enable, at the minimum, secondary schools to feed their students, so that they minimize the cost of education in schools.

Mr. Speaker, Sir, I was astonished recently when I attended a graduation ceremony in one of the diploma teacher training colleges in the country. A college is sitting on 100 acres of land and the principal was requesting for recurrent expenditure from the Minister. This is the money to repair vehicles or do this and that. Whereas if they utilized the 100 acres of land properly, they would have been in a position, not only to repair those vehicles, but also buy others. So, a way must be found by the Ministry of Education to compel secondary schools to open up their farms and grow crops to feed their students.

Mr. Speaker, Sir, we can go on talking about education. However, I know this matter will be raised, probably, formally in this House about the mismanagement of funds meant for free primary education. By now, we should have had a statement from the Ministry as to what effect the misdirection of resources has had on the provision of free primary education and free secondary education. This is a major dislocation of our education system. As we sit here, there is nothing much we can give our children; not the coffee farms, tea farms or cattle, but education. Education will enable them to be whatever they want to be. Education will enable them to go wherever they want to go in the world. We talk about murders when people take guns and shoot others. However, there is no bigger murder than destroying the future of our children. Something must be done to stop those people who are destroying the future of our children. Literally, it is as if they are murdering our children.

Mr. Speaker, Sir, with regard to youth in general, I hope that now the Ministry of Youth Affairs and Sports has reconstituted the Board. I believe funds will be disbursed quickly and utilized with a view to replenishing the kitty and assisting others who want to borrow that money. I hope that fund will be managed better than it has been done up to now.

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

The Assistant Minister for Roads (Dr. Machage): Mheshimiwa Bw. Spika, asante kwa kunipa nafasi ya kuongea juu ya Hotuba ya Rais wa nchi, aliyoitoa hapa Bungeni wakati wa kufungua rasmi kipindi hiki.

Aliongea kwa moyo wa uzalendo. Iitupa wosia na maagizo mazuri juu ya ujenzi wa taifa hili. Alitukumbusha kazi tuliyonayo usoni na tunayopaswa kuifanya. Kazi yenyewe ni kuhusu Katiba mpya ambayo Wakenya wanaisubiri kwa hamu. Alisema Bunge la Kumi lina jukumu muhimu la kuhakikisha Kenya imepata Katiba Mpya wakati huu.

Mheshimiwa Rais alisema kila mwananchi wa Kenya anastahili kupewa heshima na haki yake popote pale anapoishi. Alisema Katiba ambayo itaundwa iwe Katiba ya haki ya kutoa uhuru kwa kila mwananchi. Mimi naomba Katiba hii iwe ni ya kuleta furaha na uelewano kati ya jamii mbalimbali.

Nami Naomba kwamba hiyo iwe Katiba ambayo itakuwa ya kusherehekea na kufurahia, lakini isiwe Katiba ambayo itafanya jamii fulani nchini ziwe za kusononeka na kusaga meno kwa sababu haki zao zitakuwa zimeondolewa.

Nakushukuru, Bw. Spika, kwamba jana, uliangazia kwamba kutakuwa na kikao maalum chaa Bunge hili ili kuangaza mawazo yao kwa Katiba kielelezo iliyoundwa na wale waliopewa jukumu hilo. Ombi langu, kwa moyo wa unyenyekevu, kwa Wabunge wenzangu na kwa Bunge hili kuu la Kenya, wakati huu ukifika nyote mje muwakumbuke wale wenzenu, ndugu zenu, dada zenu ambao, kwa sababu ya historia, wamejipata katika hali ya kunyanyaswa kwa sababu ya utawala mbaya na kwa sababu waliwekwa katika kona fulani ya nchi hii na wakanyimwa haki zao kwa sababu ya uchache wao na labda ukosefu wa raslimali na elimu. Mimi naangaza mawazo yangu kwa jamii yangu, Wakuria, ndiyo sababu nimeamua kuongea Kiswahili, ili watu wote Kenya hii wasikize na wanisaidie kuliomba Bunge hili.

Kwa kweli tumeona vile Katiba kielelezo imewekwa kuwa na Counties 47 si haki! Haki zile ambazo Mzee aliongea juu yake katika Hotuba yake kwa wananchi wa Kenya zitanyimwa wengine kama vile Wakuria. Watu wa Mt. Elgon na Wateso, ambao, kwa sababu Mungu aliwaumba akawaweka mahali ambapo jamii ambazo ziko karibu, wakati mwingine hawaingiliani vizuri. Hili ni jambo ambalo najua ni zito; labda wengine watasema kwamba ni kwa sababu ya wingi wa watu. Lakini ni ombi kwa moyo wa kunyenyekea, kwamba iwapo kutakuwa na Katiba mpya ambayo tunaenda kuunda katika Bunge hili, ije iwe ni wakati wa furaha na vigelegele kwa wananchi wa Kenya wakiona kwamba wametendewa haki na Katiba mpya; watasherehekea.

Mzee kaangaza mawazo yake kwa vipengele fulani ambavyo lazima tuingalie katika sheria mpya za nchi hii. Alisema lazima tuangalie hali ya kutenda haki kwa wananchi katika korti. Alisema lazima pia tuangalie na kugeza sheria inayosimamia polisi na kadhalika. Aligusia mambo ya 2030. Yote haya yalikuwa ili kupigania haki ya mwananchi. Aligusia mambo ya Vijana; aligusia mambo ya kufikiria nguvu za afisi za Mawaziri, na hata jinsi ya kugawa mali ya Serikali. Hayo yote ni wajibu ambao tumepewa sisi na Mzee katika Hotuba yake. Ni lazima tuangaze mawazo yetu kwa kuona kwamba kikosi cha polisi kiwe cha kutoa usalama kwa kila mtu na si cha kunyanyasa; hivyo ndivyo Mzee alivyoangaza mawazo yake katika Hotuba yake. Ni lazima tuone kwamba haki imetekelezwa kwa kila mwananchi vilivyo.

Mzee alisema kuwa lazima tuangazie mawazo yetu kwa mambo ya insurance na biashara na pia tuangalie mambo ya nyumba na ujenzi. Hii ni kazi ambayo ametupa ya ziada, na ambayo lazima tuifanye. Hata hivyo, hayo yote yameungana kutupa mwongozo kwa mambo ya Kilimo, elimu na kadhalika. Naomba kwamba aangaze kabisa mambo ya elimu kwa sababu sehemu zingine za Kenya kuna shida, hasa kuhusu kuangaza na kueneza waalimu kunavyotekelezwa na Serikali. Mtihani ni ule ule mmoja ambao unakaliwa na mtoto kutoka hapa Nairobi na yule aliye katika eneo Bunge langu. Halafu wengine wataitwa “washenzi” au “wajinga” kwa sababu walianguka mtihani, lakini hawakupewa nafasi sawa! Shule ya watoto 900 huko ina waalimu watatu. Hapa Nairobi ama sehemu zingine za nchi kuna waalimu zaidi ya kiwango ambacho kinahitajika. Hili ni jambo la kunyanyasa wananchi na si haki! Lazima kila Mkenya afanyiwe haki, kusudi ikiwa kukuza mawazo ya watoto wao ili wawe imawa na kulijenga taifa hili.

Si hilo tu, hata ujenzi wa zahanati na vile madawa yanavyogawiwa sehemu nyingine nchini hakuna usawa. Kama vile Mzee alisema, kwamba kila mtu ana haki sawa katika nchi hii. Kwa hivyo haya mambo ninayosema ni lazima yaangaziwe na wananchi watendewe haki.

Bw. Spika, siku ya leo nikiangaza mawazo yangu kwa Hotuba ya Mzee, nayaona ya usoni yakiwa mazuri, lakini kama sisi Wabunge tutachukua jukumu letu na kufanya kazi yetu vilivyo. Kuna vipengele vingi ambavyo naviona katika Katiba kielelezo, na ambavyo tunaonyeshwa; labda vitaleta shida. Mambo ya utawala, mambo ya wilaya, sehemu ya Mbunge ikilinganishwa na nguvu za utawala baada ya Katiba mpya kuanza kufanya kazi. Mambo haya ni ya kutatanisha ukisoma Katiba hii kwa undani. Tupewe nafasi tuiangazie. Na naomba kile kikundi kilichopewa kazi hiyo huko Naivasha kituangazie zaidi waliyoyaongea. Ile Kamati kuu ambayo ilipewa wajibu wa kuangalia Katiba isitunyanyase pia kwa sababu ni kana kwamba wajibu wao ulikuwa kunyanyasa vikundi fulani fulani katika kubuni sehemu za siasa na utawala.

Sina mengi ya ziada, Bw. Spika. Nashukuru.

Mr. Speaker: The hon. Member for Saboti! This is his third attempt; so hon. Peter Munya, you will have to bear with the Chair.

Mr. Wamalwa: Thank you very much, Mr. Speaker, Sir. On 23rd February, 2010, His Excellency the President, in his Address, did remind this House of its place in the history of this nation. He said that the 10th Parliament has a historic opportunity to rise to the occasion by passing a new Constitution for the Republic of Kenya. We must be successful in this endeavour at this defining moment in our history.

On 24th February, 2010, Mr. Nzamba Kitonga, the Chairman of the Committee of Experts (CoE) also said the following words:

“It is now incumbent upon the 10th Parliament to proclaim its glory and earn its page in history or to forever perish in ignominy. It must, therefore, guard the constitutional reform process from the perils and fluctuations of coalition politics.”

Mr. Speaker, Sir, you have time and again, and up to yesterday, reminded this House that history is beckoning us to enter its annals and make a mark. That historical moment is upon us. It was during such a moment that President Lyndon Johnson said in 1965:

“At times, history and fate meet at the same place and at the same time to mark the turning point that will shape the history of a nation.”

I believe that, that moment in history has come. That responsibility falls upon the Tenth Parliament to give the people of Kenya a new Constitution. We cannot afford to fail and let down the Members of the Parliamentary Select Committee (PSC) on the Review of the Constitution who, through the spirit of consensus and compromise did a splendid job in Naivasha. The Committee of Experts (CoE) and many Kenyans have over the last two decades done their part. Its now upon us to, indeed, rise to the occasion and do our part.

Mr. Speaker, Sir, the Tenth Parliament has time and again risen to the occasion. On 28th February, 2008 when the two principals signed the Peace Accord, they rose to the occasion. Indeed, we saw statesmanship at its best when they put national interests before partisan, sectional or regional interests. This House also rose to the occasion in March, 2008 when we passed into law the National Accord that gave way to the Grand Coalition Government. That time has come again. However, Napoleon the First said that from the sublime to the ridiculous, there is, but a thin line. Indeed, we have seen this nation descend from the sublime heights of statesmanship that we saw the two principals climb to, to ordinary politicians where we have gone back to business as usual to retreat to our political corners and play party politics. We urge that in the spirit that the President urged

this House, we must rise above these partisan divisions so that we can give this country a new Constitution.

We do believe that without strong institutions, we will still have problems. Without a strong Constitution that has checks and balances, we will still be a nation without a firm foundation. Indeed, we have heard very strong statements this morning about corruption in this country. We have heard those who have spoken about how well the Prime Minister has done and how the President is only paying lip service to the fight against corruption. We have seen people put up a show that the Prime Minister is stronger in the fight against corruption than the President. They have been stolen the shows against each other. This is the spirit that we want to do away with.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, this is not about who is stronger. In fact, this is what President Barrak Obama captured in Ghana when he made his famous speech. He said that what Africa needs are not strong men, but strong institutions. We need, through this constitutional process, to put up strong institutions that will strengthen the fight against corruption. We should find out how we can strengthen corruption agencies by ensuring that we give them more prosecutorial and investigative powers and resources to effectively deliver on the fight against corruption. It is not who shouts the loudest or plays to the gallery. As far as the fight against corruption is concerned, it is a matter of putting these institutions in place.

Mr. Temporary Deputy Speaker, Sir, I was very glad to hear the President mention the issue of whistle blowers. Indeed, there is legislation being put in place to protect witnesses and whistle blowers as far as corruption is concerned. Those involved in corruption are powerful people and witnesses are at risk. We know whistle blowers who blew the whistle on the Goldenberg scandal and we know what happened to them. We know what happened to Mrs. Mwatela, the wonderful lady at the Central Bank of Kenya whom we thought would be named the Governor of the CBK but was not, despite her role in blowing the whistle on the Goldenberg scandal. We know the late David Mnyankei, the young fellow who blew the whistle on the Goldenberg scandal, was buried in an unmarked grave and never celebrated by this country for playing his role. We know of one Tony Gachoka, a young man who in the Prime Minister's Office raised the issue of the maize scandal. He was shoved out of that Office. We know that time has come when we must protect whistle blowers. We must strengthen our institutions to ensure that we fight corruption not only in terms of making noise.

We know that unless we strengthen the Judiciary, we will not be able to work on the backlog of cases that exist. We know that the Judicial Service Bill has been before this House time and again but it has not been passed. As far as police reforms are concerned, we have made progress. However, unless we strengthen the Judiciary, the fight against corruption cannot be won. Unless we have enough judges and magistrates, the fight against corruption still remains unwinnable. Unless we motivate the subordinate staff, the paralegals, the clerks who work with the judges and those who work in the

registries – those who make the files disappear from the High Court and subordinate courts’ registries – the fight against corruption will not be won. We believe that this must be done urgently so that the fight against corruption can be won.

I was very impressed when the President emphasized the need for national cohesion. In the last two Sessions, we have looked at many things and passed many Bills. However, we have not set the feet of this nation on the path of reconciliation and national healing. We have failed to do this. The focus of this country should turn to the path of national cohesion. We know that there are those who are waiting for Ocampo to come and take some Kenyans away. They think that once Ocampo does that, everything will be done and will be over. However, Ocampo will not make the Kikuyu and the Kalenjin live together. He will not make the Kisii and the Luo to live together. It will take the leaders of this nation to go out there and start the healing process. We have taken our eyes off the ball of national healing and reconciliation. Time has come when we must turn our eyes on this path.

Finally, we know that elaborate plans were mentioned by the President in his Address towards poverty eradication. However, the truth of the matter is that today, this country is a nation divided. It is a tale of two cities as Charles Dickens once said. It is a tale of two countries; one for the rich and the other for the poor. The gap continues to widen. The late J.M. Kariuki spoke of Kenya being a nation of ten millionaires and ten million paupers. If he resurrected today, he will find a Kenya of 10 billionaires and 40 million paupers. Something should be done to ensure that all Kenyans who live in this country can find a meaningful and quality life. There is one old English Judge who said that neccesitous men are not free. Indeed, so long as Kenyans continue to suffer the degradation of poverty and as Jaramogi Oginga Odinga once said, Kenya is not free yet. It is not yet uhuru for many Kenyans. We need to embrace the meaning of freedom to include opportunity to make a living – not just a decent living according to the standards of the time, but also to find a meaning to a living.

We know that there are many Kenyans who even as we talk of *tunajivunia kuwa Wakenya, wao wanavumilia kuwa Wakenya*. This is the time we need to unite. We need to cast aside our differences and tribal blinkers and do what we can for the sake of this nation.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Assistant Minister for Agriculture (Mr. Ndambuki): Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to the debate on the Presidential Address to this House.

In his Speech, the President said that this country is going to grow at 4.5 per cent in this financial year. But when you look at what is happening in this country, I do not think we will realise that level of growth. Some sectors of the economy, like agriculture, have started picking up. The farmers are now harvesting. The Government has put in a lot of effort to enable farmers to grow crops.

However, to my surprise, as I speak now, funds for purchasing farm produce have not been released. So, farmers are now being swindled by brokers, who are buying a kilogramme of maize at Kshs15. That translates to Kshs1,350 per a 90-kilograms bag of maize, instead of Kshs2,300 by National Cereals and Produce Board (NCPB). That is a very discouraging scenario to the farmers and this economy. If this produce could be

moped up as promised by the Government, the farmer could get money to buy other things.

Mr. Temporary Deputy Speaker, Sir, the tourism sector has also started growing. But because of the utterances that we are hearing here and there--- There are differences where Ministers are sacked and then they are reinstated--- I would encourage our two Principals to talk, whether they like it or not, for the sake of 40 million people in this country. They need to talk so that this country can grow. That way, we can achieve what we want to achieve. There are so many enquiries by people who want to invest in this country. But they are not certain of what is likely to happen tomorrow. So, they change their minds. The squabbles are sending investors away from this country.

There are so many countries that have moved out of this country to Uganda. It does not mean that Uganda is better than Kenya. But Uganda is peaceful. There are no arguments in that country. So, those are some of the things that we need to look into. For instance, look at livestock farmers. For many years, we have never seen what we have seen this year. The Government has been preaching to farmers to keep dairy cows, so that we can have milk. But what is happening with the milk now? It is being poured down the drain. Is that really a sign of growth in this nation? Are we really assisting our farmers the best we can? Those are the things that are really working against the projected economic growth of 4.5 per cent. So, that is something we need to address. We must talk in one voice. Even if it is criticism, let it be done properly without sending out a message to the world that Kenya is about to burn. This country is greater than us. It is greater than this House. It is greater than individuals. Since it carries 40 million people, we need to look into that aspect.

Mr. Temporary Deputy Speaker, Sir, on the issue of corruption, whether we like it or not, we have lost all the credibility as a nation. When you travel outside this country, you are faced with many challenges. You are asked many questions about this country. We have to save this nation. Let us deal with corruption. If Ndambuki is the one engaging in corruption, let him be dealt with. But let us not make sweeping statements. Let us deal with the people who are involved in the vice. In return, the people who are involved should not go and hide behind their tribes. We need to get rid of this vice from our midst. That is because it has created a very bad image about this nation.

I remember a Minister for Tourism who went for a meeting in the United States. You could see how Rwanda and other smaller countries were being treated. We were thrown not even to second class, but to tenth class. So, these are things that we need to look into. Let us not personalise the issue of corruption. If it is being dealt with, let it be dealt with honestly. Let the necessary measures be applied to all people equally across the board. We should not have a situation where some people are being favoured while others are being punished.

Mr. Temporary Deputy Speaker, Sir, the other issue that the President talked about is availability of credit to Kenyans who are doing business. Our financial institutions are making a kill out of what they are doing. However, the high interest rates are preventing people from borrowing. Borrowers cannot make returns out of the money that they borrow because of the interest charged. I would like to see a situation where people can get credit at affordable interest rates, so that they can start businesses.

We should not wait for outsiders to come and start businesses in this country. There are very many Kenyans who can do proper business. However, accessing credit

from financial institutions is a nightmare. So, this is something we need to urgently address.

Mr. Temporary Deputy Speaker, Sir, in the agricultural sector, for instance, the Agricultural Finance Corporation (AFC) continues to make losses because farmers do not make any profits. Whenever there is a drought, farmers apply for loans to be written off. We have been having a lot of problems getting people to inject money into AFC. It is only the Government that continues to put money into AFC. We need that facility to be available to the farmer. If need be, we should come up with an insurance package so that, if you borrow from AFC, you take an insurance policy. If your crop does not mature, the insurance policy covers you. However, if we expose our farmers the way we do, they will continue to suffer and poverty will increase.

On the issue of the Constitution, where I come from, namely Kaiti, Makueni and, generally, Ukambani, we have been marginalised for the last 46 years, as far as resources are concerned. We get very little resources compared to other areas. So, I am really looking forward to the enactment of a new Constitution that will make it mandatory for resources to be allocated equally. Year in, year out, we are given relief food. If we are given water, we will not need relief food. We are, sometimes, at the mercy of relief food givers because we do not have any other choice. So, we are looking forward to a new Constitution that will equalise everything, be it allocation of resources or facilities. We want Kenyans to be treated equally.

Mr. Temporary Deputy Speaker, Sir, I would also like to take this opportunity to thank the Parliamentary Selection Committee on Constitutional Review for a good job which they did in Naivasha. They prepared a final document which is now in the hands of Members of Parliament, waiting to be debated. I would like us to debate it soberly. Where we find that we are not doing something good, we should all come together. The new Constitution is not for ODM, PNU or any particular person. It is for Kenyans. It is for the 40 million Kenyans out there who have been waiting for a new Constitution for the last 20 years. Therefore, I would like to concur with all the previous speakers. Let us debate this document and remove the things that we think are not favourable to us. We can unite and achieve the mandatory two-thirds majority that is required to pass an amendment.

This Parliament will go on record as having come up with a draft Constitution, passed it and actualised it to become a new Constitution for this country. That is an honour we should accept by debating the draft Constitution up to the end.

Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to support.

The Assistant Minister, Ministry of State for Planning, National Development and Vision 2030 (Mr. Kenneth): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to say a few words on the Statement that was made by His Excellency the President on the Floor of this House.

Let me first of all, congratulate the Members of Parliament who sat in Naivasha and the Committee of Experts (CoE) for coming up with a document which the President, in Statement, told us that the challenge of the defining moment clearly rests on us.

Mr. Temporary Deputy Speaker, Sir, it is important because defining in itself means capturing the moment of truth or glory. What is important is for this House to realise that the harmonized Draft Constitution which will be brought on the Floor of this House is for Kenyans and not this House. We must go with the views of the majority of

Kenyans because that is what they have been waiting for from 1991. I was privileged to attend the Bomas discussions. I really see the spirit in which the President is requesting this House, to be a renewed spirit from what we had at Bomas.

The second thing that I pick from the Statement that the President made was on corruption. He said that we should not personalize the war against corruption. But why is the war being personalized? It is because the institutions have not taken charge. We do not have to come to this House and speak about corruption. The institutions must take action immediately those acts take place. People talk about corruption because they see the impunity with which the vice has continued. They continue to speak about it because they see it happen and no action is taken.

Mr. Temporary Deputy Speaker, Sir, in so saying, the vigour by which the Kenya Anti-Corruption Commission (KACC) has continued to take action is commendable. I would like to tell it that if it continues at that pace, nobody will personalize the war against corruption. Kenyans want to have confidence in the institutions that they set up; that, they are capable and can take the necessary action required of them. We cannot move forward if impunity continues to dodge this country. The problem that has arisen in this country is that impunity has continued to dodge us. We continue to see many forms of impunity. These are issues that ought to be dealt with. Parliament, in its own wisdom, has set institutions. They must not only be seen to work, but must work. That is the only way we can develop our country. That is the only way we can hope to create an environment for the very many young Kenyans who continue to feel as if they are in hopeless situation.

The President spoke about judicial reforms. I am speaking on the Presidential Address, probably for the eighth year running. I know it is a Statement of intent and those intentions need to be actualized. We have serious problems in the Judiciary. There is a backlog of 800,000 cases.

Mr. Temporary Deputy Speaker, Sir, if we expect fairness in this country, justice must be seen. We must continue to see reforms that are not just a question of adding more judges. It is a question of reforming the entire Judiciary to an extent where if they have to work for 24 hours to clear backlog, they should be encouraged to do that. Most of the cases that are pending are judgments where you do not even require witnesses. So, you do not need to address issues of witness security at night. People want justice dispensed with. People want to see that what is required of them and what is enshrined in the Constitution as equal justice prevails. Justice delayed is justice denied.

The President spoke about national cohesion as the way forward. We know where we came from. This is not so long ago. It is about two-and-a-half years ago. We were warned by Krieglner that what we saw in 2007 is nothing. Maybe, it was a Christmas party. But what have we done as leaders? How have we contributed to bringing cohesion in this country? Before the President spoke, what did we have in this country that threatened us not so long ago? It was grand standing of our political leaders! What have we specialized in other than branding each other and saying that So and So belongs to that side and he is a member of that community? If we want to build a nation, it is time we said we want to build a nation. It is time we said Kenya first and our community is second. It is time we looked at Kenya and said that we are privileged to serve, but Kenya belongs to the majority who are not leaders and are not in this House. Kenyans who are

out there are very desperate and in a hopeless situation. These are Kenyans who deserve the best from their leaders.

It is one thing speaking about cohesion and acting opposite the minute we walk out of points of leadership. Therefore, I appeal to the House and our leaders that national cohesion is not simply setting up a commission. National cohesion is realizing that everybody is an equal stakeholder in this country and has a right to live in this country, and that no other Kenyan has more equal rights than the other. We all deserve to be in this country because we have no choice. We are here because we were all brought up as Kenyans and we have to respect each other.

On the economy, if we look at the rate at which it grows, the first thing that comes into our mind is that we cannot even achieve Vision 2030. Vision 2030 was envisaged at a growth rate of 10 per cent per annum from the year 2008. This means that we are three years behind schedule in achieving Vision 2030 by the economy growing at 1.7 per cent in 2008, 2.5 per cent in 2009 and estimating it to grow at 4.5 per cent in 2010. We should be thinking about accelerating the growth of the economy to more than 10 per cent to recover the three lost years. If we do not achieve a minimum of 10 per cent growth rate, the Vision 2030 will not work.

The President spoke about Dongo Kundu. That story has been spoken in Mombasa as a by-pass towards the South Coast for the last 20 years. If we are serious in the growth of our economy, we should now realise that a whole economy in the South Coast cannot hinge on some frail ferries that continue to delay people who want to commute between the island and the mainland. In the same breath, by now, we should not just be thinking of one bridge across to the North Coast. You will not know what would happen to the economy of the North Coast if that bridge had a problem. What the South Coast people are experiencing is what the North Coast people would experience if that bridge to Nyali would breakdown. I am only giving this as small areas that have a lot to do with our economy but nothing has happened over the years. We must now walk the talk. If we say we are going to do by-passes, let us do them.

We now know the situation we are in, in Nairobi. Anybody who comes to Nairobi and is going to Mombasa has to do the seven roundabouts from Westlands to Nyayo Stadium. He is in the traffic and we are all in one big jam. This is the case and yet we claim we have a highway called "Uhuru Highway" which, in my view, is the biggest car park in East Africa. This is because most people spend more time parking their cars on Uhuru Highway trying to commute. This is because we have not taken cognizance of the fact that there are more vehicles being registered, there are more road users, we have not done the by-passes and we have not even started thinking about doing them. All these are a waste to the economy in terms of human resource that is trapped in the traffic jams and fuel that is being burnt while we are in those traffic jams. When we talk real economy, we must also rationalize and think of ways in which we can build the economy of this country to the extent that we can create employment for the majority of our young people who are educated but continue to be in a helpless situation because the economy is not creating enough jobs.

Finally on police reforms, we must be serious because we have a serious security problem. Every part of this country is complaining about insecurity. In 1974, Kilimani Police Station had 20 vehicles; today, it has two and a bigger population to serve. So, we

must empower the police as we speak about reforms. It should not just be reforms without empowering the police in terms of equipment. I support.

Mr. Jirongo: Thank you Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the debate on the President's Address. The current issue that everybody is speaking about in the country today is the new constitution. It is important that we rise to the occasion and give this country a new Constitution. This has been said by literally every speaker who has spoken in this Parliament today, including the two Principals who have consistently talked about us coming up with the new Constitution.

I want to believe that this Parliament will play its part and ensure that Kenyans get a new constitution. But as we all wait for this new constitution, Kenyans might be mistaken that a new constitution will put food on their tables. There are a lot of things that this country needs to be looking at. The President picked out a few issues which he mentioned in his speech, and for which I must take this opportunity to congratulate him; but we need him to talk more; we need him to spell out these issues more, not only when there is a State opening of Parliament or when there is a national occasion.

I want to believe that we do not expect the President to be the implementer of his wishes. We have officers and institutions that should be able to act on issues the Principals are talking about, whether it is the issue of corruption, or whether it is the issue of ensuring that we create opportunities for our people, or whether it is the issue of security. I think once the President talks about it, we know that there are officers that tax payers pay money, who are supposed to be doing that work.

I want to agree with hon. Kenneth that one of the issues that we need to look at very seriously in our country is security. Recently on our major highway, Mombasa Road, we lost one of the best pilots this country had, and it was just early in the night, at about 10 o'clock in the evening.

This country has failed to understand that we can only have a country and we can only be in this Parliament and talk about the constitution, development and other issues that we keep on talking about when every citizen is guaranteed his security. Security remains the spinal cord of any country. This and constitutions are not being spoken about in places like Somalia. This country flourishes because God has kept it going; the issue of provision of security has turned into paying lip service. For how long have we been told that the police do not have enough equipment, yet at the same time we are told tunaanza Kazi Kwa Vijana (KKV) and several billions of shillings are blown off in less than two months, and nobody knows where that money has disappeared to.

This country needs explanation; there are a lot of many funny ways--- Leaders come up with strategies that look so popular to Kenyans but at the end of the day, people just create loopholes to loot this country. I want to ask those that were responsible for KKV to come up and give us a clear audit, so that we know where the money meant for this went, because I never saw it in my constituency. That money would have been used to help the police, hopefully recruit more or get more equipment to ensure the pilot who was murdered on Mombasa Road is alive today.

We are wasting a lot of resources in this country, forgetting about very critical areas that the Government needs to concentrate on. Sometime back, we used to have the people we used to call informers. Informers would know that in this drinking, place So and So comes here and he is a dangerous man; he has a pistol or his intentions are bad; that information would be with the police and this person would be apprehended before

he creates problems for Kenyans. Today, that arm of the police is dead. All you hear about is that police shot down this number of criminals. Very few criminals are arrested because the intelligence arm of our police is not functional at all.

One needs to tell us, is it the resources that we do not have; we pretend we are creating jobs for people and eat money that belongs to Kenyans in the pretence that we are creating jobs for youth? We have a lot of potential in this country. For instance, hon. Gumo will bear me witness, if you gave him just a billion shillings as the Minister for Regional Government, he will create thousands of jobs in Weiwei, which is a scheme that is well over 5,000 acres, and that will employ literally the entire Pokot. It would reduce insecurity in that area if that programme was working.

Why take that money and pretend that it is money for KKV when it is money for Kazi Kwa Wazee? We need to be sincere; we need to be serious; we need to employ our resources diligently.

Mr. Temporary Deputy Speaker, Sir, issues of equity still haunt this country. Some Kenyans felt during the last elections that a certain section of Kenyans is sitting on the rest of Kenyans. We still have that problem in this country. If you run around Kenya, in most provinces you will find at least there is a road being constructed. Those of you who know Western province, there is no single road that is being done today, when the rest of the country, everywhere there is a road being done. In fact if you drive up to Kisumu, immediately you enter Western province, you start wondering whether you crossed the border to Uganda or to South Sudan or to another country---

The Assistant Minister for Youth Affairs and Sports (Mr. Kabando wa Kabando): On a point of order, Mr. Temporary Deputy Speaker, Sir. Listening to hon. Jirongo, whom I visited last year and spent three days in Western Kenya with him--- We travelled from Busia to Lugari to Sirisia; we visited Mr. Eugene Wamalwa in his constituency twice last year. Is he in order to mislead this House that there is not a single road that is being done in Western Kenya when one of the examples I can give from my recent visit to Butere is the Butere-Mumias Road in addition to very many others? He is being watched and the records at the Kenya Roads Board are very clear; is he in order to mislead the House?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Jirongo, are you misleading the House that there is no road constructed in that province?

Mr. Jirongo: Mr. Temporary Deputy Speaker, Sir, I just wanted to come out clear. The Butere Road he is talking about was opened many years ago by the President; there are no machines working in Western Province. I live in that province. The only money we are spending is the Roads Board money that we were given in constituencies to do earth roads; what I am telling him is to go up to Kisumu and when he enters Western Province, he will think he is entering Sudan. All the roads in Western Province have pot holes---

The Temporary Deputy Speaker (Prof. Kaloki): Order hon. Jirongo! Can you now proceed to contribute?

Mr. Jirongo: Mr. Temporary Deputy Speaker, Sir, I was really trying to emphasize the issue of security, opportunity and equity. Those are issues that have brought problems in this country. The other issue which is very thorny is the recruitment of officers into the Government. I do not want to name names here, but we are told that a certain number of officers are being recruited in the police. When you look at the

statistics carefully, we still have very serious lopsidedness in employment, particularly, in the Police Force, Administration Police (AP) and the Prisons Service. In one instance, more than 250 officers were recruited from one constituency. Those are the things that are bringing problems in this country. Every Kenyan is looking for a job and if there is an opportunity in the Prisons Service, let that opportunity be for all Kenyans and not for the Minister in charge. When there is an opportunity in the police, let it be for all Kenyans and not for the Minister in charge. When there is an opportunity in the AP, let it be for all Kenyans. Issues of equity and opportunity are still critical, if we are to celebrate about the new Constitution that we are just about to realize. A Constitution without a secure nation; without a nation that shares equitably, without a nation that is sensitive to the needs of all communities in this country, will be a mere "paper". It is important, therefore, that we start practicing and preparing to behave the way we expect the new Constitution to force officers and institutions in this country to behave.

On issues of corruption, let this Government be sincere. If you want to deal with issues relating to land and say that the land that was given out by retired President Moi was done wrongly, nullify it all and use proper means to give it out. But selective dealing is what brought problems in this country.

With those few remarks, I beg to support.

The Assistant Minister for Tourism (Ms. Mbarire): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this debate. I want to begin by saying that I was extremely happy to hear that the President was still very committed to ensuring that Kenya had a new Constitution. I hope that, that commitment is also with the Prime Minister, the Vice-President and the entire Cabinet. It has taken us over 20 years to have a new Constitution in Kenya. I think this, more than any other time, is a critical time in history for us to ensure that Kenya has a new Constitution.

I think we all need to realize that this Constitution is not about any individual, community or any hon. Member here, but it is about the nation. We lost many people in the quest for a new Constitution and the best we can do for them is to honour them by ensuring that we finally have a new Constitution that can be able to stand the test of time and help, not just our children, but our children's children. Therefore, I say that, as a Parliament, we are waiting eagerly to have time to debate this document. But I think most importantly, is for us to put the interests of Kenya before our very own, so that we can give Kenya a new Constitution.

I also want to mention something about corruption. A lot has been said and I am sure everybody appreciates that the biggest challenge we have as far as corruption is concerned is the lack of action on those who are seen to be corrupt or those who have participated in corruption. I want to say that Kenya Anti-Corruption Commission (KACC) has done very well. At least, over the last few months, we have seen them do certain things. But we want to see that coming from the top level all the way down. As long as KACC is doing its job, there will be no personalizing or politicizing corruption. We will be able to do better things than waste a lot of energy dealing with things that should have been taken care of by institutions that were created by this same Parliament. So, we look forward to seeing real action going on; both of past and present crimes, so that Kenya can have confidence.

I want to take some time, having had an opportunity as the Assistant Minister for Tourism to travel the world over and selling this great nation of ours, Kenya, I think I

need to say a few things. First of all, we need to ask ourselves: How positioned are we in the world map? As a person who engages the international community every time I travel out, I want to say that we have a lot to do to regain our rightful position in the world map, like we were in 2005, 2004, 2003, and even during the days when Kenya used to do very well economically. How does the world view us, as a nation? Does it view us as a stable country, both economically and politically? We get questioned whenever we go out there. They ask: Can you reassure us that you are politically stable and we keep on saying: "Yes we are!" Can you reassure us that, that is the place we need to come and invest? We are now getting real competition from our immediate neighbors who, before, would never stand a chance against Kenya. Investors are leaving Jomo Kenyatta International Airport (JKIA) and going to Tanzania. They are leaving JKIA and going to Rwanda. Reason? Because we have not taken the necessary political and economic reforms that can make people have confidence in us as a nation. Anybody who goes out there to talk about Kenya in competition with another country will tell you for a fact that, we are going through very difficult times of assuring people that Kenya is the same Kenya that we used to have. Therefore, I think as the leaders of this nation, we must commit ourselves to repositioning Kenya competitively against other countries. We must ask ourselves: Why does it take only three days for an investor to get to Rwanda, touch down at Kigali, go to the investment office in Kigali and within three days, he or she has all the necessary documents to invest? Here, it takes a minimum of one full month? How do you compete with such a country? I am saying that because I heard the Head of State of Rwanda say that in a forum of investors in America. So, we must begin to realize that it is not about competition as to who should take over this country as an individual, but we must realize that competition is now global.

If we want tourism to grow, we must have a destination that is sellable. Therefore, we must do the necessary reforms that make the country stand out against all the other competitors. I hope that this Fourth Session will address the following issues: The Constitution. We must deliver the Constitution to the people of Kenya. Secondly, we must ensure that we create national cohesion so that Kenya is seen to be a stable country. Thirdly, we must begin to divert resources to the critical areas if we are to realize Vision 2030, top of them being agriculture and tourism. I look forward to a really fruitful session.

Mr. Temporary Deputy Speaker, Sir, I hope that we can all put aside our political differences and deliver this country to the people of Kenya.

With those few remarks, I beg to support.

The Assistant Minister for Higher Education, Science and Technology (Mr. Kamama): Thank you, Mr. Temporary Deputy Speaker, Sir, for granting me the opportunity to contribute on this very important Motion. First, I must say that His Excellency the President delivered his opening Speech to this Parliament in a very able way. He listed a few agendas for this Fourth Session. Many things were said by His Excellency the President but I will zero in on a few that are very pertinent to the well being of Kenya. First, I will mention the Constitution. It is not easy to have a new Constitution during this time. Most constitutions are normally delivered during turbulent times, times of war and when the country is experiencing a lot of problems.

I want in this same vein, to thank the Parliamentary Select Committee on Constitution review under the chairmanship of Mr. Abdikadir for doing a wonderful job.

I want to propose that after we have delivered this Constitution in Kenya, those hon. Members in that Committee who have not been honoured with awards by the Head of State should be given some honours. I want the President to start with Mr. Abdikadir for being so calm, sober and steering that Committee in the right direction.

The President also talked about corruption. Corruption in this country is a long song. We have given corruption lip service. I do not think we are prepared to walk the talk on this and Kenyans do not believe what we think in our quest to fight corruption in this country. It is so rampant and it is almost the in-thing. We need, as a matter of urgency, to have those who have been mentioned in corrupt cases put behind the bars. Some people are praising KACC for fast-tracking a few cases. We still have very many pending corruption cases and we want KACC and other agencies to speed up and make sure that justice is dispensed to those who have robbed this country.

Mr. Temporary Deputy Speaker, Sir, I come from a region where livestock keeping is the in-thing. Nothing was mentioned about the beef sub-sector which contributes a lot to our economy. I am sure most Kenyans are very good *nyama choma* lovers. At one time, we said that *nyama choma* should be patented because this is what we enjoy during weekends, especially those who do not have problems with hypertension, diabetes and the rest. As livestock keepers, we need to be assured that something will be done to the livestock that we lost. We lost close to 80 per cent of our livestock in this country. There is no elaborate strategy to cushion those farmers who lost their livestock. So, we need money to restock our livestock. We need something close to the range of Kshs20 billion. I am talking of North Eastern Province, upper eastern, the entire upper north rift and the Maasai region. So, something should be done to assist those farmers because they are now poor, they cannot afford school fees or meals. These people are really suffering.

On the issue of police reforms, I think the current Minister is doing his job. He has really done a lot by way of forming the committees. I think something is being done, even increasing the salaries for the police. Mr. Nanok, Mr. Letimalo and I come from areas where you have a landmass that is the size of Rwanda but there is only one single OCPD. But when you go to places like Machakos and Nyeri, you will find that they have more than 20 OCPDs. These imbalances must be addressed. When you have a place that is the size of Burundi with one OCPD, how can you really tackle insecurity issues? Most of these areas are gun belts. Something has to be done.

On the issue of personal emoluments and equipment, our police must really be taken care of. When I was a District Officer in North Eastern Province in the 1990s, I stayed with the police for a very long time and I know their problems. They really sacrifice a lot. Most of them even lose their lives. So, something has to be done on the issue of police reforms.

On the issue of judicial reforms, most Kenyans do not trust our justice system. I do not have to prevaricate on this issue. When you go to court, it takes forever for you to get justice. We need to really look into what we can do to ensure that the pending cases that are almost a million in this country are dealt with. We want the Judicial Service Commission to be on Rapid Results Initiative from January to December. Let them be on RRI so that they can clear these backlogs because Kenyans are waiting for justice and they cannot see it. We need to do a lot in the judicial sector.

On the issue of infrastructure, I want to say that the President gave us a list of areas that we need to improve, especially in Coast Province; the free port at Dongo Kundu which has been a song for the last 20 years. We need to walk the talk. The people of Coast Province need that free port. At the moment, and I want to support Ms. Mbarire on this, if we delay in developing our infrastructure, in the next five or six years, we will lose a lot of business in this country. Right now, the Tanzanians are actually constructing roads between Dodoma and Lake Tanganyika so that their goods can cross to the other side. They are also constructing roads between Dodoma and Mwanza. So, if we do not take care, our port in Mombasa will actually be irrelevant very soon, especially when you look at it in the context of international trade.

We will lose business if we do not construct the port in Lamu and related infrastructure, all the way to Ethiopia. We need to get business in Sudan. This is in tandem with the provisions and recommendations of Vision 2030. So, we need to move very fast. If we do not move fast, we will remain without business. This is what we should be talking about as a country. We should be serious and focus on areas that can make this economy grow instead of depending on the two trillion GDP that we are realizing at the moment. We need to do much better than that.

With those few remarks, I beg to support.

The Minister for Regional Development Authorities (Mr. Gumo): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute on this Motion. Most Members have talked about the President's Speech in a very positive way. In fact, the points have been exhausted; I do not have much to say. But there are a few things that I needed to talk about, although they have been mentioned. There is no way we can eliminate corruption in this country without politics.

Corruption is mainly created by politics or by politicians. The day politicians in this country will be clean and will not be corrupt, the Civil Service will not be corrupt. It is just like if you are heading an institution---

Mr. Lessonet: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the Minister substantiate the claim that corruption is created by politicians? I am a politician. I am very confident about myself and my colleagues that we do not create corruption. Could he substantiate?

The Temporary Deputy Speaker (Prof. Kaloki): Order, Minister! Are you sure you want to answer that question? Do you have some names? You cannot do that anyway, but when you say politicians, do you know what exactly you are talking about?

The Minister for Regional Development Authorities (Mr. Gumo): Mr. Temporary Deputy Speaker, Sir, I said some politicians. Well, there are certain things which are obvious.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Minister! When you say some, do you know exactly who those Members are?

The Minister for Regional Development Authorities (Mr. Gumo): Mr. Temporary Deputy Speaker, Sir, there are certain things which are obvious. You have been here as a politician and you are aware of politicians who have come here with nothing, but after a very short time, they have become millionaires. Why not others? If they were serious and they were good business people like everybody else, why should they be so rich when others are so poor?

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

The Minister for Regional Development Authorities (Mr. Gumo): Mr. Temporary Deputy Speaker, Sir, there are certain things which you do not have to substantiate. So, do not waste my time.

Mr. Lessonet: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has made another allegation that there are some Members of Parliament who came here with nothing and that they are now millionaires. Could he name them? Has he ever seen their balance sheets showing that they came here with nothing and now they are millionaires? Could he substantiate?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Minister, I just want you to proceed with your submissions. Actually, we are getting out of the point here. Let us move on now.

The Minister for Regional Development Authorities (Mr. Gumo): Thank you, Mr. Temporary Deputy Speaker, Sir. That is why we cannot reform this country. The moment we have people who are agitated when we say something that they know about, then we cannot reform this country. We must be ready to correct the mistakes of this country and develop it.

There are people who are suffering who cannot even have something to eat. I represent an area where we have a slum and people walk to work every morning. Their salary is only Kshs5,000, which is not even the minimum wage in this country. We have a department in the Ministry of Labour which is supposed to inspect the salaries of workers in every industry, which does nothing. The officers in the department earn a salary, but they do not inspect the payrolls to find out how much each person earns. We have watchmen in this country who take care of some rich people who sleep comfortably in their homes, yet they earn very little. These people are sacked and chased away like dogs. When they go to the Ministry of Labour to complain after working for nearly ten years, nobody bothers and they are chased away. How can we run a society like this? There is a minimum salary that the workers are supposed to be paid. Everybody must pay their workers the minimum wage.

We are having a lot of problems. We look at big things and forget such small issues. We concentrate on the National Social Security Fund (NSSF). This Ministry is supposed to take care of the workers in this country. We even have an industrial court under that Ministry. However, when people are sacked and they are trying to have their cases heard in that court, nothing happens. You cannot have a Government which does not take care of its people. These institutions were put there to look after the welfare of our people. I represent some of these poor people who are under-paid and over-worked like donkeys. I am very concerned and bitter when I talk about corruption in this country. That is why when I talk about corruption and some Members want to cover it, I get agitated. I have been in this Parliament for a long time. I know very many Members who came here with suits made in some markets near their homes. When they come here, they are able to buy Italian made suits worth Kshs100,000. Some came here by matatus while others were dropped at the railway station and they had to walk here. They had nothing. But, all of a sudden, because they have been given some responsibilities and have made so much money, they talk big. At the same time, when they lose elections, they go back to their old suits because easy come, easy go.

Mr. Temporary Deputy Speaker, Sir, with regard to the Police Force, it has a lot of problems. They do not have enough housing and vehicles. As my colleague has just

said, most police stations do not even have vehicles. It is so difficult to work under such conditions. As you know, there are very many criminals in this country. When a policeman is killed, the human rights people never utter a word. When a thief is killed, they are up in arms, demanding for the arrest of the police officer. Are these people fighting for human rights or protecting criminals? They should protect the policemen also. How do you arrest somebody who is armed? You cannot. He has a gun, coming to shoot you and you are asked to arrest him. How? It is not possible. The only thing the policeman can do is also to shoot. Usually, they shoot them if they find them armed. Let us also try to help and assist the policemen. Let us give them support and this country will develop. We cannot develop without security. It does not matter how much money you collect. Even if a country has gold and diamond and there is no security, it will not develop. If you go to some African countries, you will find that people walk in the night up to morning. Here, streets lights are fixed by the City Council. If you drive on that road that night, it is all lit, but after two days, all the bulbs have been removed by some of these criminals. I do not understand how they climb to remove those bulbs. There is a lot that we need to do.

Mr. Temporary Deputy Speaker, Sir, we have a lot of problems in the rural areas. Every year, a lot of water goes to waste in form of floods. Most of these dry rivers are from my friend's area. This water is never stored and yet, the rivers are drying up. We should be supporting things like these because they are very important. I have been in Australia where there are dry rivers like the ones we have here, but they have constructed dams along the hills where they tap the water which is later used for drinking as well as for irrigation. They are able to produce enough food.

This country has got a lot of water. If we put most of this money where it is supposed to be, I am sure that we can have enough food to feed our people and even export the surplus. Whenever we have a problem, there is always money to import food, but when we ask for this money to put it into food production, we never get it. Where does this money come from whenever there is a crisis? The money that is made available when there is a crisis should be put into development, so that we do not have crisis any more.

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

Mr. Lessonet: Thank you, Mr. Temporary Deputy Speaker, Sir, for this opportunity to contribute to the Presidential Speech.

Mr. Temporary Deputy Speaker, Sir, I want to start my contribution by saying that I am actually disappointed by the comments or contributions by Members of the Executive. When Members of the Executive complain on the Floor, like the one who has just contributed about the Ministry of Labour, I wonder who else is supposed to take action. If a Cabinet Minister cannot sort out the issues of the Ministry of Labour or the police or we need the Non-Governmental Organization (NGO) world to sort out for us issues of police being shot or the Ministry--- I expect the Cabinet to address most of those small issues like the Kshs5,000 which is being paid to watchmen. I want to believe that the Cabinet should be able to address that in its meetings. I do not believe that they were bringing it here so that a Back bencher or an ordinary Member of Parliament like me sorts it out. A Cabinet Minister is really in a position---

The Minister for Regional Development Authorities (Mr. Gumo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that I

was wrong to have raised an issue about labourers, when I am also a Member of Parliament like him who was elected by those poor people and I am supposed also to defend them whenever they are in big problems like those ones?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Gumo, indeed, you are a Member of Parliament and also a Member of the Cabinet. Some of the issues you are bringing up can also be sorted out there.

Hon. Lessonet, you can proceed!

Mr. Lessonet: Mr. Temporary Deputy Speaker, Sir, I now want to substantively look at the issues the President raised in his Speech. Above all, of course, is the Constitution. This country should have gotten a new Constitution as early as yesterday. As a Member of Parliament, I will definitely be at the forefront in ensuring that the current Draft Constitution is passed, even if it includes a few amendments, which I know hon. Members have a right to bring to this House, as we debate it. We will, therefore, support the enactment of a new Constitution.

Mr. Temporary Deputy Speaker, Sir, during that Speech, the President highlighted the need to really address and fight corruption in this country. I want to believe that all of us in whichever positions we serve, whether as Members of Parliament or the Constituencies Development Fund (CDF) Committees, school boards or even project management committees in this country, we really have that mandate to ensure we do everything transparently. Corruption is in all sectors. I have even mentioned about the project committees. That is at the lowest level, for example, a water project or primary school. Even in the construction of a nursery school, you will still see elements of corruption. As a Member of the Constituencies Funds Committee (CFC), which is a Committee of this House to look at CDF projects, we are surprised when we go round and find that in one constituency, a normal standard classroom has cost Kshs250,000 and when you go another constituency or even another corner of the same constituency, you find that the same classroom of the same size and everything has cost Kshs800,000. You realize that the difference in price is actually an element of corruption. So, the President was right in telling us that we should all be able to fight corruption wherever we are. Of course, we totally agree with the President that as we fight corruption, we should do it within the existing laws.

Mr. Temporary Deputy Speaker, Sir, the President also informed us that all of us should not use the fight on corruption to attempt to achieve political expediency. We should not use the issue of corruption to sort out personal issues amongst one another. I want to believe that, that not only applies to Cabinet Ministers but also, to all of us. This applies even to people like councillors whom you work together with in the CDF, other people in the project management committees or even maybe, people in the constituency who do not support you. We should not attempt to use the idea of corruption to intimidate and harass such people.

Mr. Temporary Deputy Speaker, Sir, the President also in this Speech, highlighted about the need to have a business-friendly environment in this country. He was very clear in terms of repealing the Companies Act. The Companies Act which we have at the moment is outdated. You will realize that even as the Government divests its interest in State parastatals, because of the current scenario of the Companies Act, the directorship of such parastatals, whether it is the Kenya Airways, Kenya Commercial Bank (KCB) or Mumias Sugar Company, they are still appointees of the Government. This is because

that small shareholding of the Government enables them to appoint all the directors. Therefore, the fact that we must repeal the Companies Act as indicated in the Presidential Speech is right.

Mr. Temporary Deputy Speaker, Sir, in the process of trying to create a business-friendly environment, the President indicated to us the Bills which will come to the Floor. These include the Kenya Deposits Insurance Bill, Nairobi Stock Exchange Bill, Tourism Bill, National Housing Bill and the Special Economic Zones Bill, which are all relevant in ensuring that we have a business-friendly environment in this country, which is going to ensure that we get the right investors to invest in this country.

Mr. Temporary Deputy Speaker, Sir, in his Speech, the President also indicated to us poverty eradication measures in this country. Of course, he told us, as leaders, that we must focus on these poverty issues. I support the need to have low-cost interests or affordable credit in this country. At the moment, one of the issues which make us not to develop fast is the cost of borrowing. When you go to the bank and take a loan, the interest rates are very high. Therefore, the President is right in saying that we should have affordable credit.

Mr. Temporary Deputy Speaker, Sir, as I finish so that other Members can contribute; the President also highlighted the Government intention to pump additional capital to the New Kenya Co-operative Creameries (KCC). We support that initiative, because of the idea to have powder milk as part of the strategic food reserve for this country.

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

The Minister for Nairobi Metropolitan Development (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make my contribution on the President's Speech.

Let me start by congratulating the President for the vision and the things that he said in his Speech. His Speech touched on very many areas. But I will just zone in on three main issues. The first one is that he challenged this Parliament to give Kenyans a new Constitution. I think we are not going to let him down. We have been looking for a new Constitution for the last 20 years. But we can now see light at the end of the tunnel. In fact, what has come to my mind is that what the retired President, Moi said; that Constitution making should be left to the experts and not the ordinary mwananchi; he was right. This is because it is the experts who are more knowledgeable in this area. That is exactly what has happened.

Mr. Temporary Deputy Speaker, in the same law that set up the Committee of Experts (CoE), it also set up the Parliamentary Select Committee (PSC) on Constitution review. We must commend and congratulate the Chairman and members of this Committee for a job well done. They put aside party loyalty and affiliations and put Kenya first. As a result, they were able to come up with consensus on almost all the issues. Even the issues that we thought were very contentious; issues that we thought they would not be able to agree upon, they were able to agree upon. Therefore, this Parliament owes a great deal to that PSC. But as you have said, Constitution making is a political process. The PSC agreed on almost all the issues. It was up to the CoE to translate the agreement into proper constitutional law. But we are a bit disappointed by the way the CoE has dealt with these issues. They have brought up issues that were agreed upon. They have come up with their own systems and I will give a few cases. For example, the

PSC agreed that the Senate will be a lower House. The CoE have changed this into an Upper House. They have also made it a legislative body as much as Parliament. We know the experiences when you have two Houses which have legislative functions. Even in the United States where the Senate and the Congress have legislative roles, they recently passed a very important piece of legislation on Medicare. Both Houses passed their own pieces of legislation. They have been unable to agree on one version. As a result, all the efforts of President Obama have come to naught.

Mr. Temporary Deputy Speaker, Sir, we need to learn from history. This is where we are going to if we have two Houses of Parliament that have got legislative powers. Expect conflict between Parliament and Senate. Expect gridlock between Parliament and Senate. Expect suspicion between Parliament and Senate. In short, what the Committee of Experts has done is to give us a recipe for chaos and an indication of the kind of conflict that we should expect. Why the CoE did this after the PSC had already agreed on this, nobody knows. Whose agenda they are following, nobody knows. In fact, it is that one reason that made the 1963-1965 Parliament to abolish Senate. To me, the way the PSC had recommended the Senate to be was the right thing. Why they changed it, nobody knows.

Again, I can also see a conflict between Members of Parliament and the Senate. For example, in that Senate, there are about four, six or seven constituencies under one Senator. Now, it is not very clear. According to the CoE, if the Senate is Upper, then it means the Senator is also upper in relation to the Member of Parliament. I can see lots and lots of conflict on the way. I hope when the issue comes up before this House, we will be able to adopt what the PSC had agreed upon.

Again, as we proceed with the new Constitution, there are one or two things that we must say. We must in no uncertain terms say that we abhor the zoning of this country into political zones or spheres. Every Member of Parliament, every Minister, every Assistant Minister, President and the Prime Minister are entitled to visit any part of the country. They do not require permission from any person to visit. I was a bit disappointed when I heard some people say that the Prime Minister should not visit Central Province. He should visit every part of the country. I should also be able to visit every part of the country. The Vice-president and Minister for Home Affairs should be able to visit every part of the country. We must say this in no uncertain terms. This zoning business has to come an end. We must allow each and every person to campaign.

Lastly, as we talk of the new Constitution, we must avoid sideshows. There was the issue of a vote of no confidence in the Prime Minister. To me, those are sideshows. We should not do anything that will disrupt Kenyans from getting a new Constitution. We should, therefore, as a matter of urgency, start preaching that this country needs a new Constitution. It needs a new start. We should never again allow this country to go back to 2008. For the first time when I saw people burning other people's houses and cars, raping women, I was ashamed of being a Kenyan. I never thought that this country could degenerate into that kind of situation just because of mere politics. Political disputes will always be there. It is the way we manage disputes that is most important. Even in the United States during the last election, there was a political dispute between Al Gore and Bush, but the Supreme Court made a decision. It said that Bush was validly elected as the President and everybody accepted. So, we must accept that there would be political disputes. But we cannot solve them by burning other people's houses, raping

women, burning cars and evicting people from where they have lived for a long time. That is primitive and it should not be allowed in modern Kenya. After all, this country is bigger than all of us. Even if you are not declared the winner, you should not incite your supporters to demonstrate because we know what demonstrations in this country end up in. It ends up in looting of properties and loss of lives. So, we need to commend the President. He said that the fight against corruption must proceed but it must be done in a systematic manner. Let us not personalise it. Let us not politicise the fight against corruption. In fact, the current Acting Director of the Kenya Anti Corruption Commission is doing a good job. The Departmental Committee on Administration of Justice and Legal Affairs should recommend him for appointment to that position.

With those few remarks, I beg to support.

Dr. Otichilo: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to take this opportunity to make a few comments on the Address that was delivered by his Excellency the President during the opening of the 4th Session of the 10th Parliament. I wish to congratulate the President for a well balanced Address he gave in the House. The Address gave us a lot of reassurance that this country will remain one country, a country belonging to all Kenyans. So, I want to laud the President for being very forthright that this country belongs to all Kenyans and we must work together.

Mr. Temporary Deputy Speaker, Sir, on the issue of the Constitution, most of my colleagues have talked about it and why it is very, very important. I also want to laud the President for being very clear that our main task during this Session will be to focus on the Constitution to make sure that this country gets a Constitution. For the last 20 years, this country has been yearning for a Constitution, but due to various problems and interests, we have not been able to get one. This is a very, very momentous time in the history of this House and of this country; it is time for this country to have a new Constitution. I am confident that the Constitution that we already have, or what has already been proposed, to a larger extent, covers what Kenyans have been yearning for. There may be some differences here and there within the proposed Constitution. I believe that when we start discussing this Constitution, hopefully next week, we, as hon. Members, will scrutinize it and be able to pick out any of the key or small issues that we need to all agree on, so that we come up with a Constitution that when we take to the Kenyans during the referendum, we will all take it to them in one voice as Kenyans; we will say this is the Constitution we want and we ask Kenyans to vote for it overwhelmingly, because they have contributed immensely to this Constitution.

So, Mr. Temporary Deputy Speaker, Sir, I am confident that this time round, this Constitution is going to go through. I want to appeal to all my colleagues in this House not to bring any further differences to the proposed Constitution. Let us pass it. Issues that are still controversial, let us let them go through because there is a chance to amend them; otherwise, there is no way we shall have a perfect Constitution on which everybody will say, "Yes, we agree." I am confident that as of now, more than 80 per cent, if not 90 per cent, of the proposed Constitution is agreeable to most Kenyans.

Mr. Temporary Deputy Speaker, Sir, on the issue of corruption, I want to say that in the Presidential Address, it was not very clear and he was not very committal. I would have liked the President to be very committal on corruption, because corruption and impunity in this country are so rampant that all the problems we are having today are because of corruption and impunity. I would have liked the President to have indicated

that he will work together with the Prime Minister to ensure that corruption is tackled ruthlessly. There is no way we are going to deal with corruption in a casual manner. I believe that people are involved in corruption and, therefore, one way or another, we will have to personalize when we are dealing with corruption, because there are people involved. If So and So is the one involved, we have to deal with him or her as a person. So, in as much as I may agree that we should not personalize the fight against corruption, in one way or another, we have no choice! Even when it comes to political issues, there is no way you can remove politics from the fight against corruption. We are elected leaders; I am elected by the people of Emuhaya and they have told me clearly that they want me to fight corruption. So, as their representative, I must talk against corruption in no uncertain terms. So, we talk, therefore, about corruption in political terms. This is one area where I believe we need to work very hard and we should not be lenient. If we do not fight corruption in this country, even if we have a new Constitution, we are not going to move forward. We must tackle corruption head on without fear. Even whoever he is; whether he is the biggest or the most influential person in this country, if he or she is involved in corruption, he or she must not be spared. So, I would like to see seriousness; I want to see the President and the Prime Minister working jointly on this issue.

On the issue of education, Mr. Temporary Deputy Speaker, Sir, the President did talk about it, but not in elaborate terms. I would like to see serious decisions being made on education. Our education system needs to be overhauled. There are quite a number of issues that are bedeviling our education system, at the primary, secondary, university and other tertiary institutions levels. It is high time we came up with reforms in the education system; currently, we have so many issues that are confronting the education system and we do not have a clear way out of the problems we are experiencing in the education system.

Mr. Temporary Deputy Speaker, Sir, I want to laud the President for proposing that we will be having quite a number of Bills that will be Tabled in this House, which will actually, if enacted, create a lot of opportunities and will solve a lot of issues that have been, and continue to be, experienced. I was very happy when he noted that we will be having a Bill in the House to review the Companies Act, which is outdated. We will have a Nairobi Stock Exchange Bill. This is very timely because the stock exchange has become a major business conduit and, therefore, we need to have a Bill to control it. Quite a number of Kenyans have lost their money through the lack of good legal backing for the stock exchange.

We also need to look at tourism, which is very, very important; I would like to see the Tourism Bill go through. He proposed many other Bills. I would like also that during this Session, the Wildlife Bill, which has been pending for a long time, is introduced. Wildlife is very, very important in this country and we need a new wildlife law to be enacted, so that we can have proper management of wildlife in this country, because our tourism is mainly based on wildlife.

I am also happy, Mr. Temporary Deputy Speaker, Sir, that we passed the land use policy. It is also now time during this Session to consider coming up with a Land Use Act or the Land Act so that we can now legalize the policy. Land is a major issue in this country, and it is important that we come up with the Land Act, which will make all that we have proposed in the land use policy become legal

Mr. Temporary Deputy Speaker, Sir, on the issue of infrastructure and investments projects, I want also to thank the President for coming up with quite a number of projects which, if implemented, will create a lot of jobs for this country. Among the projects or programmes he indicated will be considered, are projects like the building of a standard gauge railway line from Nairobi to Mombasa.

This is long overdue and we need the railway line to be built. This will improve the economy of this country and the region.

He also indicated the construction of a free port at Dongo Kundu in Mombasa. That will enable us compete with Djibouti and Dubai and create many jobs in this country. The other area that I think is very important is the opening of the new transport corridor in northern Kenya using the Port of Lamu. This will open business in northern Kenya and create markets for our produce, especially in Southern Sudan and Ethiopia. I believe this will make a big economic impact if it is implemented.

Mr. Temporary Deputy Speaker, Sir, lastly, I wish to echo the issues of the youth in this country. We need to put in place programmes to ensure that our youth are kept busy. We should create jobs for our youth who have gone through university or various tertiary institutions.

With those remarks, I would like to support this Motion.

Mr. Kiuna: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. I have been waiting. In fact, I have been wondering what formula or parameter is used for one to be seen by the Chair. This is because if it is height, I am tall enough---

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Kiuna, proceed and make your contribution. I have been fair and you never caught my eye.

Please, proceed!

Mr. Kiuna: Thank you, Mr. Temporary Deputy Speaker, Sir, but you will agree with me that I have been very patient. I will talk about the Constitution first. I concur with my colleagues who spoke earlier on. I take this opportunity to congratulate our colleagues who were in Naivasha. They did a commendable job and whatever they came up with was appreciated by the majority of Kenyans. They proved that they are national leaders and not tribal leaders. We are proud of their work.

Mr. Temporary Deputy Speaker, Sir, it is high time, as Members of Parliament, we showed this nation that we are national leaders. We need to show the nation that we can unite to speak with one voice and agree to move forward. We should keep aside the political differences we normally have and look at the Draft Constitution as national leaders. If we do that, we in the Tenth Parliament will leave a legacy for coming up with a new Constitution for this country. All along, many people have come up with the idea of a new Constitution, but they have never reached where we have reached. I think we are heading to the right direction. I am optimistic that at the end of it, we will come up with a good Constitution which will be accepted by the whole nation.

With regard to corruption, I do not know what to say. This subject has been discussed many times but we have never come to the root cause of corruption in this country. I concur with my colleagues who spoke in the morning. I agree with them that if we really need to stop corruption in this country then we need to have a serious surgery. We have all the mechanisms required. The major problem with us is that the people who are entrusted with the task of implementing our policies do not implement them. A very good example is that of the Kenya Anti-Corruption Commission (KACC). This

Commission has been in place all along, but it has not been given enough power to strike. It is like a toothless bulldog which cannot bite. If at all we need to tackle corruption in this country, we need to look at those institutions which are supposed to tackle the vice. They have not been given enough muscles to strike. It is in this House where we can empower them. So, it is our responsibility as Members of Parliament to look into this matter seriously and find how we can give them that power.

On the same issue of corruption, I was here and heard a Minister complain about corruption. This is the case and yet he is an honourable Minister of the Government of Kenya. They are the ones who are supposed to tackle this problem. Surely, where are we heading if an hon. Minister can say that he is unable to tackle corruption? Who else is supposed to tackle it? Maybe, we should invite a foreigner to come and tackle corruption. However, I do not believe in that. I have a strong feeling that we can make it on our own if those people who are implicated are prosecuted.

Mr. Temporary Deputy Speaker, Sir, we should have serious reforms. I am referring to the police which have left a lot to be desired. There is rampant insecurity in this country. We have never experienced insecurity in this country the way we are doing now. From Coast Province to Western Province, people are being killed. Murders are occurring every time. Many illegal firearms have found their way into our country. Why is this the case? This shows that there is a weakness somewhere. We should look at our personnel properly if we have to tackle the problem of insecurity. If they are not well trained, let us find a way of training them better. If they are not well equipped--- I think Kenyans pay a lot of taxes. Let the security personnel be well remunerated so that they can have the morale to fight thugs.

On our youth, it pains me a lot for neglecting our youth. The *Kazi kwa Vijana Programme* has really let us down. This programme has not assisted our youth at all. Instead of giving them cash at random the way it is being done now, the Government ought to find a proper way of assisting these youths. The money that has been disbursed to those projects, I would rather it was used to train the youth and then employ them permanently either as police officers, teachers or nurses. That way, the money could be utilized well.

That money could be well utilised. But you find that the projects that are being implemented on the ground include digging of trenches at the village-level, without proper supervision. All of them have now been wiped out by rain. In fact, as I speak, in my constituency, you cannot say that there is anything tangible that has been done using that money.

We are talking of assisting the youth and yet, on the other hand, there are old *wazees* who are supposed to proceed on retirement. But instead of doing that, they are given more years to serve. You are not helping them. That is the reason why we have a lot of insecurity. Our youths are not getting employment. Very soon, they will start engaging in bad behaviour.

Mr. Temporary Deputy Speaker, Sir, with regard to the land issue, we have a very big problem in Kenya. Unless we address that issue seriously, time will come when *wananchi* will decide to take the law into their own hands. We need to look at the land policy afresh. That is because many people are complaining. They are squatters and yet, we have large tracts of land owned by a few individuals. We need to look at that.

Right now, where I come from, in my constituency, I have many Internally Displaced Persons (IDPs). They are still living in IDP camps and yet, we have a Government and huge tracts of land that is idle.

With those remarks, I support.

Mr. Lagat: Mr. Deputy Speaker, Sir, thank you for giving me this opportunity. I also rise to support the Motion.

We know that right now, in this country, we have a pressing issue of rushing against time to give Kenyans a new Constitution. Kenyans have been yearning for it for a long time. For the last ten years, we have been talking about enacting a new Constitution, which has never been realised. This is now the right Parliament to give Kenyans a new Constitution. It will make a change in the history of Kenya.

Mr. Temporary Deputy Speaker, Sir, there is the issue of the Grand Coalition that arose from the National Accord. It has become an issue. It is now two years since the National Accord was signed. It has now reached a time where we have better things to talk about. The National Accord was signed. We should take it the way it is and continue with the development of our country. We should not spend time talking about something which we finished long time ago. Something has been done about it and we should accept it the way it is. Even if there was a problem, let us accept it the way it is, so that we can continue.

I also want to talk about the Kenyan economy. We know that this Government has made some changes. It is unfortunate that in the year 2008, we had the problem of the post-election violence which destroyed the Kenyan economy. However, I want to thank the Government because of what it has done about the economy. We know that it is us Kenyans who should make a change in this country. We should not expect anybody else to do that. We should work as a team, so that we can improve the economy of this country.

Mr. Temporary Deputy Speaker, Sir, the Kenyan population is increasing. Last year, we had the National Census and the results have not been released. This is the right time for us to know the population of the country so that, as we plan, we know the number of people that we will be serving. The population is increasing very fast. There is a lot of competition for the few available resources. That is why we have a lot of problems in this country. Those who will have the chance to acquire will succeed, but those who are unable to acquire will remain poor. It is, therefore, time for the Government to see what it can do to serve everybody equally.

In terms of infrastructure, I want to thank the Government because it has done a lot in our roads. The Kenyan road network is improving. It is only in Nairobi where we have a problem because of traffic jams. The Government should do something about it. We were told last year that something will be done, but we want it done immediately. That is traffic jams are becoming a big issue.

Mr. Temporary Deputy Speaker, Sir, in this country, we have a lot of differences coming from political parties and tribal groups. I want to urge Kenyans, and especially parliamentarians, that we should be the ones to preach peace and unity, so that we can work as one nation and rise beyond party and tribal issues. Kenya is one of the best countries in Africa. If we can all work as a team, Kenya will rise. Kenyans are good and hardworking people. We have a lot of good plans in this country, but we are poor

implementers. Even a country like Rwanda, which borrows a lot of ideas from Kenya, has managed to succeed.

On the issue of corruption, so many issues have been mentioned, and nothing has been done up to now. We were not even given the report of the Goldenberg scandal. Then came Anglo Leasing and so many other scandals. But nothing has been done. So, we cannot be convinced that whatever commission will be formed today will bring good results. That is because even from the previous commissions, we have not seen any results.

Mr. Temporary Deputy Speaker, Sir, we want every Kenyan to get education. But it is so sad that in Kenya, most of the schools are under-staffed. There are so many trained teachers, but they are not employed. In my constituency, there is a school with eight streams and only six teachers. The parents are struggling so much to hire teachers. It is the responsibility of the Government to make sure that all the schools are staffed. Sometimes, we blame the teachers for the poor results, especially in the public schools. So, the Government should do something about staffing, which is a major problem in most of our schools.

On employment, there was the *Kazi kwa Vijana* Programme. It is so sad because we are making graduates to work together with Standard VIII dropouts. They are doing the same jobs. Our youths are having psychological problems. Having a university graduate work with somebody who stopped schooling at Standard VIII does not make sense. The university graduate will get so discouraged. The other one will wonder whether people who work hard to become university graduates eventually serve in the *Kazi kwa Vijana* Programme. So, the Government should do something about it.

Mr. Temporary Deputy Speaker, Sir, there is the land issue, which, as we know, has become a problem in this country. We have many IDPs and landless people and, at the same time, we have people who have land which they never bought! That land is lying idle. Why can that land not be given to IDPs and landless people? At the end of the day, we all need to live the same life, as Kenyans.

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

The Minister for Public Health and Sanitation (Mrs. Mugo): Thank you, Mr. Temporary Deputy Speaker, Sir, for availing me time to contribute to this very worthwhile Motion on the Floor. I commend the President for his very wise counsel and for laying out the policy of legislation for this House and the agenda for the Government.

The President touched on critical areas of this country that should be addressed in order for it to develop. He talked about corruption and its eradication, employment creation and patriotism. As a House, we know this touches on the lives of Kenyans every day. It is for us, as a House, to make sure we deliver on legislation.

I commend the President for the directive he made to the Ministry of State for Special Programmes on milk production. I also commend the farmers for heeding the call to work hard and produce more food for Kenyans. We have seen healthy maize crops on the farms and now, we have surplus milk. However, it was very sad to see milk being poured down. This should not happen again because milk is life. It was commendable for the President to direct the Ministry of State for Special Programmes to ensure that we have powder milk which is part of the food that is distributed to those who need it. I hope that milk will accompany maize where it is needed. This is critical to special groups such as people living with HIV/AIDS and children who suffer from malnutrition. I hope that

those Ministries that were given that challenge will move with speed to make sure that it is done.

Mr. Temporary Deputy Speaker, Sir, during the drought season, certain areas in this country were only supplied with relief maize and some people developed problems. This is especially in Ukambani in Eastern Province. I hope with the new directive we will supplement that.

I know we have talked about the war against corruption many times. We definitely need concrete action on this. We are happy to see that something is happening in the courts now. We want that to be speeded up. Those who have cases to answer should go to courts. It does not help just to shout without going to court and proving that these people are corrupt. This is possible. So, we call upon the Attorney-General to take the cue and make sure that these people are prosecuted quickly.

I commend the Permanent Secretary, Mrs. Angote, for the action she took. I hope all the other Permanent Secretaries will take that cue. I think we will win the war against corruption if Ministries can be rid of this vice. We want to see more of this.

Mr. Temporary Deputy Speaker, Sir, on economic development we know that we cannot develop in the midst of chaos or political utterances that keep our investors away. I think all of us should be patriotic enough and decide that, as leaders, we will not say things that do not help our economy and country. We are politically mature. Although we had that bad incident where for a while we lost our sanity and killed each other, it does not mean that we must relive that every time. Every time there is a disagreement, we should not call people to come and babysit us. We are now of age and should sort out our difference. That is the only way we will get respect from the international community. If we pretend that we need babysitters all the time, surely, what message are we sending across? I believe that this House, as well as the Government, is capable of sorting out whatever needs to be sorted out without necessarily involving foreigners. Otherwise, if we behave like a boy who was crying "wolf" all the time, nobody will take us seriously when we have a big problem.

Mr. Temporary Deputy Speaker, Sir, on the health sector, we have now started constructing the model health centres and employing the extra nurses. We request those Members whose constituencies have not made their returns--- So far, we have returns for about 3,000 nurses and 1,200 are still missing. I implore on my colleagues to make sure that interviews have taken place in their constituencies and the names returned to my Ministry so that we can employ them.

As far as model health centres are concerned, we had a good turnout of about 85 per cent of those who have made their returns. We still have some who have not given us their area where they want to build the model clinics. Where there are disagreements, I urge Members of Parliament to lead. As we are committed, we will not accept any centre where the Member of Parliament is not involved. At the same time, we want Members of Parliament to give the lead.

On the Constitution, we all know we want it to pass. We commend the Parliamentary Select Committee (PSC) on Constitutional Review for a job well done. However, as Members of this House, we must not pour water on the good work of the PSC. We must make sure that we agree with what the PSC had agreed with the Committee of Experts (CoE). I believe that we shall support the PSC work in total so that

we can pass this Constitution without going to other big debates which can delay the Constitution.

I commend the Kenyan public because they have been patient. They have waited for this Constitution for a long time. Now that it is about to come, they must be ready to support it.

I support this Motion.

Mr. Koech: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to the President's Address, and to sincerely thank him for a well-thought out Address that gives us the agenda for this period. This is the agenda for Kenyans in terms of development and in terms of building up together.

I would like to really applaud one very important area that the President touched on; national cohesion, peace, unity and reconciliation. It is important for us as leaders, and more importantly for us as a country, to note that without unity and without us embracing one another as brothers and sisters, this country may not go very far. So there is need, therefore, to ensure that we have programmes that are going to put Kenyans together; we are now two years since the signing of the Accord, and there is some feeling that maybe reconciliation could have taken place at the highest level only.

This has not trickled down to the grassroots very well, and it is important that we address issues that will lead to peace building at the grassroots level. As you are aware, at Amani Forum over the weekend, as a way of also celebrating the signing of the Accord that ushered in peace in this country, we visited my constituency, and I would like to take this opportunity to thank the Amani Forum for finding time to be in my constituency to speak to the leadership at the grassroots level; to build peace and unity, it takes the leaders, the leaders right from the grassroots to the highest level. I would like to call upon Members of the august House to rise to the occasion and be members of Amani Forum and be peace builders in this nation.

I also applaud the many initiatives by this House to form commissions and institutions to deal with issues of peace. You are aware that we have the Truth, Justice and Reconciliation Commission (TJRC) in place; it is going to ensure that Kenyans come out peacefully and explain what may have affected them in the past. That will also enable Kenyans get a chance to reconcile with one another. We can only stimulate the economy if we are one as a nation and, therefore, the need for the entire leadership, and all Kenyans, to support this Commission, so that we can deal with the past injustices with a view to ensuring that we move forward as one Kenya.

I note with great concern the intentions by certain quarters to kill the TJRC by every other time focusing on the chairmanship. As a House, we formed various commissions; we have the Interim Independent Boundaries Commission (IIBRC) and the Committee of Experts that have done a great job for us as far as the Constitution is concerned. We have various other bodies that we have formed and nobody has raised eyebrows about them.

I think it is important for Kenyans to look into the process that all these Commissioners went through. They all went through the Parliamentary Select Committee, they were screened, scrutinized and the same names came to this august House where we looked at them and we were able to clear all of them.

One, Mr. Kiplagat, who is the chairman of the TJRC, has been in the limelight every other day in relation to past issues. I want to state here that all over us--- If the

accusation is about those who worked with KANU regime, then who is clean in this country, because every other leader, apart from the children who were born recently, actually worked under the KANU regime?

I may not know much about Mr. Kiplagat, but I know that he has been engaged in international reconciliation right from Somalia, Sudan, Mozambique and various other places. To us, as a country Mr. Kiplagat is an asset, that is also being looked for by various other countries for him to go and help them as part of the eminent persons; we Kenyans refer to those who come from outside as being eminent. It is wrong, therefore, for us, as a country, to kill the name of one of our own in the name of trying to correct some of the past issues.

For us to have peace, we must ensure that those in IDP camps are removed from those camps. There should be a deliberate move by the Government to remove all those people from IDP camps.

Mr. Temporary Deputy Speaker, Sir, I would like to applaud the Parliamentary Select Committee (PSC) on Constitution Review. We were recalled early so that we can rise to the occasion and give Kenyans a new Constitution. I plead and appeal to my colleagues to support this for the future.

The President indicated that our economy will grow from 2.5 per cent to 4.5 per cent. That is a tall order! That requires commitment. That requires the officers, right from the top to the bottom, to be more efficient, patriotic and work for Kenyans. It pains to see milk being poured. It pains to see the farmer not being protected. I think it is important that, as we look at the growth of the economy, we must be able to protect the farmer. I want to thank his Excellency for the proposal that powdered milk be considered as a strategic food reserve. My appeal is that it should have been done as soon as “yesterday”.

We also note that the maize farmers, even in my own constituency, had a bumper harvest last year. Unfortunately, National Cereals and Produce Board (NCPB) has not opened to buy the farmers’ produce. Our farmers are losing a great deal. We need to protect and insulate the farmer against the economic crunch. I also note with great appreciation the many Bills that will be introduced by the Government as contained in the President’s Speech. But I note with concern that none of those Bills is originating from the Ministry of Education and yet, the Ministry has so many Acts that need to be looked into and improved. More importantly, there is the Education Act. I would have wished to see the Ministry of Education introducing the Education Act and the Kenya National Examination Act, so that we have a look at them and take care of the emerging issues like the role of parents in education, free primary education and free secondary education.

As indicated earlier by hon. Members, our greatest concern is on staffing and the quality of education to the extent that I want to make a special appeal. We do not want to have education for the sake of it. We want education for our children for prosperity and, therefore, the need for us to have enough teachers to take care of that. There is need to ensure that the Ministry of Education’s Quality Assurance and Standard Department is revamped, and is seen to be doing its work. That way, we will not leave education to be the preserve of the rich.

Many people have talked about corruption and, as a country, we can never move forward unless we fight corruption. For us to fight corruption, we must ensure, as a country, that the institutions that we have put in place to take care and fight corruption are strengthened and that, they do their work well. We expect that reports from

commissions and this House should be forwarded to our courts, so that the Judiciary determines who is innocent and who is guilty. We must, as a country, uphold the rule of law. It is important that the courts also help us to ensure that we rid this country of corruption that is so rampant in all departments, right from the top to the bottom.

Infrastructure is very key for the development of our country. I want to applaud what the Government has done. But I want to inform it that in certain parts of this country, the farmers are seriously suffering. I take note of my own constituency. There is a road that has been earmarked for tarmacking since 1975 - the road from Mosoriot to Chepterwai. Even in 2007, it was tendered for and, up to date, nothing has happened.. Vehicles cannot move out and, therefore, the produce from farmers is not able to reach market. I want to appeal to the Government to look at such areas so as to stimulate the economy of this country. This august House should rise to the occasion in this Session and we must, as a leadership, build one united Kenya by being united as leaders.

With those few remarks, I beg to support.

The Minister for Public Works (Mr. Obure): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to make very few remarks on the Presidential Address to the nation. I want to congratulate the President for his vision. We have tremendous respect for the President as a leader. We respect his vision for the economy of this country. We thank him for setting out the programme of work, especially for us as Members of this House.

Mr. Temporary Deputy Speaker, Sir, I think that it is very important for this Coalition Government to work. It is in the interest of everybody in this nation to ensure that the coalition Government works because we all know that it is a delicate arrangement that came into being because of the very difficult circumstances in which we found ourselves.

It is for this reason that I say that it is our responsibility, as leaders and especially those of us in the Cabinet, to advise our two principals and to make sure that they both act in a manner that will guarantee peace and stability for this nation, at least for the time being until we have a new Constitution.

At this delicate time while the Accord lasts, it is up to us, as leaders, to ensure that we restrain ourselves; that we do not act with haste and keep extreme views to ourselves. I believe that our two leaders will be able to work much more effectively in a more harmonious way if we restrain ourselves and carefully weigh the advice we give them.

It is important for us to remember the main provisions of the Accord and stick to them. It is for this reason, I must emphasize the need for leaders to trust one another, respect one another and respect the law and especially the Accord. I find myself wondering because sometimes we speak as if this country operates in isolation; and that it does not have neighbours or that it is not a member of the international community. We found ourselves in problems two years ago. We sought and received the assistance of mediators including Dr. Koffi Annan. Mr. Annan is one of the architects of the Accord. Therefore, if something goes wrong with the Accord, I do not think that it is unusual or that we are being too mean if we invited Dr. Annan to come and find out what has gone wrong because after all, he was the person who mediated in the first place to ensure that the Accord which has given us peace in the last two years was put in place.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the economy. In this respect, I know that we are talking about policies and activities that determine the trend

and the performance of our economy. The other day, I had the occasion to visit some of the heavily populated areas of Central Province, which are very similar in many ways to Kisii, where I come from. I am talking about a district which has a population density of between 800 to 1,000 people per square kilometer. This is a very high population. The Government has a role to assist the people who live in this kind of areas. They are engaged in small-scale farming like what I saw in Murang'a the other day. These people are not interested in what we say or in the relationship between ourselves as leaders. They are interested in what the Government will do for them, so that they can sustain themselves and their families in the areas where they live.

People in the area that I visited are engaged in the production of tea and coffee. The population of Kisii also relies on coffee, tea and other small-scale activities. These are the activities that generate employment, give them earnings and help this country to earn foreign exchange. So, when people tell you that they are heavily laden with debts which have accumulated over the years, many times accumulated because of no mistakes of theirs, this is something that we should consider as a Government to see if we can reduce this burden. Coffee is not just grown in Central Province. As I said, it is grown in Kisii, Western Province, Trans Nzoia, Subukia, Machakos and many other areas. So, we are not just talking about a localized industry.

Measures should be taken to ensure that we come to the rescue of the residents of these areas. Measures should also be taken to ensure that we resuscitate the economy of these areas to the extent that the residents of these areas can also start to contribute meaningfully to the overall wellbeing of the country. Let us assist these farmers. Let us provide better yielding varieties of coffee to them. Let them benefit from research. They should benefit from the Ministry of Agriculture extension officers. This is important because of the net contribution of this sector to the overall growth of the economy of this country. With regard to tea, we have relied heavily on selling to the traditional markets. I do not think that, that is good enough. We should embark on heavy programmes for value addition and find new markets. In that way, we will assist the farmers to improve their earnings and, therefore, improve the quality of their lives.

Mr. Temporary Deputy Speaker, Sir, it is important for us, as leaders, and Members of this Parliament, to take the responsibility bestowed on us by the people of this nation. Let us give them a new Constitution. Let us operate in a spirit of give and take to ensure that the Constitution that they have been yearning to get for the last 20 years is ultimately given to them during this particular session. This is what I want to appeal about to the hon. Members of this Parliament. There are too many squabbles and too much noise to the extent that people cannot be allowed to focus on what they are supposed to do. We are grumbling in the newspapers and quarrelling forever.

Let me talk about the chairmanship of the Truth, Justice and Reconciliation Commission (TJRC).

I had the occasion to serve in the Ministry of Foreign Affairs, initially as an Assistant Minister and later on, as Minister. I had, therefore, occasion to serve with Mr. Bethwel Kiplagat. I want to say it clear and loud here that I have worked with very many Permanent Secretaries in my career in the Government, but I must also say that I found him exceptional and a man of good standing, high integrity and focus. He is a man who earned recognition worldwide in his own right. Therefore, rather than make too much noise and fuss, there is a process. Let us be calm, patient and allow that process to take

place, if we are seriously aggrieved. But I, personally, can vouch that Mr. Bethwel Kiplagat is one of the most respected and upright Kenyans we have. We do not expect to have angels in these positions because angels do not live in Kenya.

I beg to support.

Mr. Ogindo: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to make a few contributions on the Presidential Speech.

Mr. Temporary Deputy Speaker, Sir, first and foremost, I want to congratulate the President for having captured wide ranging issues in his Speech during the State Opening of the Fourth Session of this Parliament. Key among the issues that were captured by the President is the Constitution. I want to join my colleagues in declaring my total support towards the realization of a new Constitution. This new Constitution is going to mark the end of the struggle for second liberation. Kenyans have been yearning to have a new Constitution that addresses four key important issues. We have been struggling to ensure that we have a united country. With the proposals contained in the new Constitution, I see a united country coming to be a reality. It is against this background that I want us, as a country, to embrace nationalism by way of fighting corruption. Younger countries have emerged out of this problem stronger than us. Several examples come into mind. Initially, we thought that Tanzania was a backward country, but today, we are envious of the unity in Tanzania. Much younger countries like Rwanda and Burundi, today have got stronger cohesion than Kenya. These countries only fought about ten or 15 years ago. I had an occasion to visit Burundi and met a young lady. Burundi was very hot and when I asked for a soda, I engaged the lady in a small conversation. I made an inquiry as to whether she was alive during the fight. She told me, "no." When I asked her whether she was a Hutu or Tutsi, she blushed and told me that she was a Burundian. I thought that, that was very strong message to me that I needed to bring back home.

Mr. Temporary Deputy Speaker, Sir, we, as a country, we have a lot of potential. We should concentrate our energy on much more productive areas like building our economy. It is against this background that the new Constitution is, indeed, promising us a much more united country. The other thing that we will achieve through the new Constitution is much more equitable distribution of resources. All along, the war has been on the scarce resources. As I flip through the draft constitution, I see a very deliberate and strong attempt to ensure that each and every corner of this nation gets its rightful share of the little resources that we have in this country.

Mr. Temporary Deputy Speaker, Sir, the other area is the Bill of Rights. This time round we, as a country, are struggling to secure the Bill of Rights of the Kenyan citizens. I think that these are very valuable issues. We cannot let Kenyans miss this time. I want to congratulate the President for having mainstreamed the issue of Constitution realization.

Mr. Temporary Deputy Speaker, Sir, the second thing I want to talk about is the economy. I want to give credit where it is due. His Excellency the President has accorded this country a very strong economy, safe for the interruption that we witnessed after the 2007 elections. Never before in my adult life time have I seen that tremendous growth that nearly got to eight per cent. It is under the stewardship of the President that we saw this. I think that is commendable. This was also captured by way of vast improved infrastructure. I think that has done this country a lot of good.

I want to also emphasize the need for country to focus on production. It is by engaging each and every individual of this country that we can actually improve on our GDP. I say this realising that the GDP is a function of the individual productivity. It is on this account that I have been trying to suggest that this country needs a national delegate's conference. We had the President speak here, if only he could speak to the nation with representatives from all over the country, be it at Moi Kasarani, where we chat out and agree on a few goals to pursue in a given year.

Mr. Temporary Deputy Speaker, Sir, I want to finish by talking about education. No country develops without proper and philosophical development of its manpower. Our country is endowed with very strong manpower, but I think a lot needs to be done. I want to concur with the Chairman of the Departmental Committee on Education, Research and Technology that we have come a long way and it is time we revised laws governing our education. It is with disappointment that we see the Budget of the Ministry of Education building year in, year out. However, this has not been accompanied by increased service delivery in terms of quality and quantity. These are sensitive areas that we need to focus on.

Last but not least, I think this country needs to reveal its values. We really need to embrace values that bring us together. When you hear Tanzanians talk of brother and sister, you take it for granted. But that helped to put them together. It is time we revisited our values and embrace those values that bring us together. I was in the trip to Murang'a with the Prime Minister and I saw firsthand, the suffering of people in Murang'a. Kenyans are hardworking. A request was put to the Prime Minister on the possibility of writing off the debts that have bogged down development of the coffee industry in that region.

You realize that most of the money borrowed was misapplied when it was taken and today, the generation that is suffering was not responsible for these debts. I think it is only prudent that we relieve these farmers of this burden that was not of their own creation.

Similarly, Mr. Temporary Deputy Speaker, Sir, in my area where I come from, the sugar industry is the mainstay of our economy. The sugar industry is also suffering under the yoke of these odious debts. I think in the same breadth, these debts need to be relooked at and we relieve our people of this unnecessary burden, so that our production can be seen to increase our GDP.

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

Mr. Chachu: Thank you, Mr. Temporary Deputy Speaker, Sir. From the outset, I support the President's Address. Our President gave an excellent Address; he gave leadership on most of the critical issues facing our nation. I thought it was an Address of a Statesman.

Mr. Temporary Deputy Speaker, Sir, this Address cuts across several fundamental issues including the new Constitution, issues of poverty reduction, issues of national cohesion and unity, job creation, war on corruption as well as the status of our economy today.

Mr. Temporary Deputy Speaker, Sir, on the issue of the Constitution, the President, as the leader of this nation, did provide leadership. He did call on us, as hon. Members, to rise to the occasion and ensure that this nation gets a Constitution. A Constitution is a consensus document; it is a Constitution that must work for all Kenyans.

Mr. Temporary Deputy Speaker, Sir, as leaders, we must work together and ensure that this nation gets a new Constitution. It will not address all our problems but, for sure, it is better than what we have today and, for sure, it will move this country forward.

Mr. Temporary Deputy Speaker, Sir, I want to address the issue of security. As you know Kenyans, especially in northern Kenya and many other parts of this nation, are being disarmed by the Government. This is a good move and, as leaders, we support it. On the other hand, we do live on very porous borders with very hostile communities. Because of this, once our people are disarmed and the necessary security measures are not put in place, that is like tying our hands. The massacres which happened a few years ago in Turbi could easily happen again. I do call on our Government to enforce security along the borders.

Mr. Temporary Deputy Speaker, Sir, it is critical that since Kenyans have been disarmed and the communities living along the border have not been disarmed by their respective Governments, I think we have a responsibility to protect Kenyans living along the borders, whether it is a matter of increasing home guards, the Kenya Police Reservists or whether it is a matter of deploying more military personnel, the Government must do something regarding security as it disarms Kenyans, as is happening currently.

Mr. Temporary Deputy Speaker, Sir, I was expecting the President to really address issues of drought and drought management. We just went through a very long dry spell and Kenyans lost a lot of livestock; many of them have lost their livelihood and, today, they are destitute. This is the time to prepare for another drought. The drought is cyclic in nature; it is predictable. It is with us every five years. If we prepare for it, Kenyans will not have to be destitute; we do not have to lose our livelihood and our resources. I do hope that in our policy, we will have a programme for drought management, so that we prepare for this drought as people prepare for winter in the Western part of the world.

Mr. Temporary Deputy Speaker, Sir, I strongly support the President's Statement that the war on corruption should not be politicized or personalized. We have a Constitution which provides---

We have laws in this country that could help us tackle corruption. We also have institutions such as the police, the Judiciary and the Kenya Anti-Corruption Commission which can tackle the vice. Let us use these institutions and the existing laws systematically to address corruption. It is important that these institutions are well resourced and capacitated for them to be effective in the war against corruption.

Mr. Temporary Deputy Speaker, Sir, it is unfortunate that up to now we have not tapped our livestock resource in this country. I represent a constituency that largely depends on the livestock economy. It is critical for this Government to tap this resource. This is being done in Botswana, Ethiopia, Djibouti, and even in the stateless Somalia. Why is this not being done in Kenya? A livestock-based economy can contribute significantly to our Gross Domestic Product (GDP) and enhance our economy. We could easily tap the market in Saudi Arabia and the Far East. This is even being done in Somaliland.

I was lucky to be with you in Somaliland during the Christmas period and we saw people of a state that used to be recognized as a nation access livestock markets in Dubai, United Arab Emirates, Saudi Arabia, and other countries in the Gulf. Why is this not

being done in Kenya and yet we are such a great nation with a great capacity? It is critical that we invest in the livestock economy and enable Kenyans, especially pastoralists, to access those markets. It is a resource that goes to waste. It is a shame that 46 years after Independence, we are yet to tap a livestock-based economy in our nation.

I would like to thank our President and the Government for tarmacking the Isiolo-Moyale Road. I never thought, in my life time, I would see that road being tarmacked. As I speak now, over 100 kilometres of that road have been tarmacked and very soon we will be connected to Ethiopia. I think President Kibaki's Government has done a miracle in that respect. As leaders, we need to commend our Government for the good job it is doing to develop road infrastructure in our nation. I am specifically talking about the Isiolo – Moyale Road.

Mr. Temporary Deputy Speaker, Sir, it is also important that our President expanded our national food reserve by incorporating milk powder in our Strategic Food Reserve. I think we have made a milestone. Those of us who come from areas that largely depend on food aid during drought, know that young children and old people are unable to eat the grains. With milk powder being factored as one of the commodities in famine relief food, I think a whole segment of Kenyans who were not targeted before will now benefit from this intervention.

Mr. Temporary Deputy Speaker, Sir, we have a poverty index report which was officially launched by the Ministry of State for Planning, National Development and Vision 2030. The poverty index is being used officially for all Government businesses except when it comes to the allocation of the CDF money. As a result, many poor constituencies such as Turkana Central, North Horr and Turkana North are denied their right to access additional funds from the CDF. This is not being used for political reasons.

Those constituencies that were largely poorer before the new Poverty Index Report came out are likely to lose some funds. Because of that, the constituencies which have been said to be very poor, for example, Turkana, North Horr and others are being denied the additional funds they should have got if the new poverty index would have been used in the allocation of the CDF money. I call upon the Minister because I think he has an obligation to this nation--- It is the right of those constituencies and not a privilege that the Minister uses the new poverty index this year. He should ensure that the poor constituencies get their fair share of the funds when the new poverty index is used.

With those few remarks, I support the Motion.

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Motion on the Presidential Speech. A lot has been said, especially on the good part of it. So, allow me to concentrate on the shortcomings of the President's Speech.

Today in this country, electricity has become a preserve for the rich. Even in low and middle income estates, power bills are in the tune of between Kshs15,000 and Kshs20,000 per flat. Even landlords in Buruburu feel as if they are servicing mortgages. The other day, the Kenya Power and Lighting Company announced a profit of Kshs3 billion in a period of less than six months. That is abnormal profit. That could not have happened unless they are overcharging customers.

Mr. Temporary Deputy Speaker, Sir, if you look at your power bill, you will realise that the amount charged in respect of consumption is roughly a third of the total

bill. What is the Government doing about electric power? Electricity is an important commodity in any developing country. It should be affordable for both residential consumption and manufacturing.

Companies in the industrial areas of this country are finding it increasingly impossible to manufacture commodities in this country. Some industrialists are thinking of even relocating to other countries. How is our industrial sector going to compete with other countries when it comes to exporting our products?

Mr. Temporary Deputy Speaker, Sir, hotels, on average, are paying bills to the tune of Kshs1.5 million in Mombasa. Has the Government provided an alternative source of energy? If the Government could look into the prospect of removing VAT and Import Duty on equipment for generation of solar energy, we would understand that it is doing something about this issue.

With regard to farmers, it is only today that we saw a Government Minister say, on the Floor of this House, that the Government does not have money to buy maize. I would have expected a firmer commitment from the Government. As we speak now, Eastern and the lower part of Eastern Province have realised a bumper harvest. As it is, those farmers have never harvested for very many years. So, we do not have storage facilities.

Mr. Temporary Deputy Speaker, Sir, the National Cereals and Produce Board (NCPB) has empty warehouses, but the Government is not doing anything to provide those facilities to farmers. However, when it comes to relief food, the Government always has money with which to buy relief food. You know at what price? The Government buys maize at a price of Kshs3,300 per a 90-kilogramme bag from South African farmers. When it comes to buying maize from our farmers, at what price does the Government buy the maize? It buys at Kshs2,300 per a 90-kilogramme bag. We give preference to farmers of other countries. When it comes to our farmers, we give them the worst price. We use our own taxpayers' money to benefit farmers from as far places as South Africa and other countries.

Mr. Temporary Deputy Speaker, Sir, the other day, we saw very hardworking dairy farmers pour milk down the drain. Why? It is because of lack of clear-cut policies from the Government. What has happened to the pyrethrum sector? We were the largest exporter of pyrethrum in the world. But what has happened? That sector has collapsed. There is something which is going wrong and it needs to be addressed by this Government. I believe that, with proper commitment, this Government can do a lot.

What is happening in the education sector? Barely a week ago, all the universities announced that they are going to increase tuition fees. So, what is going to happen to the poor kids who come from poor families?

Mr. Temporary Deputy Speaker, Sir, how are we going to achieve Vision 2030 if the average student cannot access university education? Teachers' training colleges increased their fees by 50 per cent barely a year ago. The only funds which are available to assist the poor kids are those from the Constituencies Development Fund (CDF). What happened to the bursary by the Ministry of education? The Minister never talks about it. Form Ones were admitted to schools a month ago and we never heard the Minister say that as the Form Ones go to school, there is some money to ensure the poor students go to school. These are small nitty gritty issues which the Government should look into as

opposed to talking about only the good things the Government is doing. These small things are the ones that touch the common person.

Do you know Coast Province? Mombasa is the second biggest city in Kenya. As I speak now, there is no university in Mombasa. They only have colleges of other universities from Nairobi. We have over 40,000 students who study in a country called "Uganda". This is a country which has been in war for the last 20 years until 1986. How come Uganda has a better education system that their universities attract Kenyan students? It is purely because we have failed to open up new universities. On a light touch, even Turkana, where we have a lake should have a university. Why not?

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. C. Kilonzo! Why speak about Turkana with a light touch? This is a serious matter!

(Laughter)

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, it is true that this is a serious matter.

On insecurity, why should we have parts of this country talk about cattle rustling after 40 years of Independence? It is unheard of and a shame to this country. The Government should spend money in these areas. No matter how many policemen it takes there, unless it spends money in those areas and changes the lifestyle of those people and introduce education to these areas--- There will be more opportunities when there is peace in those areas.

Mr. Temporary Deputy Speaker, Sir, I do not want to say that the Government has not done something good. One legacy of this Government, and in particular, the Head of State is the road network. For many years, Kenyans have been talking about bad roads, but for once all major roads in this country have been done. In the 1960s we had a programme of feeder roads which were done in productive areas like Central Province--- In Ol Kalou, when it rains the farmers cannot access markets even today. So, what happens to their milk and potatoes? The Milk is poured because the dogs have had enough of it and the potatoes are given to pigs. I plead with the Government to move to the productive parts of this country. Let it move to Ol Kalou and Nkubu in Meru and provide the feeder roads. What do you do to dry parts like Ukambani? Give the Kambas enough water. If the Government can now concentrate on the nitty gritty, I assure you that in the next few years, this country will be a superpower in the region. I have never believed that we should ever compare ourselves with our neighbouring countries, be they Uganda or Tanzania. We should compare ourselves with Singapore and Malaysia. That is our league. We need to look and see where we made our mistakes.

The Head of State in his Address mentioned the fight against corruption. I take his word but I have one big problem. This House has enough Members who can sit in that Cabinet. We have qualified professionals. Why recycle the same Ministers who have been implicated in scandal after scandal? Even if you are innocent but you are implicated in a scandal, why should you be retained in the Cabinet?

Even if it is somebody from Meru, must he be the only Meru who can get a position?

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ethuro): Mr. C. Kilonzo, you still have one minute. You can proceed tomorrow!

Hon. Members, we have come to the end of today's sitting. Therefore, the House stands adjourned until tomorrow, Thursday, 4th March, 2010, at 2.30 p.m.

The House rose at 6.30 p.m.