

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 3rd March, 2010

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.008

NON-PROVISION OF FREE SEEDS/FERTILIZERS TO NYATIKE DISTRICT

Mr. Anyanga: asked the Minister for Agriculture:-

(a) if he is aware that Nyatike is categorized as one of the hardship areas in Kenya but the farmers in the district have not been receiving free seeds or free fertilizers; and,

(b) what measures the Ministry is taking to provide seeds and fertilizers to the farmers to boost food production.

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

(a) I am aware that within the dry areas of Nyanza Province, farmers were supplied with drought-tolerant cassavas and, sweet potatoes planting materials in the last season.

(b) My Ministry will provide Nyatike farmers, among other areas, with sufficient farm inputs conducive to the respective areas during the next planting season to boost food production in the area.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Yes hon. Anyanga!

Mr. Anyanga: Mr. Deputy Speaker, Sir, cassava and sweet potatoes are not the only suitable crops for that particular area. Is the Ministry giving seeds of beans, maize, groundnuts, citrus fruits and other suitable crops due consideration to boost food production within the area of Nyatike?

Mr. Mbiuki: Thank you, Mr. Deputy Speaker, Sir. The crop seeds which I have mentioned are the ones which we gave during the last planting season, but this year we are planning to give seeds of all the legumes, including maize and beans as we had done during the 2007/2008 under our National Accelerated Agricultural Input Access

Programme (NAAIAP), whereby we were able to give a package to the farmers, and more than 253 farmers in the area benefited from a wide-range of drought resistant crops.

Eng. Rege: Thank you, Mr. Deputy Speaker, Sir. Could the Assistant Minister assure this House that the Ministry will do something about the communities living around the Lake Region, especially when it comes to farming? These communities really suffer, especially in the case of cash crops, which are not usually taken seriously by the Ministry of Agriculture. Last year, the Ministry promised to ensure that the communities around the Lake planted cotton and that it would also purchase the cotton. But after farming, the Ministry reneged and has not purchased the cotton; it is getting dirty and when buyers come from outside the area, or even outside Kenya, they are not allowed to buy cotton. Therefore, the farmers really suffer. Can the Ministry---

Mr. Deputy Speaker: Order, hon. Rege! Whereas you were given a bit of leeway because of the sensitivity of agriculture, do not turn this into a speech!

Eng. Rege: Thank you, Mr. Deputy Speaker, Sir. Can the Ministry assure the communities around the Lake that it will take serious steps to make sure that these communities are supported when it comes to farming?

Mr. Mbiuki: Thank you Mr. Deputy Speaker, Sir. As I sympathize with the hon. Member for bringing the question of cotton here, and since we in the Ministry of Agriculture support cotton farming, we have gone out of our way to assure the farmers of a minimum price of Kshs30 per kilogramme of cotton. But it is not the responsibility of the Ministry to mop up cotton in the industry; it is the responsibility of the millers.

Mr. Linturi: Mr. Deputy Speaker, Sir, while I appreciate the move made by the Ministry of Agriculture to provide seeds and other farm inputs for purposes of increased food production, I would want the Assistant Minister to tell this House the steps they are taking. Out of the seeds that they gave last year, there has been very good crop production in most parts of the country, where there is highly increased production in maize. Since we do not want to get seeds next time and there is enough food in our farms and harvesting is going, let him say whether the Ministry has any plans to buy this food at good prices, so that farmers are not exploited by brokers.

Mr. Mbiuki: Thank you, Mr. Deputy Speaker, Sir. The Ministry of Agriculture is faced with a big challenge. During the last planting season, we went out of our way to mobilize all the inputs needed. We have a bumper harvest in parts of Eastern and Central Provinces, but unfortunately the Treasury has not provided the Ministry of Agriculture with money so that we can fund the National Cereals and Produce Board (NCPB) to purchase this maize we have in parts of the country. As at now, we are not in a position to start buying maize.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, the Assistant Minister has just said that they have not been provided with funds to open the NCPB stations, what concrete steps is the Government taking to ensure that those NCPB stores are opened, because the short rains are here with us and farmers are incurring losses?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, as I stand in this House my Minister is camping at the Treasury to ensure that the Ministry of Finance is able to provide us with more than Kshs2.1 billion, so that we can start buying maize for this season. Unfortunately, so far we have not received anything from the Treasury.

An hon. Member: On a point of information, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: What is your point of information? Does he want the information in the first place? Assistant Minister, do you want to be informed?

Mr. Mbiuki: No, Mr. Deputy Speaker, Sir; I am not interested!

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, it is amazing because when it comes to importing maize at a price of over Kshsh3,000, there is always money. But when it comes to buying the same maize from farmers at a cost of Kshs2,300, this same Government is not keen. The Assistant Minister has confirmed that there are no plans to buy maize, when it is rotting in the farms. My question is: Is he sure that this Government has a heart for farmers in this country?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, I really sympathize with hon. Members of this House. I also sympathize with the farmers of this country. It is high time the Government rose up to the occasion and bailed out farmers. You are expecting---

Mr. Linturi: On a point of order, Mr. Deputy Speaker, Sir. We have a Government that is concerned about the welfare of Kenyans. Infact, the Assistant Minister has stoop up in this House, in full glare of all the cameras in this country, and said that he is sympathizing with farmers. Should a Government sympathize with farmers or should it offer solutions that bedevil the farmers of this country who work day and night to make sure that we have food?

(Applause)

Mr. Mbiuki: That is not a point of order. That is because a point of order---

Mr. Deputy Speaker: Order, Mr. Mbiuki! You do not stand when the Chair is on his feet. Much as it is not a point of order but, I think you have drawn the attention of the Assistant Minister and hon. Members to what is not in order. But, under the circumstances, you can proceed and give your comments on the same.

Mr. Mbiuki: Mr. Deputy Speaker, Sir, I would like to assure this House that, right now as we are speaking, the Minister for Agriculture, Mr. Samoei, is camping at the Treasury to request the Deputy Prime Minister and Minister for Finance to provide money to rescue farmers whose adequate stocks of maize are rotting in their farms.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to contradict the two Principals who have been on record and have assured farmers that the Government has money to buy seeds? Is it in order for the Assistant Minister, who was appointed by the same Principals, to come to the House and contradict them?

Mr. Deputy Speaker: Mr. Mbiuki, are you contradicting the Government?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, I am serving the Government but, unfortunately, the same Government has not provided any money as at now. But we are expecting that, at the end of the day, the Ministry of Finance will provide us with some

money to buy maize. The Government will open the National Cereals and Produce Board buying centres as it normally does in other parts of the country during harvest time.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. A while ago, the same Assistant Minister had confirmed that there are no funds provided by the Treasury to buy the harvested crops. But, now, he is twisting the story to another issue. The point of order is very simple: Is the Assistant Minister not misleading the House by saying that there is no money, when the Head of State and the Prime Minister confirmed that there is money? Is he not contradicting Government policy?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, as at now, the money has not yet been released to the Ministry of State for Special Programmes, which has the responsibility of improving our strategic grain reserve. So, the money has been allocated at the Treasury but, we have not yet received it as a Ministry.

Mr. Joho: Mr. Deputy Speaker, Sir, could the Assistant Minister inform this House the criteria used to distribute both fertilizer and seeds to farmers across the nation? He should note that seeds and fertilizers are distributed for political favours - to areas belonging to serving Cabinet Ministers. Therefore, he should give us a the criteria that is applied!

Mr. Mbiuki: Mr. Deputy Speaker, Sir, that is a different question!

Mr. Deputy Speaker: Order, Mr. Mbiuki! The issue is on seeds and that is a valid question. A Minister who stands here to answer a Question on seeds should have a comprehensive understanding of the whole seeds policy in the country. Answer the question!

Mr. Mbiuki: Mr. Deputy Speaker, Sir, our technical team on the ground distributes the seeds during the planting season depending on rainfall patterns. That is done in the whole country. So, there is no political consideration at all! We do our work professionally as per the recommendations of the technical team.

Mr. Anyanga: Mr. Deputy Speaker, Sir, the next planting season is already underway. Could the Assistant Minister be specific and tell us here in this House when he is going to supply the fertilizer and seeds to Nyatike people?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, I want to assure the hon. Member that, already, the Ministry of Agriculture has put down all the structures to ensure that the farmers of Nyatike can access those seeds. I want to assure him that by 15th March, 2010, the farmers will have adequate and sufficient seeds for that region.

Question No.016

CAUSE OF INCREASED ELEPHANT POACHING INCIDENTS IN THE COUNTRY

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

(a) what has caused the increased incidents of elephant poaching in the country;

(b) how many elephants have been lost to poaching in the last two years and what factors have contributed to the increased poaching in national parks and game reserves; and,

(c) what urgent measures the Government is putting in place to curb poaching of elephants in the country.

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

(a) The demand for ivory in the international market is to blame for the increased elephant poaching in the country. The market is mostly in the Asian countries, especially China. The demand increased after the downgrading of the elephant by Convention of International Trade in Endangered Species (CITES) to allow a one-off sale of Government ivory stock piles by southern African countries in 2008. That fueled the local black market which, in turn, increased elephant poaching in most elephant ranges in Kenya.

(b) A total of 298 elephants have been lost to poachers in 2008/2009. Out of that number, 38 elephants were poached within the protected areas while 260 individual elephants were poached outside the protected areas. In addition to ivory demand in Asian countries, the high numbers of illegal firearms and porous borders, coupled with instability within neighbouring States, have contributed to increased poaching in national parks and game reserves in the country.

(c) My Ministry has put the following measures in place to curb the menace:-

Increased patrol surveillance and checks in all entry and exit points, ports, sea ports, border points and airports. In addition, the Kenya Wildlife Service (KWS) has stationed a dog unit at the Jomo Kenyatta International Airport (JKIA) to detect any ivory in luggage.

Cross border meetings and synchronized cross border operations between Kenya, Uganda and Tanzania; involvement in community disarmament because the firearms are also used for poaching elephants and awareness creation on the importance of wildlife conservation to win public support for conservation.

KWS is also working closely with stakeholders to monitor elephant population and other wildlife species outside the protected areas. KWS has also deployed a number of aircraft in all the conservation areas to assist in wildlife surveillance. In addition, it undertakes intensive patrols in both the protected and communal areas. Patrols are done on foot, by vehicles and static patrol in observatory points.

Intensive crackdown on encroachment of the protected areas has reduced illegal cattle rustling within the region which in turn has contributed positively to wildlife security. The KWS has a rapid mobile deployment unit stationed at Isiolo Complex that reinforces other units in the eight conservation areas.

Mr. Chachu: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for that response. However, 300 elephants have been killed in the last one year. As a strategy for mitigating that problem to curb poaching of elephants, the Assistant Minister is still giving very old tired answers. He has said they are still conducting surveillance and patrolling. What is the Ministry doing to ensure that our heritage, wildlife and elephants are not being killed by poachers every other day? A total of 300 elephants have already been killed. What is the Ministry doing differently this time round to ensure that poaching of elephants is curbed?

Mr. Nanok: Mr. Deputy Speaker, Sir, I thank the hon. Member for raising this question. But the answer I have given, more or less, indicates the efforts that KWS, as the Service that is responsible for protection of wildlife, is putting to make sure that poaching is curbed. But you have to note that, although we have deployed about 960 rangers all over the country, most of the elephants are not inside the protected areas. We also have a

huge number of elephants that are outside the protected areas. We are also facing serious financial constraints. In the last three years, KWS has not been able to employ additional numbers of forest rangers. But it has done the much it can do.

In addition to the answer that I have given, about 1,056 individuals have been arrested through intensified efforts and regular surveillance and a total of about 3,900 kilogrammes of ivory have been stock-piled. That large number of ivory has been recovered from poachers from different national parks and game reserves.

Mr. Koech: Mr. Deputy Speaker, Sir, the majority of elephants killed were not in the protected areas. Those are the same elephants that are destroying peoples' maize and property. What is the Assistant Minister doing to ensure that all the elephants are taken into protected areas to save the farmers? He should not even increase the number of wardens!

Mr. Nanok: Mr. Deputy Speaker, Sir, due to the kind of land use system that we maintain in the country, and the fact that due to over-population, some of the wildlife dispersal areas have been populated by human beings, there is bound to be that conflict. We have also been affected, particularly in the last one year, by drought. Drought does not only affect crops and human beings, it also affects wildlife.

Quite a number of elephants have wandered outside in search of food. If we were to put all those animals inside the protected areas, I do not think the pastures would be sufficient enough for those elephants to be catered for there. That is why the pastoral areas are also important. One of the efforts we have been intensifying is to ensure that not only the elephants and other endangered species like rhinos are well protected within the protected areas, but we have also been working with other private stakeholders who are out in the unprotected areas and communities to make sure that we intensify the efforts of protecting these elephants.

You saw what we did recently in Kajiado. We had to stock one of the national parks with herbivorous animals in order to balance the eco-system. This was meant to reduce the wildlife-human conflict that was occurring in the Amboseli National Park.

Mr. Njuguna: Mr. Deputy Speaker, Sir, the Assistant Minister has admitted that eight elephants were killed in a protected area. Could he inform this House what action has been taken against the security personnel who allowed the elephants to be killed?

Mr. Nanok: Mr. Deputy Speaker, Sir, could the hon. Member repeat the question? I did not hear it.

Mr. Njuguna: Mr. Deputy Speaker, Sir, I am requesting the Assistant Minister to indicate what action he has taken against the security personnel who allowed 38 elephants to perish in a protected area.

Mr. Nanok: Mr. Deputy Speaker, Sir, I think I have listed the action which the KWS, which is under my Ministry, has undertaken to make sure that all efforts are put in place to curb the poaching of elephants.

Let me inform the hon. Member that a lot of incidences of poaching in the protected areas happen particularly during the wet season when elephants disperse away from the flooded areas to the dispersal areas. Pastoral communities normally graze within those dispersal areas. They always move from place to move. This gives poachers an opportunity to come and kill these elephants. We are making these efforts but with limited resources. I have said that in the last three years we have not been able to recruit any additional rangers owing to financial incapacity. Secondly, a lot of the revenue that

the KWS has been using is generated from payments in the parks and game reserves. Now that we have improvements in the tourism sector, we hope that more revenue will be generated and we can be able to deploy additional resources towards the protection of the endangered species.

Dr. Otichilo: I would like to know from the Assistant Minister which areas are mostly affected by this poaching because it is clear from his answer that most of the poaching is taking place outside the protected areas. Could he enumerate some of these areas and tell us specific action the Ministry is taking to protect those animals that are in those areas?

Mr. Nanok: The critical districts that are affected are Laikipia, Samburu, Isiolo, Marsabit, Tana River, Lamu, Kajiado, Turkana, Keiyo and Malindi. Areas which are critically affected by game meat poaching are Naivasha and Tsavo. We have deployed a number of rangers in these specific areas. We have intensified patrols and bought light aircraft. A total of eight aircraft are in the eight conservancy areas; there is one chopper and a caravan and they are doing intensified regular surveys. We have intelligence units all over that are monitoring. But these numbers may not be adequate enough to secure the wildlife resources we have in the country. So, we are asking the public to share with us on time any information that they have regarding poaching activities they detect so that the security personnel from the KWS can come in and arrest the culprits.

Mr. Chepkitony: Mr. Deputy Speaker, Sir, game poaching particularly of elephants is well organized and well co-ordinated between the buyers and the poachers. The Assistant Minister has said that over 1,000 people have been arrested. How many of these have been imprisoned or fined for this offence of killing the elephants?

Mr. Nanok: Mr. Deputy Speaker, Sir, I do not have those details right now but quite a number of people have been arrested. Some cases are in court. The reason why there has been intensified poaching is the fact that the illegal trade in ivory is a very lucrative business in the global market. In 2007, one kilogramme of ivory was selling at Kshs1,500. To date, it is Kshs10,000. So, you can imagine that is almost a nine fold increase. This is what is encouraging these poachers.

One of the things that the Ministry is doing both regionally and globally is to mobilize countries that have a similar problem like ours to continue enhancing the ban on ivory sales in the black market and legalized ivory sales by sites. One of our neighbours whom we share a common rangeland resources, Tanzania, has put a case in front of sites to sell off some ivory stocks that they have. We feel that the sale of this ivory stock will intensify poaching of elephants that cross all the way from the Mara and Amboseli into the national parks in Tanzania. We are putting all efforts to make sure that we have a coalition of likeminded countries to convince other members of sites to make sure that this ban is in place.

Mr. Chachu: Mr. Deputy Speaker, Sir, out of 298 elephants that were killed, 260 were killed outside the park. If this struggle to curb poaching is to be successful, it has to be built on partnership of the local communities. What is this Ministry doing to ensure that local communities living near the parks become partners with the Ministry in wildlife conservation?

I am asking this because wildlife conservation policy in this country is based on a myth where local communities see wildlife as a liability and not as an asset. What specific action is the Ministry taking to ensure that local communities are brought on board and

they are partners in conservation? I want the Assistant Minister to tell us about specific actions and not stories.

Mr. Nanok: Mr. Deputy Speaker, Sir, I do not want to provide stories. I want to provide specific actions. One of the problems that we have had outside the protected areas is the high number of firearms that are in the hands of the local communities, particularly in the area where the Member of Parliament who has asked this Question comes from. We are supporting our colleagues from the Ministry of State for Provincial Administration and Internal Security---

Mr. Chachu: On a point of order, Mr. Deputy Speaker, Sir. If you heard the Assistant Minister right, he said the people of North Horr Constituency, whom I represent in this House, have many illegal arms in their hands. Could he substantiate that fact or withdraw it?

Mr. Nanok: Mr. Deputy Speaker, Sir, it is well known that cattle rustling and related banditry is in upper Eastern, North Rift and some others parts in the country. This is basically exacerbated by the increased number of illegal arms that are in the hands of communities.

Mr. Chachu: On a point of order, Mr. Deputy Speaker, Sir. I need your protection. The Assistant Minister is stating that I represent bandits and cattle rustlers in this House. I need your protection.

Mr. Nanok: Mr. Deputy Speaker, Sir, I did not say so. I just said that it is a well known fact that we have illegal arms in the hands of communities. This is exasperating poaching of elephants and other endangered species. One of the efforts that we are doing is to support the Ministry of State for Provincial Administration and Internal Security in its effort to disarm the communities with these illegal arms. The second point is the issue of creating awareness. Communities have to realize that wildlife is a natural resource that should be protected for the benefit of this country and for future generations.

Thirdly, we will soon be tabling a Bill here to intensify the involvement of communities that are living around protected areas and dispersal areas, so that they can play a significant role in the protection of this resource.

Mr. Deputy Speaker: Order, hon. Assistant Minister! Notwithstanding the answer that you have given, the fact that it is indicative that rustling is there in those places, as the hon. Member has said, he deserves the protection of the Chair. Unless you can show that part of the statistics that you have indicate that the area that he comes from has had many elephants killed, you might have to withdraw that statement. Unless you have proper statistics on that, you will need to withdraw that remark.

Mr. Nanok: Mr. Deputy Speaker, Sir, let me withdraw that it is not his specific area. However, I have mentioned a general area that is known to all Members of Parliament, namely, upper Eastern, North Rift areas including Pokot, Turkana, Marsabit, Isiolo and Samburu. It is known that communities in these areas have illegally acquired firearms.

Mr. Deputy Speaker: Next Question by hon. Nyamai!

Question No.033

LIST OF PROJECTS TO PROMOTE LIVESTOCK PRODUCTION IN KITUI WEST

Mr. C. Kilonzo, on behalf of **Mr. Nyamai**, asked the Minister for Livestock Development whether he could provide a list of projects which have been undertaken by the Ministry to promote livestock production in Kitui West Constituency since January, 2008, considering that the constituency is predominantly a livestock-rearing zone.

The Assistant Minister for Livestock Development (Mr. Duale): Mr. Deputy Speaker, Sir, I beg to reply.

The following are the projects which have been undertaken by my Ministry to promote livestock production in Kitui West Constituency since 2008:

(i) The ASAL Based Livestock and Rural Livelihoods Support Project known as ALRLIP has done a lot of projects in Kitui West Constituency. This project is funded by the Kenya Government and the African Development Bank. The overall objective of this project is to contribute to poverty reduction at the national and the household levels in line with the Government policies of mainstreaming the ASAL areas in the economic framework of the country's economic blueprint. This project covers the following areas of Garissa, Isiolo, Mandera, Marsabit, Moyale, Samburu, Tana River, Turkana, Wajir and West Pokot. This project also covers a number of agro-pastoral districts of Baringo, Ijara, Kajiado, Kitui, Makueni, Malindi, Mwingi, Taita Taveta and Narok.

There are 25 community groups that have been funded by this project in Kitui West Constituency to the tune of Kshs5.6 million. It is worth noting that Kitui West Constituency is composed of two districts; namely, Kitui West and Lower Yatta. It is a long list of the groups that are funded under this project and I want to lay it on the Table.

(Mr. Duale laid the List on the Table)

(ii) The National Agriculture and Livestock Extension Programme known as NALEP which is co-funded by the Government of Kenya and the Swedish Government: This project which is in its second phase started in 2000 and it is jointly implemented by both the Ministry of Agriculture and the Ministry of Livestock Development. This project mainly deals with capacity building of farmers and pastoralists in all the districts in the country, including the larger Kitui District. The NALEP started its operation in Kitui West Constituency in 2007. It has undertaken various activities as follows:-

In Matinyani Division, the project, has spent over Kshs950,000 to train 5,000 farmers for the last three years. Through the NALEP initiative, a divisional stakeholder's

forum named Kwakamaki has been formed and registered with the relevant Government Ministry. In Yatta Division, the programme has spent Kshs1.1 million to train 800 farmers on new farming technologies. Under the same programme, a forum named Yatta Development Group has also been registered and it is working with the local community.

(iii) The Agricultural Sector Support Programme, which is funded by NANIDA: The project started in 1999. It covers seven ASAL districts; namely, Kitui, Makueni, Taita Taveta, Kwale, Kilifi, Mwingi and Malindi. This programme is mainly focused on crops and livestock production and, more so, on building capacity of the target farmers within the communities. The other objective of the ASPS project is to ensure sustainable management of soil, water, vegetation and animal resource in the related focal development areas.

Finally, in Kitui West Constituency, the ASSP covers two locations; namely, Kaani and Matinyani. The project in the two divisions include capacity building of groups dealing with livestock production, building of earth dams and the construction of the now famous Kabati Slaughter House.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for the answer. But the biggest challenge we have today on donor-funded projects and even the Government ones is that most of the funds are used on training and capacity building. As I speak now, cattle dips are not operational. I can comfortably say that in both the lower part of Eastern Province and even most parts of the country, 95 per cent of cattle dips are not operational. What is the Government doing to revive cattle dips as opposed to spending so much money on capacity building and training?

Mr. Duale: Mr. Deputy Speaker, Sir, I totally agree with the hon. Member on the fact that a lot of resources and mainly donor-funded projects dwell more on capacity building and workshops. I think it is the high time that the Ministry of State for Planning, National Development and Vision 2030 and this House give guidance because donor-funded projects come to the Government when they are already itemized and the whole budget lines have been clearly mandated. I think we need to come out very clearly and invest in projects that have complete bearing on the livelihood of the people of Kenya.

On the issue of cattle dips, I totally agree with the hon. Member, and I have said it on the Floor of this House a number of times that in the 1980s we had the World Bank Structural Adjustment Programmes (SAPs), where the Government offloaded the services it provides to the people of Kenya and moreso, to the livestock rearing areas where cattle dips were returned to the private sector, that was the biggest mistake that the Ministry of Livestock Development and the Government did. But now we have a policy and we want to share with the hon. Members that the Office of the Deputy Prime Minister and Ministry of Finance, in this year's Budget, in the policy we have given them, must allocate more money to the Department of Veterinary Services. Moreso, I would also like to urge hon. Members to allocate a certain percentage of the Constituencies Development Fund (CDF), so that we partner in the building of cattle dips and provide the technical services.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, this Government has failed livestock farmers. That is why every time there is drought rather than the Government buying livestock, they end up dying. It has also failed dairy farmers and that is why milk is being

poured. It has also abandoned pyrethrum farmers and that is why people have stopped growing pyrethrum. It has abandoned maize farmers and that is why maize is rotting in the farms. Is the Government going to take the farmers of this country seriously? Could the Government take over cattle dips, so that they can become operational as opposed to the same being run by the communities, because that has since proved that it is not workable?

Mr. Duale: Mr. Deputy Speaker, Sir, in my opinion, the Government has not failed. If the hon. Member feels that he can give a wide range of issues that portrays that the Government has failed, I think the Prime Minister has an opportunity every Wednesday to address those cross-cutting issues that the hon. Member feels indicates that the Government has failed.

But coming back to the question of whether the Ministry of Livestock Development can take over the running of cattle dips, I want to assure the hon. Member that, that is the mandate of a department within the Ministry of Livestock Development. That is where we are heading this year and all cattle dips in the country will be functioning.

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. My question was not whether they would be functioning; my question to the Assistant Minister was: "Could the Government take over the running of cattle dips as opposed to the current arrangement where they are being run by communities?"

Mr. Duale: Mr. Deputy Speaker, Sir, I think it is about phonetics. Taking over and functioning are two words which are related. Once we take over, that means that the process of functioning will be in place. We will take over.

Mr. Mwangi: Mr. Deputy Speaker, Sir, the Assistant Minister has made an effort to answer the Question, but one of the comments he made is that the programme which he was explaining is involved in fighting poverty. I think all the answers he gave covered the Arid and Semi-Arid Lands (ASALs). His Ministry and the Government as such have left the farmers in other areas suffering because no attention has been paid. We had a case of milk. Not only do the ASALs---

Mr. Deputy Speaker: Ask your question, do not give a speech!

Mr. Mwangi: Could the Assistant Minister consider extending these programmes to the small-scale farmers who do zero-grazing in other parts of the country?

Mr. Duale: Mr. Deputy Speaker, Sir, the Question was directly about Kitui West which falls under the ASALs. As a Ministry, we have specific and definite programmes which are funded by donors, with definite objectives for those areas. I want to inform the hon. Member that I have got definite donor-funded projects for zero-grazing areas of the highlands. One of them is the Dairy Development Programme, which is funded by the World Bank.

Mr. Ochieng: Mr. Deputy Speaker, Sir, why does Ministry continue to license importers of dairy products, yet we have sufficient milk in this country?

Mr. Duale: Mr. Deputy Speaker, Sir, the licensing of dairy products and more so, milk, falls under the Ministry of Co-operative Development and Market. Hon. Nyagah will be in a position to answer that Question.

Mr. Wamalwa: Mr. Deputy Speaker, Sir, the Assistant Minister has indicated that the Government intends to take over the running of cattle dips. Could he give a

specific period when the Government will start providing acaricides to cattle dips and Artificial Insemination (AI) services?

Mr. Duale: Mr. Deputy Speaker, Sir, in a small way, we are providing acaricides now. We are discussing with the Office of the Deputy Prime Minister and Ministry of Finance and we hope that in the next financial year, we will be given adequate resources to provide that. We will come back to this House after the Budget and inform you that the funds have been made available.

Mr. Baiya: Mr. Deputy Speaker, Sir, I have not really understood the Assistant Minister. He has said that the Government is going to do something substantial about cattle dips in the course of this year, yet he is also saying that he is liaising with the Office of the Deputy Prime Minister and Ministry of Finance and we are going to see something in the Budget. Where are we? If he is going to take over the running of cattle dips, could he tell us how much money he has before he tells us how much he is going to seek from the Office of the Deputy Prime Minister and Ministry of Finance?

Mr. Duale: Mr. Deputy Speaker, Sir, I gave a very long indication that the issue of abandoning cattle dips by the Government was related to the Structural Adjustment Programmes that the World Bank put in place in the 1980s. Now that we have felt that the cattle dips and extension services are very crucial in livestock production and the livelihood of our people, we have said categorically that we have prepared a technical paper to the Office of the Deputy Prime Minister and Ministry of Finance and donors, just like we do for all other projects within our Ministry in every financial year. I can assure this House that this year; we are coming with a definite policy on how to revamp cattle dips across all parts of the country.

Mr. Deputy Speaker: Last question, Mr. C. Kilonzo!

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, one of the biggest setbacks of the Structural Adjustment Programmes was the laying off of technical staff and in particular, the veterinary doctors. What plans are there for the Government to reinstate and employ more officers?

Mr. Duale: Mr. Deputy Speaker, Sir, I want to thank the Member for raising an important issue on livestock keeping. For the last 20 years, the Ministry of Livestock Development did not employ any staff at either technical level or at lower levels. In 2008/2009 Financial Year, the Ministry employed 100 veterinary doctors, 110 livestock technicians and 110 Livestock Production Assistants.

It is on this line we are asking the Deputy Prime Minister and Minister for Finance to avail more funds, so that this Ministry, as the Member has said, can hire more staff. We want Members to raise it when the Ministry of Livestock Development budget comes to this Floor. Members from livestock producing areas, pastoral communities and dairy animal production areas should stand up and say yes, "as much as we want to have a ratio for medical doctors to the number of patients, we must have a definite ratio for veterinary doctors in terms of the animals we have in this country."

Mr. Deputy Speaker: Next Question, Mr. Chanzu!

*Question No.074*CENTRALIZATION OF ISSUANCE OF
CERTIFICATE OF GOOD CONDUCT

Mr. Chanzu asked the Minister of State for Provincial Administration and Internal Security what steps he is taking to ensure that offices which issue Certificate of Good Conduct are decentralized from the Criminal Investigation Department (CID) Headquarters, considering that Government institutions and/or departments are increasingly listing the document as a requirement before recruitment.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I beg to reply.

The issuance of Certificates of Good Conduct cannot be decentralised at this particular time because the forensic identification of criminals through fingerprints, palm prints, toe prints and sole prints is normally done manually. Due to this, the process can only be undertaken in Nairobi. However, the application and collection of certificates is handled by divisional criminal investigation officers who are stationed in all district headquarters. The applications are then forwarded to CID Headquarters in Nairobi for analysis, fingerprint search and issuance of certificates which normally takes 14 working days from the receipt at the criminal records office at the CID headquarters.

Mr. Deputy Speaker, Sir, the certificates are then posted back to the DCIOs promptly by courier services.

Mr. Chanzu: Mr. Deputy Speaker, Sir, the Assistant Minister says because of forensic identification it is not possible to decentralise issuance of these certificates. I wish to inform him that we have the officers of Provincial Administration who can be used to issue these certificates. Why can we not use chiefs and assistant chiefs? The issue of forensic audit is, in fact, an alien thing and it is not even working in this country. Why can we not use the Provincial Administration to identify officers who can be used in the issuance of these certificates?

Mr. Ojode: Mr. Deputy Speaker, Sir, I want to inform the hon. Member that I have, so far, ordered the Police Commissioner to decentralise issuance of these certificates. He has assured me that once the implementation of Automated Palm and Fingerprint identification System (APFIS) is---

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for my good friend hon. Minister to mislead this House by contradicting himself? When he read the official written answer, he said the issuance of the Certificates of Good Conduct cannot be decentralised. Then on the supplementary question, he says he has ordered the Police Commissioner to decentralise it. Which is which?

Mr. Ojode: Mr. Deputy Speaker, Sir, that is why I wanted him to hold his horses and listen to me. I was saying the following---

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

Mr. Deputy Speaker: Order, hon. Ethuro!

Proceed, hon. Assistant Minister.

Mr. Ojode: Mr. Deputy Speaker, Sir, as of now, we are using manual services. There are a number of enquires that need to be decentralised. As I said, with the issuance of Certificates of Good Conduct, I have ordered the Police Commissioner to fast track the Automation Palm and Fingerprint Identification System (APFIS) project. As I speak, a contract has already been signed. Once the project is implemented, we will decentralise the services of issuance of these certificates within the districts. That is a Government stand. The issue of “when” should not come in now because I do not know when the project will be finalized.

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

Mr. Deputy Speaker: Order, hon. Chanzu! Allow the Assistant Minister to complete then you raise your point of order.

Mr. Ojode: Mr. Deputy Speaker, Sir, my colleagues will appreciate what we are doing as a Ministry.

Mr. Chanzu: On a point of order, Mr. Deputy Speaker, Sir. We know very well, unless the Assistant Minister does not know, that a contract cannot be endless. A contract must have a definite period. Is he in order to tell us that he does not know when it will be finalised when they have already signed the contract?

Mr. Ojode: Mr. Deputy Speaker, Sir, this particular project will be completed by 30th June, 2010. Once the project is finalised, all my colleagues will be happy because we will issue these certificates within their districts. It is also common knowledge that all constituencies are now districts. So, there will be no problem. We will be issuing these things once the application is done. As at now, we are taking only 14 working days and the certificate will be issued.

Mr. Ethuro: Mr. Deputy Speaker, Sir, the Government has been moving towards the districts and the constituencies, including some Ministries which have identified 23 regional commissioners to help. The Assistant Minister cannot be engaged in generalities without being specific. When you take 14 days to process, you need to take another 14 days to send the certificates back; you need another 14 days to send them from the District Criminal Investigations Officers to the districts. What is so difficult, Mr. Assistant Minister, for you to ensure that these DCIOs acquire the same facilities, because there is no magic? This is done manually and “manually” means they require human labour; human labour can be available to the DCIO. Why did you not consider that at the time you thought of decentralizing the regional commissioners in the first place?

Mr. Ojode: Mr. Deputy Speaker, Sir, I believe that when this process is done manually and you decentralize it, we are going to miss some important information which is required. That is why we are spending money to computerize in order for us to be able

to read the finger prints immediately. June is just around the corner. There is nothing wrong in waiting up to June. We are decentralizing and the issue of delay will also be a thing of the past

Mr. C. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. I wish to seek your guidance on this issue; if you read the Question, it asks what steps the Ministry is taking. If you read the answer, he is talking about the possibility of decentralization. What the Assistant Minister has done is to give an irrelevant answer and deny the hon. Member the right and the opportunity to ask supplementary questions in order to get the proper answer. What I am asking is, what action---

(Applause)

I am asking for your ruling, Mr. Deputy Speaker, Sir, on the basis that the Assistant Minister did not respond to “what steps”; he answered verbally on the steps. But in the written answer, he answered a totally different Question. The Question which he answered here was basically like answering a Question asking: “Why is it not possible---” but the Question here was: “What steps---”

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

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, I was asking for your ruling and not the Assistant Minister’s response.

Mr. Deputy Speaker: Order, hon. C. Kilonzo!

Mr. Ojode: Order! Sit down!

(Laughter)

Mr. Deputy Speaker, Sir, I think I have ably answered the Question. The Question is; why can we not decentralize the issuance of the certificates of good conduct within the districts?

(Loud consultations)

Hon. Members: What steps?

Mr. Ojode: Mr. Deputy Speaker, Sir, I have said---

Mr. Mbadi: On a point of order, Mr. Deputy Speaker, Sir. I think there is need to interpret or make the Assistant Minister understand the Question; the Question is clearly asking: “What steps is the Minister taking---”. I would have expected the Assistant Minister to come to this House and tell us that the steps we are taking are that we are trying to automate, *et cetera*, and it will end at this time and we expect to complete decentralization at this time. But the Assistant Minister is taking us round in circles as if he does not understand the Question.

Mr. Ojode: Mr. Deputy Speaker, Sir, I do not think---

Mr. Deputy Speaker: Order! Order! I think the Assistant Minister’s answers are perfectly in the domain of the Question. Both the statement that the Assistant Minister gave here, which is carried in the HANSARD, and the written answer you have here are all taken as the statements of the Assistant Minister. The Question asked is; what the Ministry is doing to ensure that the offices which issue the Certificates of Good Conduct

are decentralized? He does say in here that he cannot decentralize now because of the need to have more information that cannot be done without the automation. He has volunteered more information in here and said that he is going to---

Mr. Ojode: Exactly!

Mr. Deputy Speaker: He has already signed a contract and the process is going to be automated within the shortest possible time! So, I think we are getting the substance, the spirit and the objectives of the Question. So, can we, please, confine ourselves to the substance here?

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

Mr. Deputy Speaker: Are you still on a point of order?

Mr. Ethuro: Yes, Sir---

Mr. Deputy Speaker: What is your point of order, hon. Hassan?

Mr. Abdirahman: On a point of order, Mr. Deputy Speaker, Sir. While I do respect your position on the matter, I strongly feel that the Assistant Minister has failed to answer the specific bits of the Question. Because of the Government's poor planning, we are not able to help Kenyans. Can the Assistant Minister be specific; he is not being specific. Is he in order not to be very specific and tell us that once the tender is completed, we should be able to serve Kenyans even at regional levels and to decentralize this process? Kenyans have suffered! So, he has not reached that level. Is he in order?

Mr. Deputy Speaker: Order, hon. Abdirahman! Order! The Assistant Minister has given a firm undertaking on the Floor of this House that his Ministry has already signed a contract and that these facilities are going to be automated; come the end of June, or by June, the services will then be in the districts, or they will have been decentralized. The facilities for decentralization will be in place.

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

Mr. Deputy Speaker: Yes, hon. Ethuro.

Mr. Ethuro: Mr. Deputy Speaker, Sir, I stand on a point of order arising from the request by hon. C. Kilonzo to you to make a ruling. This is a serious matter. We want our people to be of good conduct, and we want these services to be available where they can easily access them. This is our problem, when the Government brings here a signed answer, it is supposed to state the official position. Then when you have the supplementary answers contradicting the official position, surely, there must be something amiss. It is not sufficient---

Mr. Deputy Speaker: Order, hon. Ethuro! Order!

Mr. Ethuro: Just allow me, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Okay, proceed!

Mr. Ethuro: It is not sufficient for the HANSARD Report to be what the Government is going to rely on. The Assistant Minister has come here to tell the House the true Government position. But when he comes here and changes the true Government position for purposes of the HANSARD record, that cannot be the correct position. I beg, Mr. Deputy Speaker, Sir, that you consider the plea of the Back Bench and rule that this Assistant Minister needs to go back and come back with a proper answer.

(Applause)

Indeed, Mr. Deputy Speaker, Sir, even this answer is not signed by the substantive Minister.

Mr. Ojode: What are you talking about?

(Laughter)

On a point of order, Mr. Deputy Speaker, Sir. I think we should be serious when we are dealing with Parliamentary issues. An Assistant Minister in the Constitution of Kenya is a Minister! Yes, he is a Minister in the whole country!

(Laughter)

So, if I sign anything, Mr. Deputy Speaker, Sir---

Mr. Deputy Speaker: Order, hon. Ethuro! Order!

(Applause)

Order, hon. Members! Hon. Ministers can occasionally answer questions without having written answers and the Chair does not always insist on that. There is no regulation that expressly says that the answer that is officially on the Floor is the only one that is written. The answer that is official for the purpose of the House is the one that is carried in the HANSARD. For your information, the HANSARD does not keep a file of these answers. The HANSARD is the official document for purposes of legal or any purposes of reference on what the Ministers have said here. That is why the Chair always insists by saying; "We will refer to the HANSARD".

The Minister has given a firm undertaking on the Floor of this House. In the event that it does not happen, then the Back-benchers in the House will be at liberty to come again and seek for a Ministerial Statement as well as direction from the Chair because the Minister would have deliberately misled the House and Kenyans.

Ask your last question, Mr. Chanzu.

Mr. Chanzu: Mr. Deputy Speaker, Sir, the Assistant Minister has asked me whether I am satisfied, and I am not. Considering that there is rampant poverty in this country, people go for these certificates in order to look for employment. They do this when they have no money. Could the Assistant Minister consider waiving the fees that is charged for this so that those who are looking for training and jobs can get these certificates without paying any money?

Mr. Ojode: Mr. Deputy Speaker, Sir, that is a genuine concern. I will find out whether it is possible for us to give a waiver. Normally, the fee we charge is for processing the certificate. Some of these documents must be paid for in order for the Government to collect some revenue. However, it is worth noting and it is a noble idea. I will check and if there is any possibility of issuing these certificates free of charge, the Government will make a decision on it.

POINT OF ORDER

STATUS OF DISARMAMENT EXERCISE IN THE COUNTRY

Mr. Ethuro: Mr. Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security on the state of the disarmament exercise that is currently underway. In seeking that Statement, I expect the Minister to consider the following issues:-

1. The previous efforts to disarm within the country and its varied success
2. What is the level of co-ordination between the neighbouring states, particularly, Uganda, Sudan and Ethiopia?
3. What role is the IGAD playing in this exercise?
4. During the disarmament process, what is the state of insecurity, especially the incidences of security lapses in the larger Turkana region particularly in Loya, Lorengipi, Lokichoggio, Nadapal, Todonyang - that experienced serious butchering of people the other day - Laikipia, Ilaret, Kapedo and Kacheliba?

Mr. Deputy Speaker, Sir, could the Minister also tell this House, in addition to the disarmament programme, what other opportunities in terms of development are there for these people?

Mr. Deputy Speaker: Mr. Assistant Minister, when will you have the Ministerial Statement ready?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I request the Chair to allow me to issue an elaborate Statement with regard to disarmament and the other issues that have been raised by the hon. Member in the morning of Wednesday, next week.

Mr. Deputy Speaker: That is fair enough. It is so directed!

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF S.O. 38(1)

Mr. Midiwo: Mr. Deputy Speaker, Sir, I beg to move the following Procedural Motion:-

THAT, this House orders that the Business appearing in today's Order Paper be exempted from the provisions of Standing Order No.38(1), being a Wednesday morning, a day allocated for Private Members' Motions.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I beg to second.

(Question proposed)

Mr. Ethuro: Mr. Deputy Speaker, Sir, I support the Motion. However, because it is a Procedural Motion, it does not mean that we cannot raise issues.

It is important to realise that Standing Order No.38 (1) cannot just be read without looking at the provision that states:-

“Provided that, subject to Standing Order No.7 (Summoning the House during a Session after adjournment), on every Wednesday morning on which the House sits, business other than Government business, shall have precedence except---”

Mr. Deputy Speaker, Sir, we worked very hard to have the House Business Committee (HBC) formed. We passed its membership last Thursday and it commenced its business. Could the Government Chief Whip confirm to this House why he thinks we should not have any other business except for the important consideration of the Presidential Address? He should explain this. He should not take this for granted.

Mr. Midiwo: Mr. Deputy Speaker, Sir, Mr. Ethuro will be surprised to hear that the HBC met yesterday and there was no Motion from hon. Members. So, we have to do this in the absence of Motions from Members.

Further to that, we are trying to “give” time so that we can confront the constitutional review process by next week. I think our reasons are valid. Just hold your horses! We are on the right track.

(Question put and agreed to)

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency’s Presidential Address from the Chair, laid on the Table of the House on Tuesday, 23rd February 2010.

(Mr. Thuo on 2.3.2010)

(Resumption of Debate interrupted on 2.3.2010)

Mr. Ruteere: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I rise to support the Motion and appreciate the Address of His Excellency the President.

The President gave a Statement on various issues that he felt are important for us to discuss. One of them that he vehemently and clearly talked about was the issue of the Draft Constitution. He thanked the Parliamentary Select Committee (PSC) on Constitutional Review that met in Naivasha. He also expressed his appreciation for the work being done by the Committee of Experts (CoE). We did not expect more changes from the CoE after appreciating the good work and the consensus that was reached by the PSC. However, we are riding on a road that will give us a new Constitution. I also appeal, just as it has been done by the President and the Speaker of the National Assembly, that we discuss this issue with sobriety. I am sure we are riding on a road that will deliver to this country a new Constitution. I am happy that we will go on a three-day retreat, so that we look at all the issues that have not been agreed upon. I am sure that, as a House, we shall reach consensus.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, the issue of corruption was mentioned by His Excellency the President. I do not know whether it was strongly or lightly, but I would like to say that some of the policies that we have in this country are enhancing corruption instead of eradicating it. For example, there are issues to do with tendering processes of various things. Those processes are enhancing corruption. Corruption is rife when it comes to tendering for contracts. For example, under the Economic Stimulus Programme, we exempted the Ministry of Education from following the procedures used by other line Ministries. What is being done by the Ministry of Education will not give value to the money that has been set aside for those centres of excellence. The way that it is being manipulated will not have the same effect as Constituencies Development Fund (CDF).

You will find an institution that has been given Kshs20 million or Kshs30 million. But it will not have the same facilities as another institution that has been given Kshs15 million or Kshs20 by CDF. That is because the Ministry of Public Works has interested parties in those tenders. They have formed their own cartels and companies. Once the Boards of Governors (BOGs) have identified who to give the tender, they go to vet. If that vetting is final, they will favour their own companies.

Mr. Temporary Deputy Speaker, Sir, we want to eradicate corruption but let the policies that are there also eradicate corruption. We want action and not mere words. We should not speak different languages.

The Judiciary was mentioned as an arm of the Government that needs reforms. I agree entirely that the Judiciary should hasten the process of fast-tracking cases that have been there for a long time. There are cases that have been there for many years. I know some cases where people have died and their children do not know the fate of those cases. The lawyers take advantage of such cases.

Mr. Temporary Deputy Speaker, Sir, I wish the Judiciary could live to its word of giving justice to Kenyans and not delaying the cases. As they say, justice delayed is justice denied. Let them not deny Kenyans justice.

We now have the Truth, Justice and Reconciliation Commission (TJRC), whose Chairman has been portrayed as not having the integrity that is required of that Chair, internationally and nationally. However much he tries to cling to that Chair--- I do not know what is wrong with him. I do not know his background. But the image now portrayed is that he will not be an impartial Chairman. He has issues about himself. He has a background that is questionable. If your integrity is questioned and you are doing a job that is important to Kenyans, the right thing to do is to resign. By resigning, you put your integrity to credibility. If you do not, that credibility is lost. So, if we have such personalities in positions that need persons of integrity, and they say that they will stay put, then they are not doing justice to Kenyans.

Mr. Temporary Deputy Speaker, Sir, last year, we had drought. We imported maize at a very high cost. We now have a bumper harvest. Unfortunately, where I come from, the prices of maize have gone down. The National Cereals and Produce Board (NCPB), which should have opened its door for the purchase of that maize in Meru and Eastern Province, has not opened up. If it was in the Rift Valley, NCPB would have opened its doors to buy the maize. The NCPB would be buying maize at Kshs2,300 per bag. All the depots of NCPB should be opened. But, now, because it is in Eastern Province and in Meru, NCPB has not opened its doors to buy the maize and yet, it is latent. Why are some farmers being favoured and not others? Why are the people in all parts of this country not being treated equally? We are happy that the Ministry of Agriculture gave us seeds and fertilizer. But why can the Ministry of State for Special Programmes not give them money, so that maize can be bought without farmers being exploited, as it is happening now? We, therefore, appeal to the Ministry of State for Special Programmes to avail money to NCPB to buy maize at the right price.

With those words, I wish to support.

The Assistant Minister for Regional Development Authorities (Mr. ole Metito): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to support the Motion.

In his address to the nation, His Excellency the President raised some very fundamental issues regarding the proposed policies or Bills that the Government intends to bring before this House. One of them is the Tourism Bill. This morning, you witnessed that there was a lot of interest on issues regarding wildlife and conservation. I think that a Tourism Bill is long overdue. We have waited for years for the so-called "Wildlife Management Conservation (Amendment) Bill. It has been in the offing since the last Parliament, but it has never seen the light of the day.

So, if the Tourism Bill is brought to this House, it will address some of the concerns that hon. Members of this House raised this morning.

There is a lot of wildlife poaching. You cannot divorce wildlife from tourism. Those are very inter-related issues. It has come out very clearly from this House that communities that live with wildlife in the so-called "protected areas" need to have a bigger say in the management of wild animals. It is, therefore, my wish that, in the proposed Tourism Bill, communities that have tourist sites be given a very big mandate to manage them.

Mr. Temporary Deputy Speaker, Sir, more importantly, we should ensure that benefits accruing from wildlife conservation and tourism activities trickle down to the communities themselves. As you heard this morning, in some areas, those communities view wildlife as a liability rather than an asset. That is because the benefits, if any, are so minimal. Therefore, that Bill is long overdue and we look forward to supporting it.

The other proposed Bill that His Excellency the President mentioned in his Address is the Election Bill. It is supposed to instil internal democracy and confidence in the electoral process in Kenya. The proposed Election Bill should also address issues of political parties and democracy. You will agree with me that we would have finished the discussion on the Presidential Address by now, had it not been the lack of political parties' internal democracy that delayed the formation of the House Business Committee.

So, the Election Bill should address democracy in political parties. We are now in the process of starting the voter registration exercise, which is set to begin on 22nd March, 2010. The Interim Independent Electoral Commission (IIEC) is doing its best to ensure that there is confidence, transparency and accountability in that body. We need to bring all the Acts of Parliament relating to elections under one roof. We should also try to emphasise transparency and accountability in the elections body.

Mr. Temporary Deputy Speaker, Sir, the other issue that His Excellency the President mentioned is that of the East African Community Custom Protocol that is proposed to come into effect from 1st July, this year. The integration of the East African Community with respect to the custom protocol is very important. I think it will make this country a regional hub in terms of business. Those of us who represent constituencies that border East African countries like Tanzania and Uganda see this as a matter of urgency. I know that the benefits accruing from that protocol were extended to other partner States apart from our country which is due to benefit from 1st July, this year. That should be enhanced and fast tracked because we see a lot of business through the movement of people, goods and services to a country like Tanzania which we border. Had we taken advantage of that in 2003 or some years ago, I think we would have been a little bit far in terms of business benefit.

I also want to talk about the economic stimulus. In his Address, His Excellency mentioned that since the formation of the Grand Coalition Government in 2008 to date, we have had an economic growth rate of 1.7 per cent and 2.5 per cent for the last two years. This year, the focus is 4.5 per cent. Last year the Deputy Prime Minister and Minister for Finance introduced the Economic Stimulus Package that was supposed to stimulate the economic growth at the grassroots level. More specifically, it was constituency-based. I think we are yet to see the benefits of the Economic Stimulus Package. This is so because there is a lot that needs to be put in place, but I am concerned with the pace in which that programme is moving because we are in the last quarter of the financial year and none of the proposed projects that were supposed to be funded by the Economic Stimulus Package have taken off.

The hon. Member who was just on the Floor has talked about the centers of excellence that were supposed to be funded through that programme. However, the rest have not taken place. I urge the Office of the Deputy Prime Minister and Ministry of Finance to do something and try to fast track the implementation of that package because we might end the financial year without seeing the benefits of that programme.

Mr. Temporary Deputy Speaker, Sir, we also have bursaries for secondary schools in the Ministry of Education. This financial year is coming to an end and I do not think there is a single constituency that has received any money meant for bursaries for secondary school students. Those are some of the issues that need to be addressed and fast-tracked.

The other issue was the Constitution. I think a lot has been said about this. We need to address and approach the constitutional debate in a very sober way. We also need to keep the country cohesive. If we go the direction, as the Speaker announced yesterday, of us having a retreat where can build consensus on these issues, we can move forward.

I beg to support this Motion.

Eng. Gumbo: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the President's Address to the nation.

I join my colleagues in expressing my support for the quest by the people of Kenya to attain a new Constitution. I think this matter has been overdue. We have been on it for over 20 years now and probably it is time we got it behind us so that the country can move forward.

Even as we go through the process of giving our country a new Constitution, I would like to say that even the best written constitutions in the world do not mean much if the people of that country, and in this case we are talking about Kenya, do not find it in their hearts to put the country first. Some of the most tried and tested constitutions in the world are no more than ten pages long but they have survived over 200 years. This is simply because the people in those countries found it in their hearts to put their country first. I urge my countrymen and women that as we embark on this process, we know the mistakes that have been made in this country. One of the major leaps we have to make as a country, is to find it in our hearts to always put our country, Kenya first.

Mr. Temporary Deputy Speaker, Sir, it is also gratifying to note that in his Address, the President affirmed the Grand Coalition Government's resolve to deal with corruption squarely. I agree with the President when he says that in order to win this war, we must apply the law in a manner that is impartial and just. He also said that we must not politicize or personalize the fight against corruption. All this is commendable but we must divorce the fight against corruption from mere lip service.

As I speak now, the Free Primary Education Programme is almost on its knees. I made a spot check of some of the schools in my constituency. For example, where pupils are supposed to get seven exercise books, they are given only two. It is very important that we mean what we say when we talk about the fight against corruption. I know, for example, that some steps have been taken to address corruption in the Ministry of Education, but I also remember very clearly that sometime in December, the President gave a directive that those responsible for Free Primary Education fund theft should be brought to book, arrested and charged in court. It is important that Kenyans are told the officials involved. We know that some officials in the Ministry of Education have been charged with theft of funds but it is important that this country is told who among those was responsible for Free Primary Education. As we know, Free Primary Education falls under the Directorate of Basic Education (DBE) at the Ministry. It is time as a country, we were told who in the DBE has been found culpable for the loss of the funds.

Mr. Temporary Deputy Speaker, Sir, the issue of national cohesion is very important. I have always advocated that we stand to gain when we stand as a country. I

think it is time this country dealt with the cancer of negative ethnicity. To me, it has not brought much to our country. It has dragged us back. Some of the countries which we compared ourselves with 40 years ago have made major strides because their people put them first. We need to see what the National Cohesion Commission does in terms of addressing serious imbalances in some of our Ministries where you find that the population of some ethnic communities go almost to 50 per cent. I think it is within the mandate of this Commission to address this.

Finally, I laud the President when he says that we should always cherish and protect our nation as enumerated in our National Anthem “firm may we stand to defend”. I want to believe that when the President makes such statements, he means it from the bottom of his heart. As a nation, we are still dealing with what I believe is an invasion of our country by a neighbouring country. This is the issue of Migingo which has not been resolved. Down at the Coast, in Msambweni and my colleague is here, there are some border posts where Kenyans have resigned to acquiring identification papers of some countries because the harassment by security forces from those countries is too much. Let us be firm to defend our country and be proud to do so.

With those remarks, I support this Motion.

The Assistant Minister for Information and Communications (Mr. Khaniri): I wish to take this opportunity so that I can also make my remarks on the exposition of the public policy contained in His Excellency’s Address, delivered from the Chair on the 23rd of February, 2010.

Mr. Temporary Deputy Speaker, Sir, let me from the outset state that as one of the longest serving Members of this House, having served four terms, having represented my people here for four terms consecutively, having listened to 17 State Opening Addresses of our Parliament by both retired President Moi and President Kibaki, I can comfortably state that I am one of the leaders who fully understand the problems that are ailing Kenya as a nation. I can also comfortably say that I am one of the leaders who can give concrete solutions to these particular problems.

I strongly believe that the answers to the problems that affect this Republic lie in the political leadership. It is only the political class that can come up with the solutions to the problems that are bedeviling our nation. There are quite a number of these, but I will dwell on one or two; I am glad that the President also alluded to one of them, which is corruption.

Mr. Temporary Deputy Speaker, Sir, we are all aware that corruption is the single vice that has seriously brought the economy of this country to its knees. It is high time that this culture of corruption was eliminated from our society. The war against corruption is not going to be won through lip service. I want to state here categorically that in my opinion, the President is giving only lip service to the war against corruption. I hope the President wherever he is, he is watching this Parliament live, so that he can hear what we have to tell him. For his Excellency to come to the floor of the House and tell us that we are personalising the war against corruption, is to get it wrong. Corruption is perpetuated by individuals; to be able to get rid of this vice, we have to target those individuals. If that is what his Excellency is calling personalising the war against corruption, then I think he should suggest another way in which he thinks we can tackle this vice. It has to be personalised, because we have to deal with persons, the individuals who are the perpetrators of this particular vice. When the President comes to tell us that

we should not politicise the war against corruption, I want to tell him that he is also wrong.

Kenyans are looking up to the political leadership to tackle the vice of corruption. Moreover, most of the perpetrators of corruption are politicians, people in charge of Ministries, public servants. Therefore, if we are to deal with their corruption, we have to deal with these politicians. So, I think he got it all wrong when he stated that we are personalising the war against corruption. I think that is why this particular administration has totally failed in the war against corruption, and I am sorry to say that. We all know that as much as the Kibaki administration has made a lot of achievements in other sectors, it is during this particular administration that we have witnessed rampant corruption in our Government. It is during this administration that we witnessed the Anglo-leasing and other scandals that came up during this particular administration. I, therefore, want to state that the President must change his tact; tackle this vice and join the Prime Minister in fighting the war against corruption. That is the only way he can win this particular war. So, we hail the Prime Minister for his efforts of trying to fight corruption in our Republic.

Mr. Temporary Deputy Speaker, Sir, the next point that I would like to dwell on is the issue of employment of our youth. Every year, we are churning out graduates from our universities, secondary schools, tertiary colleges and primary schools - those who cannot afford to join secondary schools. All those people are out there, unable to be absorbed in the employment sector. That is cause of the rising crime in the Republic. It is high time the Government came up with concrete policies for job creation. Since it is not possible to create jobs for all the graduates that are being churned out from our institutions every year, the Government should come up with policies that are lenient to them, so that it can be possible for them to access credit facilities and engage in enterprises that can sustain their lives. At the moment, it is very difficult for young people who are graduating from colleges to access credit facilities because of the conditionalities that are in place. That is because they are asked for collateral, security, title deeds and they do not have. Therefore, I believe the Government can come up with policies to help those people to access credit. The Government can also come up with policies to streamline the *Kazi kwa Vijana* Initiative, which it initiated a few years back. We have to make that initiative sustainable.

Lastly, I want to talk about infrastructure. I would like to give credit to the Government because it is in this area that it has excelled and done very well. I have in mind the provision of good roads and electricity. But where we are yet to make an impact is our railway line. Therefore, if we have to improve the economy; if we have to help the farmer to get his produce to the market and farm inputs to the farm, we need good roads. I just want to encourage the Government, through the Ministry of Roads, to continue doing the good work. I want to congratulate them for doing a good job.

With those few remarks, I beg to support.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I would like to thank you for giving me this opportunity to also contribute to this important Motion on the Presidential Speech that was delivered before this House on 23rd February, 2010.

First, I would like to start – and I hope I will be fair – with the strong points in the President’s Speech. The President talked about the constitutional review process as many of us have said. I think his Speech was not only timely, but was also necessary. You will remember that when the first harmonized draft Constitution was released by the

Committee of Experts (CoE), many of us wished, prayed and hoped that the two Principals, the President and the Prime Minister, would keep their opinions to themselves, until when many of us would have made their contributions. We felt that the position that they occupy politically, would interfere with the direction that the debate on the constitutional review process would take. But after a long debate; after public participation and after the CoE did its amendments and took it to the Parliamentary Select Committee (PSC) - which also did a commendable job - I think the time that the President made his opinion known that he supports the draft Constitution was very timely and necessary to move it forward. It is also gratifying and important to note that the other Principal, the Prime Minister, is also in support of the draft Constitution. I think Kenyans have waited for too long as many have said and, this time round, it is almost becoming a reality. We are going to realize a new Constitution. We should not be too critical of the CoE for having amended again, the amendments by the PSC. Really, that is the work of the CoE. They have all the history, information, data and what Kenyans want. So, when they made some changes and made their point known to this House, it is only fair that we give attention to those changes and, if possible, adopt them. I think the CoE took a longer time with this document than the PSC. But that will be addressed when we come to details and analyzing the document.

I would also like to praise the President's Speech on improving the business environment through the various legislations that he proposed will come before this House, one of which includes the change of the Companies Act and reforming the Nairobi Stock Exchange (NSE) to bring back the confidence of the public. So, that was important and very timely.

But when it comes to the war against corruption, we need to be honest as a country and say that this country has given up hope on the current President to fight corruption. If you listen to many Kenyans, I think we are not expecting any more from the *Mzee*. I think we should just forget about the war on corruption and wait for change of leadership. But it will depend on whether we will make the right choice to have a President who can take action on corruption. When the current President was elected to office in 2003 and when he was sworn in, people had a lot of hope. Many of us can still remember the celebrations at Uhuru Park. We expected radical changes! There was the Goldenberg issue and we thought that it would not take three months before we saw those people behind bars. A commission was formed headed by Justice Bosire and it came up with a report. I do not know what was done with that report. They were forgotten and, instead, Anglo Leasing came up. Nothing has happened on the perpetrators of Anglo Leasing, even though somebody was paid money and returned part of it. Nothing has been done to date. He is still the current President. We are in the seventh year and I think we are going to the eighth year. He has only two years remaining and we are still bothering him about the fight against corruption. I think we are being unfair to him. We should just forget about it and accept that he cannot lead the war against corruption. That is a big failure on the part of the President. There are other issues that came up like the Laico Regency. The Cockar Report even recommended that the Minister then, and the Governor of Central Bank of Kenya (CBK), should not even hold public offices. But what is happening? That Minister is still in the Cabinet in the current Government! So, to me, the war against corruption is lost with the current regime. We need a change of regime!

Mr. Temporary Deputy Speaker, Sir, with regard to two Ministries - the Ministry of Education and the Ministry of Agriculture - the maize and the Free Primary Education scandals are just additions to what we have been talking about. I cannot put it better than what Mr. Khaniri said. When the President comes and tells us there that there are institutions that will fight corruption, and those institutions have been with us here for a long time, and corruption is increasing instead of reducing, do we have to take the President seriously? That, to me, is mere rhetoric and the earlier we realize that the better for us as a country. We should not stress ourselves thinking about corruption and we know it cannot be fought by the current system.

Let me quickly touch on constituency matters. I am particularly concerned with Government plans and implementation of programmes. Take the case of the roads' money. We are being given roads money when it is raining and you cannot do any road. The roads are terrible! If that money was given a month or so ago, we would have done the roads so that, when the rains come, at least, the roads can be passable. But, right now, you are given Kshs16 million and it is splashed over newspapers and in the media but, you cannot use it. It is money that has to be idle until the rains subside, and we do not know when. I think this Government needs to be serious.

Mr. Temporary Deputy Speaker, Sir, there is the issue of economic stimulus programme that my colleagues talked about. The Economic Stimulus Package was supposed to stimulate economic growth for 2009/2010. Up to now, it has not been implemented. Which economy are we stimulating? Definitely, we have not done enough. A lot of Government programmes and planning was based on the timely release of those funds so that the economy could achieve the desired economic growth. When the Budget was read, many of my colleagues applauded the Deputy Prime Minister and Minister for Finance but I was a bit skeptical. If you can refer to the HANSARD, I am the only MP who expressed reservations. Many of us were happy but we were being taken for a ride. This time, we need to tell the Deputy Prime Minister and Minister for Finance to stop playing politics with the Budget and come up with a realistic Budget. If he wants to devolve funds, let him devolve funds through structures like the CDF that can implement them effectively and timely. We do not want structures that are created after money has already been budgeted for and allocated.

There was the issue of computers. I do not know what happened with those Tata buses which I said I do not want because they will not move in my constituency. There are no roads in my constituency. What has happened to the money that he allocated for the buses? What has happened with the money for interns? What is stopping the Government from hiring teachers? Why can we not hire even 100 teachers on permanent basis? Nyanza is doing poorly because it has the highest shortage of teachers in this country and yet people think that nowadays people in Nyanza are lazy. It is the same people and generation. It is only that we do not have staff to teach in some of our schools. The schools are understaffed. The Deputy Prime Minister and Minister for Finance is keeping the money in his Ministry waiting for a court case which will probably never end. Since the court case is only touching on the interns, if that money is taken to hire teachers on permanent and pensionable basis, there will be no problem. The trade unions will withdraw the case.

I beg to support the Motion.

The Assistant Minister for Labour (Mr. Ojaamong): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the Motion. I support the Motion but wish to make the following contribution.

In his Speech, the President praised the Committee of Experts and the Parliamentary Select Commission on the issues related to the Constitution. I want to talk on behalf of my people whose input into the Constitution-making process was totally ignored. There is only one thing that we wanted and if it is put in the Constitution, we shall feel as if we are part and parcel of that process like other Kenyans.

The suggestion we had made was that we need a county as the people of Teso. The same applies to the people of Mt. Elgon and Kuria districts. Those three communities live in very unique situations and it should be understood by Kenyans. I am appealing to the Members of Parliament that as we go for the retreat, we should be able to understand that the people of Mt. Elgon, Kuria and the Teso are located in very disadvantaged locations in Kenya. So, they need to be heard and given special considerations.

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

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

Madam Temporary Deputy Speaker, the Teso community fought so hard to come out of the larger Busia District which has now been put as a county. It is not their wish and they never asked to be returned back to that county. There were other options.

The Constitution is supposed to make almost everybody happy. After former President Moi liberated us from Busia District, for you to try to force us back where we do not want to go, I think we had the better option. We shall be freer in Uganda than being in Kenya because we have more of our people on the other side of the border than here. This is better than being oppressed.

The President said that when we were on recess, we should have consulted our constituents. I tried my level best to go round the constituency and their feeling is that they do not want to be part of the Busia County. They would rather remain alone. They would be very happy and lead a very good life if they were given their own county. I am appealing to the Members of Parliament when they go for the retreat to give us a very kind consideration.

When it comes to the issue of corruption, what motivated me to come to Parliament and leave my noble profession was because I noted that there was immense corruption in our country. I felt that after being elected, I might be able to bring change. When we came in through the NARC Government, we were very hopeful that we would tackle corruption which has derailed our country. I want to join Mr. Khaniri and Mr. Mbadi in saying that our President has just offered lip service to the issue of corruption. At one time, I suggested that, had we frog matched two or three of these corrupt individuals to Uhuru Park and killed them by firing squad, it would have sent a very strong message to the rest so that this vice of corruption is not made a culture in our country. For the seven years I have been in Parliament, I have never seen any big fish that

is involved in corruption being handed even a sentence worth the destruction they have done to Kenya.

Madam Temporary Deputy Speaker, it is my appeal that even though we will reform the Judiciary, I want to join Mr. George Thuo who said in his contribution that we should modernize the Judiciary so that we have the HANSARD there to record the proceedings so that the Judges and magistrates are able to conclude these corruption cases timely.

Let me talk about the two projects which have been suspended which really affect our people in western Kenya; namely, the Kenya Educational Sector Support Programme (KESSP) and the Western Province Community Driven and Flood Mitigation Project. These were very key projects which were going to change the lives of our people in western Kenya and Nyanza. It is very unfortunate that the Treasury instigated the suspension of these funds by the World Bank and other donors.

Madam Temporary Deputy Speaker, it was a small amount of money that was being used to facilitate the seminars here that was lost. However, most of the money went to assist our people at the grassroots in the construction of classrooms and many other poverty eradicating projects that were initiated by the World Bank and its partners. We, as Members of Parliament from Nyanza and Western provinces, have tried our level best to convince the World Bank to continue funding these projects. They have even been assured by the Deputy Prime Minister and Minister for Finance that he will pay the money that was lost. We were promised by December, the projects would resume. Today, we are in March and the projects have not resumed. I want to appeal, on behalf of the people of Nyanza and Western provinces, World Bank resumes the funding of those projects because they are key to eradication of poverty in our areas.

I also want to talk about police reforms. As the President said, it is, indeed, true that this House and the members of public have been yearning for police reforms for a very long time. Everybody knows, from the President and the Prime Minister, that we have a really dented police force, whom we cannot rely on. It is unfortunate that there are some people in the system who are reaping from the corrupt police force. This must be stopped. Again, I appeal to the Office of the President to initiate these reforms. I do not think that the current Minister in charge of Provincial Administration and Internal Security hon. Saitoti is better placed to reform the police force because he is used to some of these practices. I would appeal that in the next Cabinet reshuffle, if it will be there soon, we get a reform minded person to head the Ministry of State for Provincial Administration and Internal Security where the police force lies. By so doing, most Kenyans will benefit from the services that are offered by our police officers.

Finally, I want to appeal to my colleagues, wherever they are, to take the concerns of the Kurias, the people of Mount Elgon and the Tesos into consideration in the Constitution-making process.

Madam Temporary Deputy Speaker, I beg to support.

The Minister for Higher Education, Science and Technology (Dr. Kosgei):
Thank you, Madam Temporary Deputy Speaker. I will start by commending the President

on what he said about the Constitution. The Constitution making in Kenya, as we know, has travelled over 20 years. We are at a level where we could actually achieve this constitution. That is not to say that we are home and dry. As a Member who was selected by this House to represent it in the Parliamentary Select Committee on Constitutional Review, I will always cherish the opportunity I was given to participate in this process. We did not abuse that opportunity, but we always remembered that we represented those of you who were not in Naivasha with us. We, therefore, took as much time as possible to listen to the views of each other to arrive at some concerns as we shall see next week when the Draft comes here.

There is, of course, a lot of mis-quiet that, perhaps, the Committee of Experts (CoE) ignored some of the things that we told them. We should read those documents and see that first of all, the CoE are the people we asked to go round the country and get the views of the people. So, we have to weigh that against the wishes of the political parties and the various individuals. However, in referring to the President's Speech, I notice that he talked about several things, including the national cohesion, which as some of you know, came out of Agenda 4 of the Serena Talks. I will come back to that in a little while, but given the job that I have been given in this Government to do, of shepherding the process of university education and technical training, I noticed in the President's Speech as I have noticed many times, that constantly, the idea of higher education is left out as an important element of our development.

I suspect that when we look at the Vision 2030, we do not see that the country cannot develop without proper scientists. I am alarmed that the results that came out of high schools yesterday seemed to indicate that we have taken a step backwards in studying sciences. It is a little worse for the girls. I do not know why, but I think we could all encourage our constituents to give priority to the teaching of sciences.

Madam Temporary Deputy Speaker, with regard to universities and technical institutions, we suffer from under-provision of funding. Somewhere along the line, we think that we can develop Vision 2030 without a properly trained human power to take this country to the next level of development. We will be bringing a Bill to this House to look afresh at how to fund higher education. Somewhere along the line, we are getting the vibes that there are people in this country who think that we should get people to pay for this. We have to debate this because for most people who are here, they would not have had university education if someone else was not paying for it. Majority of our people still need help.

I am concerned and I raise it here because I want my colleagues to be sensitive to the fact that no country will develop without technical training. It seems to me that every time somebody talks about higher education, they want to change a technical school to a regular liberal arts university. That is not helping our country. We need the technicians. Germany did not develop because of university degrees. For sure, we need the university degrees, but let us fund them. Let us not cannibalize any more,` the few technical schools

that we still have. My concern is that every time I listen to a speech that comes from higher up, there is very little reference or respect for higher education and even technical education. \

Madam Temporary Deputy Speaker, in his Speech, the President referred to the need for national cohesion. As a Member of the Serena Team, under Agenda 4, I know that one of the institutions that we set up was the Truth, Justice and Reconciliation Commission (TJRC) with its baby commission called the Waki Commission. I have watched the drama on television about one Ambassador Bethuel Kiplagat. I am very concerned because this is somebody who was presumably interviewed. The name came to this House and it was accepted. In retrospect, somebody who, probably, wanted that job or who has some grudge, has decided to prosecute this man publicly. So, I will say what I know because this much I know it is true because this is somebody I worked under for a long time.

To me, it seems as if Mr. Kiplagat is accused, first and foremost, of having worked in a regime that some people do not like. If we want to go there, then we should use the same torch and look at everybody who worked at what position in this country. He is accused constantly of something that comes out of the Ndung'u Report. Most of us are constantly put in a position where we feel that we need to explain ourselves because we do not know what is in this Ndung'u Report. Did he interview the person he has accused of this and that? Let this report come out! I have tried at some point in the past to apply for a visa and I was told that I am in the Ndung'u Report for having been given land in Athi River, which I never got. Somebody else got a title deed and sold the land. Really, if you want to say that Mr. Kiplagat killed Ouko or he was involved, you have to be more serious. That family would not have kept him as its trustee. All of us have attended funerals. We know that, once the person is buried, everybody says: "*Tutarudi!* We will come back to look after you." It is only Mr. Kiplagat who went back to the Ouko's family to look after them. Is that the kind of person you want to say participated in some murder? Could he individually have come up with Wagalla Massacre? Are we told whether he went there to kill anyone? These things are very painful. He cannot obviously speak well enough for himself, but those who are determined that they must crucify him by innuendos will go and solicitate help from people who are getting information third hand and bring them to Kenya to say: Let him go! When shall we appoint people and stand by them?

We, as a country, especially in this House, need to be a little bit truthful. If there is something that somebody has done, then that person should be asked to address it when it is spelt out properly. We should not wake up one day and say he did something in Somalia. We all know Ambassador Kiplagat, outside and inside the Government, always worked for peace. He came into diplomacy from NCCK and peace in Southern Sudan, to which he devoted a lot of his life. Let somebody ask those people who run Southern Sudan today and he or she will be told the same thing. I heard someone the other day

accusing him of having done something unlikeable in Mozambique. Amb. Kiplagat was one of the people who tried really hard to bring to an end the war in Mozambique. So, if you do not like somebody, please, just say, "I do not like him." Do not accuse somebody of something that is obviously untrue, because there are those of us who have worked with him and know him and can say from firsthand, "this much I know is true."

Thank you.

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

I have been listening this morning to the contribution by hon. Members and I want to support all that has been said. I just wanted to say that the issues that the President addressed are not new. In fact, I remember majority of them were there during the campaigns of 2002. If you remember, there were a number of promises which were made that time, which were never fulfilled. You will recall that there was a promise that we were going to get a new Constitution in 100 days after the elections of 2002, but it never came to pass. So, there is a lot of hypocrisy, dishonesty and playing to the gallery. Like one of my colleagues said, I think the people who prepare these speeches must prepare a speech which is going to be read and the action that is going to be taken. For example, corruption is now rampant in every sector and we find it even difficult to talk about it.

Madam Temporary Deputy Speaker, the issue that has been addressed by the Minister for Higher Education, Science and Technology is really pathetic. This is because we come here and approve the appointment of people because of mobilization through parties and then the following day, we disown them. The issue of Ringera passed through Parliament and I kept on asking myself what was really happening. I do not know what we can do. This Constitution is coming belatedly but I believe we can do much better. I am just trying to think of how we can separate the issue of somebody being in the Executive and in Parliament, so that we can address issues. A Minister comes here to support somebody because he is person from his tribe and then the following day, we are lamenting about it. Some of the views that have been expressed about Amb. Kiplagat in public could be true. But I am happy that the Minister had worked with Amb. Kiplagat. We are the same people who pass these things and then the following day, we deny. That is the highest level of corruption.

Madam Temporary Deputy Speaker, I think the President missed a lot of issues on corruption. He did not tell us what he intends to do about corruption. Parliament is being used to discipline people like Ministers who should be disciplined by the Executive. Last year, we had Motions in Parliament where we were trying to move Motions of no confidence in Ministers, which is actually the responsibility of the Executive, according to the Constitution. Why do we pay somebody a salary of Kshs2 million or Kshs3 million when he cannot take responsibility for that job? The reason why these reforms in this Parliament and I think in the Eighth Parliament and I was there; the Motion that came to Parliament was that the salary of the President should be increased so that people do not go to State House with briefcases. That is why the salary of the President became Kshs2 million. I do not know whether it is Kshs3 million but everything is free. I do not know how you value that because the motorcade and everything else are free. You can have many wives; they are all free, and the Government pays for it. I do not know how much it is. That is why Prof. Anyang'-Nyong'o brought that Motion that the President should be

well paid so that there is no corruption. I do not think that the issue of briefcases which were going to State House is really the kind of corruption that we are talking about today in every sector. In fact, I never knew that there was corruption in the private sector. There is corruption everywhere. When we were becoming professionals after leaving university and in leadership, we were told that we should emulate our bosses. What am I going to emulate from some of the so-called Ministers? Is it learning how to steal? I think we must have tangible things that we must talk about.

The Minister for Information and Communications (Mr. Poghio): On a point of order, Madam Temporary Deputy Speaker. Is the hon. Member in order to imply that Ministers are “so-called” and that they are corrupt without any substantive Motion coming to the House about any of these people? I am a Minister and I can stand the test that he is talking about.

Mr. Chanzu: Madam Temporary Deputy Speaker, he is an old Member of this House and he knows what I am talking about. Just by becoming a Minister, you are not going to defend that. Did we not have Motions in Parliament last year which touched on Ministers, on corruption? I know that the Minister is not corrupt but he is not going to defend others who are corrupt. So, please, let him hold his horses like we were told in the morning.

The Minister for Information and Communications (Mr. Poghio): On a point of order, Madam Temporary Deputy Speaker. Parliamentary language does not allow the hon. Member to call Ministers “so-called Ministers” and impute improper motive on Members of Parliament.

The Temporary Deputy Speaker (Prof. Kamar): Hon. Poghio, I think he is referring to specific cases. I hope you are doing so, Mr. Chanzu.

Mr. Chanzu: Madam Temporary Deputy Speaker, in fact, I agree. I think the Minister knows what I am talking about. I think he is only trying to take my time.

I was saying that we are not going to eradicate corruption in this country if we are not going to be specific, but that is not my responsibility. The Constitution says clearly who is in charge of what and what in the Government. It is not meant to offend anybody, but I am only saying that when we address issues like corruption, we must zero down to some specifics in order for them even to serve as examples to those who would wish to play the same kind of cards in future.

The Minister for Information and Communications (Mr. Poghio): On a point of order, Madam Temporary Deputy Speaker.

The Temporary Deputy Speaker (Prof. Kamar): I hope it is a point of order, hon. Minister!

The Minister for Information and Communications (Mr. Poghio): Madam Temporary Deputy Speaker, our Standing Orders clearly indicate that you cannot talk about Members of Parliament without bringing a substantive Motion.

The Temporary Deputy Speaker (Prof. Kamar): Hon. Minister, you are out of order! He referred to the Motions that came to this House against Ministers who were corrupt. I think we have had Motions against Ministers on corruption.

The Minister for Information and Communications (Mr. Poghio): Without actually substantiating them?

The Temporary Deputy Speaker (Prof. Kamar): He has referred to cases that were before this House. We debated them and, therefore, I see nothing wrong with him

referring to cases that we have handled. I do not think he is out of order because he has not mentioned anything outside the ordinary. It is what is known to all of us.

Continue, hon. Chanzu!

Mr. Chanzu: Madam Temporary Deputy Speaker, he has taken quite a bit of my time. But I just wanted to tell the Minister for Information and Communications that we shall be bringing issues in this Parliament regarding that sector and we hope that he will respond to them. This is because Kenyans are suffering. Although we are saying that we want to reform the sector, we now have Safaricom, Yu--- They are using the newspapers today and we are not getting the service. There are so many things that we are going to bring to your Ministry. I hope that you will be able to respond.

Madam Temporary Deputy Speaker, the roads money is a big headache to us as Members of Parliament. I am sure as an elected Member of Parliament you must be going through the same pain. There is a lot of trickery and talk through the Press with no action. In fact, the point the point that I want to raise, since you are the Minister you can also prepare for that---

The Temporary Deputy Speaker (Prof. Kamar): Hon. Chanzu, you are not addressing the Minister here. You are addressing the Chair.

Mr. Chanzu: Okay, sorry, Madam Temporary Deputy Speaker.

I want to ask about a document we have received in our pigeon holes which shows accounts opened in Kenya Commercial Bank by the Ministry of Roads. I do not know whether it is a proper for Ministry to decide to open accounts for Constituency Roads Committees (CRM); one single person or one committee to decide to open an account for Kshs4 billion in one bank. I thought we had agreed that we are devolving funds and these committees can decide where to open an account. In Vihiga, we have about three or four banks. We should be given an option to open an account where we want. I have seen places where there are many banks such Mumias, Meru and so on. Why should we be forced that money must go through KCB? These are the kinds of things that I am talking about. This is corruption. I do not have to substantiate that. Accounts were opened by CRM. Why did we move away from those accounts and have one single person to decide that we must open accounts with KCB? Are we really being fair to ourselves?

What I am saying is that there are many issues that were raised by the President. However, there must tangible suggestion on how we are going to address this. When we talk about the judiciary, look at the amount of corruption that is in the judiciary. I do not want to defend that. When it is said in the proposed Constitution that judges must be told to step aside and be reappointed, it becomes a crisis. I was following a story about this lady who is a judge in Meru. Lawyers and advocates have protested against her. I came to discover that it is because she is not willing to take any bribe. That is the reason why everybody is saying that she cannot be a judge in their place.

With those few remarks, I beg to support.

The Assistant Minister for Education (Prof. Olweny): Thank you, Madam Temporary Deputy Speaker.

I want to make a few comments in support of the Motion on the President's Speech. In his Speech, the President talked about the Economic Stimulus Programme. Within that programme, we have centres of excellence. The way these centres of excellence are arranged to be implemented, we may not get value for money. The

Ministry of Education has a number of times written to the Treasury, so that to do these centres of excellence, we borrow from the experience of the CDF committees across the country. The CDF Committees across the country have done very good work using so little money. There is value for money in what has been done by the CDF Committees across the country. Involving the Ministry of Public Works so much may lead us into losing money. So, I wish to encourage my colleagues, to watch out on how this money is used. Otherwise, we may not get value for money if we involve Public Works Officers too much. The money will just be swallowed and we may have no schools done. Please, watch out. Otherwise, we may not have a good work done in regards to centres of excellence. In my constituency, I am already checking on what is to be done. Please, let us involve the District Education Boards (DEBs) and Boards of Governors (BoGs) for schools. Let us not bring in Public Works Officers. Those guys will make us lose money.

With regard to fight the against corruption, I beg to disagree with His Excellency the President as my colleagues did. This country is not doing enough with regard to fighting corruption. Kenya is well known across the world for being a place where corruption is not fought effectively. We know the examples of the goldenberg scandal where nothing was done. There were also Anglo Leasing and Triton scandals. Nothing has been done. Nobody wants even to talk about these scandals. We now have the maize and, of course, the Free Primary Education (FPE) funds corruption allegation in my Ministry. I do not want to speak too much about it. But I beg to disagree with the President. There is no way he can tell us that we should not personalise the fight against corruption. When you are fighting corruption, you are fighting individuals. There are people who have been involved in corrupt deals. When you are fighting individuals, it narrows down to personalities. It is personal. When you are fighting people who have grabbed land, it is personal.

So, there is no way the President is going to tell us in his Speech that fighting corruption should not be personalised. It will be personalised and that is the only effective way to fight corruption. You are fighting corrupt individuals and persons. Some of these people are politicians. Some of these people have political protection and are protected by politicians. If politicians are not protecting them, when they are mentioned, they themselves politicise the issues by going back to their communities and telling them that they are being targeted or fought. Just because one or two people have been mentioned, they go back to their tribes. So, in that regard, fighting corruption will be political because we shall always politicise it. The individuals who are mentioned or targeted because of being corrupt will go to politicians to protect them politically. In that case, I beg to disagree with the President. I think he misled us with regard to fighting corruption.

Madam Temporary Deputy Speaker, today the Ministry of Agriculture and the Ministry of Water and Irrigation have done quite a bit in trying to improve on food insecurity and by boosting food production. But then the problem that has come up with regard to this is purchase of the food produce from farmers. I saw recently in newspapers reports that maize produced in Hola could not be purchased and is rotting in farmers' granaries. It is very unfortunate to get into such a situation when the Government has done all its best to make farmers produce food. In my constituency, recently we produced a lot of rice. The National Cereals and Produce Board (NCPB) took our rice. However, up to today, farmers have not been paid. I wish to appeal to the Minister for Agriculture

to try his best to get money from the Treasury and give it to the NCPB, so as to pay rice farmers and also buy maize that is lying in farmers' stores in a place like Hola. Otherwise, why should the Government spend so much in importing and distributing fertilisers and seeds to farmers? At the end of it, we have a problem like we had with dairy farmers, who cannot sell their milk. They just dispose off their milk. It is very unfortunate; something needs to be done by the Treasury to help the Ministry to purchase the produce from the farmers. The Minister for Finance needs to wake up and help us in these issues. Also, the Minister for Agriculture and the Minister of State for Special Programmes could appeal to the World Food Program (WFP) to buy excess food produce from us, because the WFP needs food to distribute to places that need it, sometimes in Kenya and also in other countries. So, we need to appeal to our partners to buy from us food that we cannot buy.

Madam Temporary Deputy Speaker, before I conclude, I wish to talk about the sugar industry, particularly in my constituency. The sugar industry in my constituency is not doing well. Chemelil Sugar Company is almost on its knees. The problem there, I believe and I am convinced, touches on corruption. The company has just posted a Kshs1 billion pre-tax loss for the last one financial year! That is the highest loss that has ever been experienced by that company since it was established over 40 years ago. The highest loss it had sometime back – that is several years ago – was Kshs300 million, but today, it is Kshs1 billion! The management of that company has been subsidizing the sale of their own sugar, instead of selling sugar at the price of Kshs4, 000, which all other companies are doing. They have been selling their sugar at Kshs2,500 or even at Kshs2, 200 for reasons nobody understands. The Ministry of Agriculture already knows this. The Kenya Sugar Board (KSB) already knows about that problem and nothing has been done by the Minister for Agriculture or by the KSB! It is such a big loss! Right now, the factory is having frequent breakdowns and they are not doing well. There is so much inefficiency!

Madam Temporary Deputy Speaker, Sir, I beg to support.

Mr. ole Lankas: Thank you, Madam Temporary Deputy Speaker I also stand to support this Motion on the Presidential Address. A lot has been said by my colleagues on this Address but there are a few areas that I wish to commend the President on. One of the good things that were said was on the Constitution making. He mentioned this and we are seeing it bearing fruit. So, I wish also to commend the Committee of Experts (CoE). Similarly, I wish to commend and salute the Parliamentary Select Committee who have worked tirelessly and now they have presented us with a document that we are now going to debate in this House.

Madam Temporary Deputy Speaker, on economic growth, we hear it is on the upward trend. That is positive and I think we are seeing a lot of good things happening out there, especially in one Government Ministry, and this is the Ministry of Roads. I think this is one Ministry we need to commend, because a lot of good work is taking place in that sector. We are seeing a lot of good roads being built in the country, and I think this is one area we cannot miss to comment on.

Madam Temporary Deputy Speaker, on service delivery, I think there are a lot of grey areas in this area. I think the squabbles that we are witnessing in the political arena of this country have affected the Executive's performance in various areas. Most of them are lax now. When we talk of the police force, yes, we are seeing some gliter of hope. We have seen the Police Commissioner being replaced; that was a positive move by the

Government, but we want to see more reforms, especially in this area of the police. Out there, crime is growing at an alarming rate. Out there, we are still seeing a lot of things happening related to security.

Madam Temporary Deputy Speaker, I have one major concern, and this is the issue of insecurity in my area, that is Narok. The country is alive to this problem. On two different occasions, a lot of ammunition was intercepted in this area by the police, and to date, no satisfactory or convincing answer has been given to Kenyans as to where this dangerous arsenal was destined to. Everybody is still questioning this and Kenyans out there are worried; Kenyans in Narok are anxious to be told where this arsenal was headed to. Okay, we know where it came from, but still, nothing is being done to tell Kenyans despite the worrying size of the cache. So, when we see the police reluctance, or when you say that there is a problem in security in this country you mean that cattle rustling is on the increase in some parts of northern Kenya and Rift Valley; we are not seeing adequate Government action being taken. When we talk of police reforms, we want to see it done and done exhaustively and to the satisfaction of the Kenyan populace, because there is a lot of fear in their ranks.

Madam Temporary Deputy Speaker, those who spoke before me touched on the issue of corruption. This is one problem that is really ailing this country economically and it is even threatening to destabilize the social fabric of our country. It is not being handled properly. We have heard people talking on the issue of corruption and they personalize or politicize it. The buck of corruption stops at individuals; so, when we talk of not personalizing or politicizing corruption, what are we really telling Kenyans out there? We cannot condemn a whole community and say because we cannot nail an individual, a whole community is engaged in corruption. We must mention names because they are known.

So, this is an area we see the Government not working together. Each person is pulling in his or her own direction. There is a lot of protection and that way we cannot win the war against corruption. We are protecting people who have been rightly mentioned to engage in corruption. This is a challenge that this country is facing. Since we talked about not personalizing issues, there is desperation and hopelessness in the country. People do not know where to go. I do not know the message we are sending to those people who are out to save this country. We promised them a lot when this regime came to power, but what has set in now is a situation where Kenyans have lost hope. So, this is an area we need to address seriously. We need to give Kenyans hope that there is still life. There is still hope that we can still reclaim this country because it was on the brink of collapse.

The issue of the environment was not mentioned in the Presidential Address to this House. I commend the Prime Minister for the action he has taken towards the conservation of our environment. It was not mentioned in the Presidential Address and yet it is an international issue. We are talking about climate change and global warming internationally. We have seen the effects of global warming in our country. We have experienced erratic weather patterns. This is an area I thought should have been addressed so that we could get Government policy on environmental conservation and related issues, such as climate change and global warming. All these things are happening all over the world and not only in Kenya. That brings us to the issue of disaster preparedness.

Madam Temporary Deputy Speaker, I do not think we have to wait until a disaster happens. This morning we read about what happened in Uganda. Many lives have been lost due to landslides. We need to have a policy, as a country, on disaster preparedness now that all these things are happening around us. We are not an island. We have read about earthquakes in Chile which have killed thousands of people. So, we need a policy so that we can address these problems whenever they occur. We should not wait for them to occur. When we talk about disaster preparedness, we mean that we should prepare ourselves in the event something happens.

I want to revisit the issue of corruption. We have said that it cuts across all the sectors of our economy. Land is a factor of economy. However, corruption is rife in the land registries in an area like Narok. We have mentioned this before although the Minister for Lands has just walked out. This is an area that a lot of concerted effort is required to address this problem. Land registries in this country are plagued with a lot of corruption. It is not that we do not report these problems. It is only that little action is being taken. It is just last week when something happened in the Ministry of Lands with regard to land and corruption. It is really a problem in this country. So, we need to approach corruption from the point of view that it cuts across all the sectors of our economy. This is an area we should talk about.

The President mentioned something about the growth in the tourism sector despite the drought we had gone through as a country. However, there is another sector which is equally important. That is the livestock sector which has no proper Government policy. The farmers who till land and grow crops threaten the livestock industry. Unless we come up with a policy so that the two can balance and co-exist---

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

Ms. S. Abdalla: Madam Temporary Deputy Speaker, I rise to support the Motion. I would like to start by the peace prayers that were conducted on 28th February, 2010 to mark the two years since the National Accord was signed.

Prayers are not enough for this country. The Internally Displaced Persons (IDPs) are still suffering in the camps. I expected the Government, apart from conducting the prayers, to come up with a strategy on how to resettle the IDPs. Unfortunately, nothing came up.

On the Constitution, the President said that it is high time we gave this country a new Constitution and all of us agree with him. The ball is now in the court of this House. I take this opportunity to urge hon. Members to look at the Constitution very positively and not to politicise it as it has been the tradition of this House where we pass Bills and Motions and then go out and criticise them. An example is the Media Bill and the Truth, Justice, and Reconciliation Commission. Let us not do that this time with the Constitution because it is a very important document. We have come a long way and Kenyans are looking forward to getting a new Constitution.

Dealing with corruption is a collective responsibility. I beg to differ with my colleagues who have blamed His Excellency The President entirely for failing to tackle corruption. This is a collective responsibility. All of us should come out and stop defending our self interests whenever we are pointed out as being corrupt. Corruption is everywhere. As the former speaker, my ex-District Commissioner (DC), put it, corruption is everywhere even in the Ministry of Lands.

I also take this opportunity to thank the Permanent Secretary in the Ministry of Lands for discovering the hidden files. We hope that the Ministry will take a stern action on the officers involved in that corruption so that it becomes a lesson to others.

On infrastructure development, the President said that we should confront poverty by investing in education. I would like to say what is happening in Lamu now. There is a school in Kizingitini with 500 students which has been closed by the Department of Public Health because of deplorable conditions in the school. This is the case and yet we have infrastructure and the CDF funds. Indeed, it is very unfortunate. It is very unfortunate that we talk about confronting poverty by investing in education and on the other hand, we close schools due to deplorable conditions.

Madam Temporary Deputy Speaker, it is unfortunate that the people of Lamu have not seen any light with the coming up of the Lamu Port. The most unfortunate thing is that they do not own the land which they have been fighting to own for a very long time. The biggest fear in Lamu is that with the coming up of the port, we will end up having many IDP camps. These people will be evicted from their land which will be termed as Government land for purposes of building the Port of Lamu.

Madam Temporary Deputy Speaker, even when we talk about the Lamu Port, roads in Lamu have not had even a kilometre of tarmac since Independence. I wonder how that port is going to be effective without, first, taking care of the infrastructure by tarmacking the roads in Lamu, providing electricity and water which are essential commodities for *Wananchi*.

Talking of the disasters, we all know that there was a fire disaster in Faza. The most unfortunate thing is that the contractors who repaired the houses have not been paid up to date. They have repaired about 60 houses. They have undertaken the construction and everything else, but the National Disaster Committee (NDC) is sitting on the money that the Government, under the leadership of the President himself, took the initiative to raise. It is very unfortunate to note that, that money has not, up to now, served the purpose for which it was raised.

With those few remarks, I beg to support.

The Minister for Information and Communications (Mr. Poghiso): Madam Temporary Deputy Speaker, thank you very much for giving me this opportunity to contribute to the Presidential Speech.

From the onset, I would like to say that this is basically the House recording its thanks for the exposition of public policy contained in His Excellency the President's Speech. The sooner hon. Members realise that this is not about the character of the President, the better. It has nothing to do with splitting hairs on the individual words that come out of it. It is actually the exposition of public policy. I wish hon. Members could focus on the public policy contained in the President's Speech, rather than splitting hairs about what he said individually.

I hope it can be said clearly from the Chair that Cabinet Ministers cannot speak from the Opposition's point of view. It is very disheartening to see a Minister attacking his appointing authority from the Floor of the House. That also means that there might be further "coalition wars" being brought to the Floor of this House. That is not what we should be encouraging. We should not encourage "coalition wars" to be extended to this House. I was about to confront a colleague in the House. It is not very good for me to

confront a colleague because I might not even know where his instructions have come from.

Madam Temporary Deputy Speaker, on the Speech of His Excellency the President, we should pick up the salient points on policy. One of those salient points is the issue of fighting corruption. If it is a Government policy to fight corruption, that is the President's exposition of it. It is up to us now to take it to the next level where we enact laws and encourage each other to fight corruption wherever we are. That is the point. In fact, when the President said that this should not be personalised, I do not know why it is annoying some people. To say that the fight against corruption should not be personalised can actually mean that we are all responsible. No one person is responsible for fighting corruption, as has been directed. Sometimes, we make it look like some people in Government are the ones fighting corruption, and not others. That is also personalising the war against corruption. It should come out clearly that we are all willing to fight corruption. I have said that, that is splitting hairs; when you try to identify meanings. The meanings are actually in people, and not in words. That is a very good principle in communication; that, the meaning is in people and not in the words. That is because if you look for the word, you may never find a proper meaning.

Madam Temporary Deputy Speaker, I would like to congratulate the President for a wonderful Speech. I also want to congratulate hon. Members of this House. The President said that there is an opportunity for this House to make history by being the one to actually change the way things are going to be done in this country. So, he has thrown it to the Floor of the House. He said: "Hon. Members, this is what I propose and so, you can run with it so that Vision 2030 can be achieved."

I have just returned from Barcelona, Spain, with a global award for this country. It means that we are doing something right in this country. Kenya is only the fifth country to be awarded the Global Award in Mobile Communications. The Government of Kenya must be doing something right. So, we cannot paint a picture that sounds negative of this country. It looks like we are doing something right in other sectors. Let us show the positive things that we are doing. Kenya is only the second country in Africa, after Egypt, to be awarded that honour. So, we should begin to think why Kenya is being recognised in the area of telecommunications. It is because we are doing something right.

Madam Temporary Deputy Speaker, Information Communication Technology (ICT) is going to drive development. Even the things we are talking about on corruption, if we embrace ICT solutions, we are going to see a drop in the way things are done. So, we do not have to fight over files. If you have digital information, there will be no use for files. You cannot hide files under your table. You cannot run around looking for files in the offices. So, the right thing to do is to digitise records. That is what is now happening even in the Ministry of Lands and other places.

The idea that this Tenth Parliament will get the time to show the world that it can move this country forward is a very noble one. The enactment of a new Constitution is going to be one of those benchmarks for us in this Parliament. I am glad that the Draft Constitution is already with us, and we are now going to debate it. I hope that we will make it work for us, so that we can have a new constitution in the course of this year. I want to urge my colleagues that we must use this opportunity to get a new Constitution. I am willing to join my colleagues and make sure that we do the right thing for our people.

Madam Temporary Deputy Speaker, I intend to pick individual things that the President said. He has highlighted certain laws that are going to be enacted – laws that are going to support infrastructural development, fight against corruption, constitutional reforms and Agenda Four. All those are going to come up in this Session. So, I would like to support the President on those aspects.

I just want to focus a little on insecurity. The security situation in this country needs great attention, especially in the rural areas. As I speak to you, cattle rustling is going on in parts of this country. I happen to be a victim of cattle rustling. Just yesterday, my friends on the other side, the Turkana, raided a Pokot manyatta and made away with a number of livestock. Livestock is their livelihood. So, we need to understand that when people lose all their livestock, they have lost everything. The response to such situations should be quicker, so that security forces can recover the livestock. The livestock is in southern Turkana, which is not far from where they were taken. I think understanding pastoralism in that sense will help us to respond when the pastoralist lose their livestock. By now the Red Cross, Ministry of State for Special Programmes and everybody should rush there and say: “You have lost everything. We are coming to your assistance”. That way people will know they are being cared for.

Madam Temporary Deputy Speaker, hon. Members need to focus on the agenda that the President has put forward which is the state of the country. It is up to us to pick up from there and not to try to fight our wars on the Floor of the House.

With those few remarks, I support this Motion.

Mr. Kizito: Madam Temporary Deputy Speaker, thank you for giving me this opportunity to say one or two things. In the first place, I rise to support the Motion on the President’s Speech. I commend the President for having spoken well about the Draft Constitution. We should all stand up and pick it up so that we can carry on and have the new Constitution.

The Draft Constitution has been done and I commend the Committee of Experts (CoE) for having done a good job in terms of coming up with a consolidated view of many people. As the President directed, it is imperative that, as Members of Parliament, we come together and pass this document. We cannot get everything. We wanted so many things in the new Constitution but it is a situation of give and take.

Let us focus on the nationhood and posterity of this nation. There could be a few things which we did not need in the Draft Constitution. However, I think if we pass it, we can move some amendments in the areas we want. Kenyans are yearning for a new Constitution. The mood out there is for a new Constitution. I commend the President for having come with that kind of statement.

The President talked about economic growth. We are very happy and we would like the economic growth to continue. We have the Economic Stimulus Programmes (ESP), which the President talked about. However, I would like to join my colleagues by saying that we might have to fold whatever projects are there on economic growth so that we do not have corruption. There are loopholes in tendering as an hon. Member has indicated. Some people are imposing their will upon the people because of their technical knowhow. We need to think about this and come up with solutions.

Madam Temporary Deputy Speaker, on corruption, I commend the President for having talked about the vice. However, I would like to join my colleagues by saying that we thought the Address on corruption was a little bit harsh on a certain political divide.

This is especially so when the President talked about personalization and politicization of corruption. We thought this was a bit harsh and sort of a response to some sections of the House. I thought this was dividing us more. I think the word “personalize” can also mean that all of us should be able to wake up individually and fight corruption. We do not have to wait. The word “personalize” can also mean individualize. There are those individuals who participate in corruption. Corruption is people-based. Those who are corrupt must be followed up. I think the President got it wrong by bashing and giving a response directly to his other principal.

If you look around, you will find that it is the Rt. Hon. Prime Minister who has taken corruption head-on and is moving at a very high speed. I would like to commend him for that. I would like the President to follow suit and work with him so that it does not appear as if they are responding to one another in public.

Madam Temporary Deputy Speaker, the President talked about our sovereignty and how we should sort out our differences. He asked us not to invite foreign assistance to settle our problems. That is correct as long as there is good will. I also want to remind the President that Kenya is a member of foreign societies. Therefore, anytime we have a problem and we cannot solve it ourselves, like we did the other time; we can call in our sister countries and friends to assist.

When we talk about the Grand Coalition Government, we think that there is need for the two principals to work together so that they do not contradict one another in public. As young people of this nation, we would like to see elders at peace. Even if they have differed, we would like to see them coming up with solutions to our problems. We seem to lose direction if they fight and contradict one another in public. As young people of this nation we also lose hope. This will go a long way in neutralizing tension in the country.

Madam Temporary Deputy Speaker, you will realise that when there was a contradiction between the Rt. Hon. Prime Minister and His Excellency the President there was a lot of tension across the nation. We do not want to revert to that kind of thing. We want them to talk and sort out issues without doing it in public. Anybody who has been mentioned in corruption should take the first step to step down to allow others to investigate them and establish the truth.

If we do not do this, we are setting a very wrong precedent where Ministers who are appointed through the National Accord feel like they are permanent. How will you supervise them if they cannot be shaken a bit? We want only people of good morals and who are clean to be in the Cabinet and in the Government so that all of us can have confidence in our Government so that we can move on.

Madam Temporary Deputy Speaker, the Presidential Address did not touch on environmental issues; especially afforestation of the Mau Forest and the resettlement of those who were driven out of the forest. The President should be a little bit serious on this. Let us resettle our people so that everybody can be happy in this country. We have just heard that there is a child who passed away in Mau as a result of pneumonia. These people should be resettled.

Alongside this, I will not sit down before talking about environmental issues, especially our equatorial forests. The only indigenous equatorial forest---

I am happy, Madam Temporary Deputy Speaker, that you are a specialist in that area. You know Kakamega Forest is an indigenous forest and it has been okay. It is the

only forest that has been well protected by the residents especially those from Shinyalu. However, there is rampant logging in that forest. Big lorries ferry logs from that forest. They are actually interfering with our indigenous trees. There are places called Ikuyo and Lubao where there is rampant logging. The forest officers in Shechelu are the ones who are involved in the logging. However, we cannot find information on who sends them to carry out logging in that forest.

I urge the Government to move very fast and stop this logging so that we can preserve that forest. Environment is life and we would not like Kakamega Forest to go the Mau way.

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

The Assistant Minister for Foreign Affairs (Mr. Onyonka): Thank you, Madam Temporary Deputy Speaker. I also want to give my very positive response to what some of my colleagues have said. I would also like to say that I support the Motion. I think it is a great honour for some of us who are hon. Members in this House to be bequeathed with the responsibility of giving our country a new Constitution. As the President said in his Speech, Kenyans have been waiting for that document for the last 20 years. I grew up listening and hearing very many elderly people talking about it - including my late father - who was in this House - and how they hoped to get a new Constitution before 2002. But that never came to be.

Essentially, my feeling right now and from the mood out there, the feelings of Kenyans is that the Tenth Parliament is either going to commit political suicide by rejecting the document or enjoy political resuscitation by coming up with a document that Kenyans will be proud of. I agree with the President and my colleagues in this House who believe that the new Constitution is critical and important for the future of this country as a State and the future of the younger generation of Kenyans who are being born and those who are yet to be born.

Madam Temporary Deputy Speaker, the President raised a very interesting scenario in his Speech where he talked about patriotism in this country. If I can quote briefly, he said:-

“We should, therefore, always cherish and protect our nation as enumerated in our National Anthem. Firmly, we should stand to defend,”

It is true that our country is beautiful. It is true that it has everything it takes to become a great nation. But the problem we have is that this country does not have nationalists. This country has a cabal of individuals who belong to pseudo-community based, ethnic based and corruption based cartels of individuals whose agenda is to solve their problems for now, and whatever happens to the country tomorrow is not their responsibility. Therefore, according to me, the truth and reality is that this Parliament must come up with certain structures to curtail some of the issues and vices that are making our country degenerate beyond belief and imagination. We must give the Kenya Anti-Corruption Commission (KACC) powers to prosecute and make sure that individuals who are in those positions are answerable. We should create institutions for posterity.

I thank the Parliamentary Select Committee (PSC) that went to Naivasha and came back with a document called a Draft Constitutional. We thank them and assure our people that this House will pass the document. That is because where we have reached now, there is no turning back. I hope my colleagues will not come back into this House with amendments after they have gone out there and discussed it with their friends. They

will say that, according to them, the game has not been played well. This game is not going to be “winner takes it all”. This game is going to be won by all of us. It must be a give and take game and I believe that this is the position that most Kenyans want.

I agree with the President that the war on corruption must be fought within the law and in a manner which is impartial and just. I also agree with the President that we must not politicize or personalize the fight against corruption. But I do not know whether the President gave me an alternative, other than it being personalized or not being legal. Most of us have come to realize that once corruption is touched, and once you come up and start facing it, it fights back. The truth is that it is a very delicate thing. We must make sure that we have good governance in this country. We hope that hon. Members will own up and make this country a better country than we found it.

The truth is that there are coalition wars which exist in this country I pray and hope that the wars will stop so that we can deal with the urgent business of this House. The truth is that as the Assistant Minister for Foreign Affairs, the most difficult endeavor that I have had to deal with is that every time I go out of the country and I am representing our beautiful country, the critical issue that I am asked about is why we keep feuding and fighting amongst ourselves. This country has enough resources and capacity to build itself and to become a first rate country and yet we all seem to look like we are going in circles; fighting over issues that do not add value to this beautiful Republic. Every so often, I will try and come up with answers which sometimes I consider to be ingenious to explain our mediocrity in terms of us either failing to see and understand that we have a bigger picture and not the smaller picture.

I believe the way we behave politically influences our tourism, economics and the mood of the country. Kenya is a country that is respected and known officially to be the hub of East and Central Africa. At one time, we used to be known as the country that was peaceful without any problem. You know that we no longer have that advantage. We must bring confidence back with the international community. We must make sure that Kenyans live together happily and that the structures which have been put in place, trying to bring up reforms are effected efficiently and quickly. We must make sure that the police service and the Judiciary are working and are less corrupt.

Madam Temporary Deputy Speaker, I also hope that Parliament will live up to its name and make sure that we deal with issues which are critical and forget this issue whereby we are driving ourselves back into our tribal cocoons. You will find that when an individual is asked to be answerable to certain issues which could be going wrong in his Ministry or department, then we say our community is being finished.

Madam Temporary Deputy Speaker, there are complaints about how files are being kept at the Ministry of Lands. We need to computerize the Ministry of Lands so that we have databases which are solid and can be protected. This will ensure that if you need to find out who owns which piece of land and which property and whether they have been paying taxes, all you need to do is to type some information into a computer and you can know that. As you are aware, our country has got those cartels which would not want the Ministry of Lands to be computerized because you would know how much property they own. We have got a problem with the Judiciary where cases cannot be computerized because if justice is to be served, it needs to be served quickly and effectively. That is not happening simply because most individuals do not want data to

come out to show how cases are running, who has got which case and how long it is taking the Government to handle some of these cases.

I believe that the Ministry of Education needs to perform better. I hope that the examination results which have come out will make many of us, as MPs and leaders, to come up with solutions which will ensure that students at the grassroot levels are able to perform so that they can compete with schools in urban areas. The truth and reality is that the speech the President gave made sense. It actually gave the true position of the state of the nation. In his Address, I will agree with my colleagues that what is most important right now is for us to fix our house. If we do not fix this house, Kenya will be rated as one of the failed states in Africa and obviously, it will be very difficult for people like me who are constantly engaged with the international community to come out and defend our position pertaining to the mistakes and messes which we are creating within our country.

With those few remarks, I beg to support.

Mr. Nyammo: Thank you, Madam Temporary Deputy Speaker, for giving me an opportunity to contribute to this Motion. The President spoke and gave guidance to the country and this House. However, there are some matters that should have been settled long time ago.

The first one is the issue of the Internally Displaced Persons (IDPs). We have had IDPs who lost their loved ones and properties in camps for the last two years. Whose responsibility is it to settle them? Do they not belong to Kenya? Are they not Kenyans? Why do we want to continue paying homage to their sufferings? Why can we not be decisive enough to punish those who have squandered funds that have been set aside to buy farms to settle the IDPs? Why should we continue to make them paupers? Their children do not have an opportunity to acquire the education that they are entitled to.

The other issue is with regard to our youth. We have, as we know, a very young population. About 60 per cent of our population is composed of the youth. What are we doing to make them feel that they belong to this country? I know we had the Youth Enterprise Fund (YEF). A fund which, probably could have been managed better than it was. We had the *Kazi kwa Vijana* programme. Where I come from, it is known as *Kazi Kwa Vijana programme lakini pesa kwa wazee*. This was a misdirection of efforts because of mismanagement. If the *Kazi Kwa Vijana* programme comes back, I implore those who are managing it to engage better management systems. However, the more worrying aspect of our youth is the type of education that we give them. This country, and I have said before, appears to believe in numbers. That the more we produce, the more successful we are. Nothing could be further from the truth.

Our education system gives very few skills to our young men and women. We have an emphasis on: Do well in your primary, secondary and in university, and you will be employed. Who will employ them? Every year, many students graduate from our institutions of higher learning. How many of those graduates end up in self employment? Very few! We have a disconnect between what we churn out from the institutions of higher learning and what is employable. This is a time bomb that needs to be corrected as soon as possible. By the time a typical Kenyan family takes a student or two through

university, they will have sold everything and, at the same time, the student is encouraged to borrow from the Higher Education Loans Board (HELB). After selling everything and the student being encouraged to borrow from the HELB, they end up unemployed. This is a total destruction of the Kenyan families. Somebody must put these things right. We must give, not just knowledge to students in our institutions of higher learning, but also skills and the right attitude. We must stop emphasizing on the fact that the students will get employed. We should start thinking in terms of self employment and entrepreneurship.

Madam Temporary Deputy Speaker, there is dignity in self employment and entrepreneurship. Let us not continue allowing our children to live the lie that when they do well in examinations, they will be employed. If we have an economy that is not growing as fast as it should, where will the employment opportunities come from? It is time for this country to sit back and ask a major question---

The Temporary Deputy Speaker (Prof. Kamar): Hon. Nyammo, you will have a right to five minutes this afternoon.

ADJOURNMENT

Hon. Members, it is now time for the interruption of the business of the House. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.