

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 9th March, 2010

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

WELCOME TO DELEGATION OF UGANDAN PARLIAMENTARIANS

Mr. Speaker: Hon. Members, I have this Communication to make. Members of the Committee on HIV/AIDS of the National Assembly of Uganda are visiting the Kenya National Assembly. The delegation is comprised of seven Members of Parliament and three members of staff. They are in the country on a study tour on the HIV/AIDS Programmes in Kenya. They will among other places, visit the National AIDS Control Council and the HIV/AIDS Children Home and hold a meeting with the Minister of State for Special Programmes. They arrived in Nairobi on Sunday 7th March, 2010, and will return to Kampala on 12th March, 2010. The delegation is seated at the Speaker's Row and they are as follows:-

- (i) Hon. Dr. Yekko Arapkisa, MP – Leader of the Delegation
 - (ii) Hon. Kyahurenda Tom, MP
 - (iii) Hon. Byenya Beatrice, MP
 - (iv) Hon. Kasasa Faridah, MP
 - (v) Hon. Mwebaza Sarah, MP
 - (vi) Hon. Amongi Betty, MP
 - (vii) Hon. Kyeyago Jowali, MP
 - (viii) Mr. Kasirye Ignatius – Assistant Director
 - (ix) Ms. Watera Josephine – Research Officer
- We wish them fruitful deliberations and a pleasant stay in Kenya.

QUESTIONS BY PRIVATE NOTICE

DISPOSAL OF SEWAGE INTO HAMBITSI WATER SPRING BY MASENO UNIVERSITY

Dr. Otichilo: Mr. Speaker, Sir, I beg to ask the Minister for Environment and Mineral Resources the following Question by Private Notice.

(a) What urgent action is the Minister taking to ensure that the management of Maseno University immediately stops disposing sewage into Hambitsi Water Spring,

which is a source of drinking water for Ebusakami and Ekwanda communities in Emuhaya Constituency and other communities in Kisumu Rural Constituency?

(b) When will the Minister also dispatch officers from the National Environment Management Authority (NEMA) to the site to determine the level of water pollution and take appropriate action?

The Assistant Minister for Environment and Mineral Resources (Mr. Kajembe): Mr. Speaker, Sir, I beg to reply.

(a) I have already instructed the management of Maseno University to ensure that all the effluent discharged from their premises into Hambitsi Water Spring which is a source of drinking water for Ebusakami and Ekwanda communities in Emuhaya Constituency and other communities in Kisumu Rural Constituency, is as per the requirements of the Environmental Management and Co-ordination (Water Quality) Regulations of 2006.

I have further instructed the management to reschedule their academic semesters to ensure that the design capacity of the waste water treatment ponds is not exceeded until the ongoing expansion works on the same are completed.

(b) I have instructed my officers on the ground to immediately carry out site inspection, coordinate sampling of the river water at the discharge point as well as the upstream and downstream points. I have also instructed the officers to initiate appropriate enforcement action in case of non-compliance to any of the above regulations.

Dr. Otichilo: Mr. Speaker, Sir, first, I want to thank the Assistant Minister for a very good answer. He is very honest and I am convinced that he has been on the ground. The answer he has given confirms that Maseno University is discharging effluent into Hambitsi and Eskangu rivers. I would like him to assure this House that no effluent will be discharged into these two important water streams in Emuhaya and Kisumu Rural constituencies until the sewerage works that he has said will be done are done?

Mr. Kajembe: Mr. Speaker, Sir, I want to assure this House all what was wrong has been put under control by NEMA. There are three rivers into which the effluent is being discharged. We have been discussing the issue with the management and we have taken some action. I want to assure this House that everything is under control and the management of Maseno University has assured us that they are undertaking a project to solve this problem.

Mr. Mututho: Mr. Speaker, Sir, it has become a habit for this Ministry to every now and then repeat the same answer, that they are doing something. When exactly will the Ministry take the appropriate action, so that very humble communities in the rural areas do not continue to experience this sewage mess? Similar cases have been reported in Mombasa, Naivasha and all over the country. To make matters worse, in a place like Emuhaya where we are talking about, the local people are not even employed by that institution and all they get is their shit.

When will the Assistant Minister table the audit report of all the rivers that are currently being polluted by institutions?

Mr. Kajembe: Mr. Speaker, Sir, every case will be dealt with on its own merit. We will go where there are problems, but we cannot conduct an audit report of areas which we are not aware of. We are doing everything possible to ensure that the environmental regulations are adhered to.

Mr. Mwakulegwa: Mr. Speaker, Sir, Maseno University teaches environmental management. I am wondering, if this institution offers this course, what kind of teaching are they passing to the students? They should be the first ones to conserve the environment by not discharging sewage into the river which is used by people downstream.

Mr. Kajembe: Mr. Speaker, Sir, those are very good views. But my team is already there to put everything in order.

Mr. Njuguna: Mr. Speaker, Sir, now that the Assistant Minister has agreed that Maseno University has polluted the water spring, what action is the Ministry taking against that act of pollution?

Mr. Kajembe: Mr. Speaker, Sir, as I said earlier, we are on the ground. We are advising Maseno University on what to do. We have not failed---

Mr. Koech: On a point of order, Mr. Speaker, Sir. You have heard the Assistant Minister saying that they are trying to advise Maseno University. Is it the work of the Ministry to advise or order, because this is serious business?

Mr. Kajembe: Mr. Speaker, Sir, we are professionals in the Ministry. First, we advise and whoever does not like our advice, we have laws to prosecute.

Mr. Mungatana: Mr. Speaker, Sir, my question is very simple. Under the Environmental Management Act 2000, the Minister has the power to order compensation for people who are affected by the pollution. This pollution did not happen just the other day. It must have been going on for a period of time. Has the Assistant Minister considered ordering Maseno University to compensate the communities which are in the neighbourhood, in terms of maybe corporate governance projects like medical clinics that are deliberately going to help them recover from that pollution that has been going on?

Mr. Kajembe: Mr. Speaker, Sir, hon. Mungatana is very right. We have now started talking with the university and they seem to be sympathizing with their neighbours. They agree that we should discuss with them. My officers are on the ground. I think something will be done for the affected communities.

Mr. Shakeel: Mr. Speaker, Sir, I have the honour of sitting in the Council of Maseno University and we pride ourselves as a top university. It is the first time I have heard that the Assistant Minister has given any order, information or advice to Maseno University. If he will come and give an order, I am prepared even for him to even issue the order to me.

Mr. Speaker: Order, Member for Kisumu Town East! This is Question Time! Do you have a question? Can you ask your question?

Mr. Shakeel: Yes, Mr. Speaker, Sir. If the Assistant Minister will kindly give me the order, I will carry it to Maseno University and make sure that things are done immediately.

Mr. Speaker: Order, Member for Kisumu Town East! Please, resume your seat. That way of conducting yourself is actually unbecoming. Just be careful. Manage yourself properly!

Mr. Imanyara: Mr. Speaker, Sir, what hon. Members are interested in - and as a Member of Committee on Implementation what I am interested in - is to hear the Assistant Minister tell us that he has given them a specific timeframe and that within three or six months, these works will have been completed. If they are not completed, we can come back to him under the provisions of Standing Orders that give the Committee

on Implementation the power to ensure that you do what you promise in this House. What timeframe have you given Maseno University?

Mr. Kajembe: Mr. Speaker, Sir, that is a very good question. Yes, we discussed with Maseno University regarding the streams. The timeframe for them to comply would be about four months.

Dr. Otchilo: Mr. Speaker, Sir, I am happy to note that the Ministry has dispatched a team of experts to the ground to determine the level of pollution in these two important streams which serve Emuhaya and Kisumu Rural. I wish to know when the work will be completed. I would also like to know whether the Public Health Officers for Emuhaya and Kisumu Rural would accompany this team, so that they could ascertain that they are doing a good job. When the report is finished, could the Assistant Minister commit to avail this report to the respective offices including the Member of Parliament?

Mr. Kajembe: Mr. Speaker, Sir, we are now clearing pollution in these streams. We have dug three ponds. In the meantime, there will be no problem at all. Every technical officer from the lead Ministries and the local authorities there is on the ground. Everybody is working tirelessly for the interest of these communities.

Regarding when the main sewer project will be completed, that is within the contract between Maseno University and the contractor. But my duty is to ensure that there is no pollution in those rivers.

RATIONALE FOR MAKING BIRTH CERTIFICATES
REQUIREMENT FOR KCPE/KCSE REGISTRATION

(Mr. Ruteere) to ask the Minister for Education:-

(a) What informed the decision to make birth certificates a requirement for 2010 KCPE and KCSE registration and why is it necessary to implement the same immediately?

(b) What urgent inter-ministerial co-ordination steps is the Minister taking to ensure that issuance of the certificates is speeded up, considering that the Department of Registration of Deaths and Births is currently overwhelmed?

(c) Could the Minister consider suspending the directive and communicate the same to all the heads of primary and secondary schools as a matter of urgency?

Mr. Speaker: There is a request by the hon. Member which was communicated to the Clerk of the National Assembly, and consequently to me, as Mr. Speaker, that he is away in his constituency attending an important meeting of the Interim Independent Boundaries Review Commission (IIBRC). So, he was unable to be here this afternoon to ask this Question. He requested that I defer it to tomorrow afternoon, which I hereby direct.

(Question deferred)

CROP FAILURE IN ISIOLO IRRIGATION SCHEMES
DUE TO INAPPROPRIATE SEED VARIETY

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

- (a) Is the Minister aware that there was a total crop failure in Kinna, Rapsu and Gafarsa Irrigation Schemes in Isiolo South Constituency due to the inappropriate seed variety supplied by the Ministry?
- (b) What urgent steps will the Minister take to compensate the farmers for the immense loss incurred?

The Assistant Minister for Agriculture (Mr. Ndambuki): Mr. Speaker, Sir, I seek the indulgence of the House. I have consulted with the hon. Member and informed him that we could not get the District Agricultural Officer to provide us with some information. We have agreed with the hon. Member that the Question be deferred to Tuesday next week.

Mr. Speaker: Very well! Mr. Bahari, is that correct?

Mr. Bahari: Mr. Speaker, Sir, that is very correct. This is a very important Question and we need to get all the necessary details.

Mr. Speaker: I direct that the Question appears on the Order Paper on Tuesday next week.

(Question deferred)

STATUS OF ICT PROJECTS IN CONSTITUENCIES
UNDER ECONOMIC STIMULUS PACKAGE

Mr. Shakeel: Mr. Speaker, Sir, I beg to ask the Deputy Prime Minister and Minister for Finance the following Question by Private Notice.

- (a) Could the Minister update the House on the status of the Information, Communication and Technology Project for each constituency planned to be funded through the Economic stimulus Package?
- (b) Will the Minister supply desktop computers to each constituency under the same project in view of exorbitant proposal of the IT Buses of Kshs.7million which was rejected by the House?

The Assistant Minister for Finance (Dr. Oburu): Mr. Speaker, Sir, since this Question is on the implementation status of this project, it belongs to the Ministry of Information and Communications. We have redirected it to that Ministry for an appropriate answer.

Mr. Shakeel: Mr. Speaker, Sir, I was told the Ministry of Finance has, in fact, shelved this particular programme. That is why I was asking whether this programme has actually been shelved or is still in process. I was informed it was the Ministry of Finance who instigated that decision. So, I wanted the Assistant Minister's response on that decision, not on the implementation because we do not know what is happening.

Mr. Speaker: Assistant Minister, do you want to react to that at all?

The Assistant Minister for Finance (Dr. Oburu): Mr. Speaker, Sir, I am not aware of the fact that we have shelved the programme. The Member is pre-empting the answer from the implementing Ministry. He wants the status of implementation and he is going to get it.

Mr. Speaker: The Question deferred to Wednesday morning, next week.

(Question deferred)

Next Question, Mr. Wamalwa.

KILLING OF MESSRS. ALFRED SULULU/
RONALD KIPRONO

Mr. Wamalwa: Mr. Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Under what circumstances were Messrs. Alfred Sululu (a Red Cross of Kenya Volunteer in Bungoma) and Ronald Kiprono (a 2nd year Kenyatta University BCom student) killed recently?

(b) Who was responsible for these heinous acts and what action has been taken against them, so far?

(c) What action is the government taking to check the increasingly worrying trend of misuse of firearms and extra-judicial killings by the Police officers?

Mr. Speaker: Minister of State for Provincial Administration and Internal Security!

Hon. Members, the Chair is aware that the Assistant Minister in charge of this Ministry is currently stranded in Kisumu because he could not be airlifted to Nairobi. But there is another Assistant Minister in this Ministry. Hon. Orengo, can you hold brief for your counterpart? What is not happening?

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, without seeking to clarify what could be the position, could we be allowed to answer this Question tomorrow in the afternoon?

Mr. Speaker: Is it possible that the Executive can heed our consistent and frequent calls that they try and share these responsibilities and collectively answer Questions, so that there is no undue delay.

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, probably this wisdom behind the Proposed Constitution that the Executive should get out of this Parliament can help.

Mr. Speaker: Hon. Orengo, that does not help us. You must surely do better than that.

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, let me apologise for the absence of the Minister and we are duty-bound to appear on time and to answer Questions. Subject to the explanations that will be given by the Minister tomorrow, could we be allowed to answer the Question tomorrow in the afternoon?

Mr. Speaker: Yes. It is so directed. The Question is deferred to tomorrow afternoon.

(Question deferred)

Member for Nyakach!

ORAL ANSWERS TO QUESTIONS

*Question No.012*DEMANDING OF BRIBES FROM MOTORISTS BY
POLICE OFFICERS AT WEIGHBRIDGES

Mr. Ochieng asked the Minister of State for Provincial Administration and Internal Security:-

(a) if he is aware that police officers manning weighbridges are demanding bribes from drivers and owners of overloaded trucks;

(b) why the officers demand that owners of the alleged trucks appear in courts; and,

(c) why the police also demand that original log books of the trucks be deposited with them in the process.

(Mr. Orengo stood in his place)

Mr. Speaker: Hon. Orengo, you need not repeat that. We will defer this Question to tomorrow afternoon.

(Question deferred)

*Question No.073*UPGARDING OF INZARO/LYANGAGINGA/
VIHIGA HEALTH CENTRES

Mr. Chanzu asked the Minister for Medical Services whether he could consider up-grading Inzaro, Lyanaginga and Vihiga Health Centres to Sub-District Hospitals.

Mr. Speaker: Minister for Medical Services! Hon. Members, we will revisit the Question a little later.

Yes, Member for Nyatike!

*Question No.031*POSTING OF DISTRICT DEVELOPMENT OFFICER
TO NYATIKE DISTRICT

Mr. Anyanga asked the Minister of State for Planning, National Development and Vision 2030:-

(a) if he is aware that Nyatike District does not have a District Development Officer; and,

(b) when the Ministry will post the District Development Officer to the district.

Mr. Speaker: I am aware that the Minister is bereaved. But he has a very able Assistant Minister in the name of the Member for Gatanga.

Hon. Orengo, you may have to respond on this.

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, probably, we need a whip for the Cabinet. Probably, I would assume that position. However, could you defer the Question for another ten or 15 minutes.

Mr. Speaker: Hon. Orengo, you are an astute lawyer and, indeed, my learned friend. Why will you be asking for a whip for the Cabinet when you have a Prime Minister who is in charge of co-ordination and supervision of functions of the Cabinet?

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, normally, under Parliamentary systems, there will be a Leader of Government Business. Unfortunately, the Leader of Government Business is not a Cabinet Minister.

Mr. Speaker: Hon. Orengo, that still does not respond to the question.

The Minister for Lands (Mr. Orengo): Mr. Speaker, Sir, that notwithstanding, again, I apologise for the absence of the Minister and Assistant Minister. Could the Question be deferred?

Mr. Speaker: Thank you, hon. Orengo. I have not seen you in a corner like that before. Question deferred to tomorrow afternoon.

(Question deferred)

Question No.081

LACK OF ELECTRICITY SUPPLY TO
KABIYET HEALTH CENTRE

Mr. Koech asked the Minister for Public Health and Sanitation:-

(a) whether he is aware that Kabiyet Health Centre which is situated at the District Headquarters has gone without electricity since October, 2009 and that the facility is understaffed and lacks essential drugs; and,

(b) what he is doing to correct the serious anomalies and by when.

The Assistant Minister for Public Health (Dr. Gesami): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Kabiyet Health Centre had its electricity disconnected in November. However, it should be noted that the electric power supply to the facility was restored to the facility on 5th February, 2010. Kabiyet Health Centre has an establishment of 12 members of staff as follows: one clinical officer, four nurses, two public health officers, one laboratory technician, one nutritionist, two support staff and two casuals. All the 12 staff members are currently present and working in the Health Centre. My Ministry intends to post additional staff before June, 2010.

(b) The facility usually receives a complete health centre kit every three months from Kenya Medical Supplies Agency (KEMSA). However, owing to the current shortage of essential drugs in the country, the facility has been affected. My Ministry has addressed the shortage and the facility will continue to receive the health centre kit within the next one month.

Mr. Koech: Mr. Speaker, Sir, while I thank the Assistant Minister for giving us this answer, it would concern this House that the electricity was disconnected for four months. This facility serves the district headquarters. As I speak now, the facility has very few anti-malarial drugs, no single antibiotics, no pain killers and major drugs. He has confirmed that he has addressed the shortage. When will the facility receive these drugs? Could he be more specific?

Dr. Gesami: Mr. Speaker, Sir, it is regrettable that the electricity was disconnected for four months. But all efforts were done and funds were availed and the electricity has been reconnected now.

As far as drugs are concerned, we have had a few problems in procurement of drugs from KEMSA because of lack of resources from the Treasury. At the moment, we have procured drugs. At the end of this month, all health facilities in the country will receive their kits.

Dr. Khalwale: Mr. Speaker, Sir, this Government is notorious for corruption scandals. We know that in this House we voted money for purchase of drugs, not just for health centres, but for all the health facilities. Can he confirm why there is a general shortage, in the whole country, of drugs in our health centres, district and provincial hospitals and whether it is not true that, that money has been diverted to this Government's corrupt deals?

Dr. Gesami: Mr. Speaker, Sir, it is true that we have had problems with the supply of drugs in the country, but this was because of the pending bills from the previous years. The regulations are that we must pay pending bills before getting money to pay for the present requirements. We have now received money from the Treasury and we shall procure these drugs and give them to the hospitals in the next one month.

Mr. Gunda: Mr. Speaker, Sir, the Assistant Minister has said he is going to post additional staff before June, 2010. Can he be more specific? How many of these additional staff and which category?

Dr. Gesami: Mr. Speaker, Sir, I cannot be very specific, but let me say that we employed 20 nurses per constituency in this country and they are now in the process of being put in the payroll, so that they can now go to the constituencies to work. In addition, Mr. Speaker, Sir, we have employed about 700 nurses, whom we shall distribute countrywide from next month.

Thank you, Mr. Speaker, Sir.

Mr. Linturi: Mr. Speaker, Sir, bearing in mind that the Assistant Minister has confirmed that he will be supplying drugs to these hospitals just because he has received money from the Treasury for purchase of drugs, we would want to know whether he will be able to properly procure drugs by strictly adhering to the various procurement procedures set out? The way he has spoken, having received money just the other day, it appears that he might not have enough time to properly procure these drugs using the right procedures.

Dr. Gesami: Mr. Speaker, Sir, I have actually, indeed, said that the drugs have already been procured but they have not been paid for. We are now paying and distributing these drugs to the health centres. This is basically what we are doing.

Mr. Ochieng: Mr. Speaker, Sir, Sigoti Health Centre in my constituency has also operated without electricity for the last six months. I wonder whether the Assistant

Minister can direct that the money they collect in terms of cost-sharing can be converted to paying power bills from time to time?

Dr. Gesami: Indeed, Mr. Speaker, Sir, the money collected by the facilities can be used to pay for electricity and other amenities. I will, therefore, call upon the Medical Officer of Health in that district to look for that money and pay for electricity.

Mr. Imanyara: Mr. Speaker, Sir, given that medical institutions are essential services that ought to be provided with electricity throughout, under what circumstances was power disconnected in this health facility and in my good friend's health centre?

Dr. Gesami: It is true, Mr. Speaker, Sir, that medical facilities offer essential services. We have had a long time problem with the Kenya Power and Lighting Company in negotiating for them not to disconnect electricity in these facilities. But, unfortunately, the KPLC, as a private company, has always disconnected electricity and I think we need to look for ways and means of making sure that we pay our bills on time.

Mr. Koech: Mr. Speaker, Sir, it is unfortunate that Kabiyet Health Centre will have to wait for another one month to receive drugs, likewise to many health institutions in the country. This brings out the issue of efficiency.

Mr. Speaker, Sir, the said facility has had the only vehicle serving the institution grounded for the last two years. Could the Assistant Minister assure the people of Mosop that we are going to get a serviceable vehicle as soon as possible?

Dr. Gesami: Mr. Speaker, Sir, again, I want to say that it is regrettable that we have been operating this way. This is because, of course, of funds. I have said this again and again in this House. But let me tell the hon. Member for Mosop that as soon as we get any new vehicles, Kabiyet Health Centre will be the first one to be provided with that facility, because we know that they are supposed to transport patients to Moi Referral and Teaching Hospital or to Kapsabet District Hospital.

Thank you, Mr. Speaker, Sir.

Question No. 073

UPGRADING OF INZARO/LYANAGINGA/
VIHIGA HEALTH CENTRES

Mr. Chanzu asked the Minister for Medical Services whether he could consider upgrading Inzaro, Lyanaginga and Vihiga Health Centres to Sub-District Hospitals.

The Minister for Medical Services (Prof. Anyang' Nyong'o): Mr. Speaker, Sir, I beg to answer. The process of upgrading a health centre to a sub-district hospital takes four steps as follows: one, a health centre reaches the specified threshold of a catchment population of 100,000 people as set out in the norms and standards of the health sector. Two, a health centre acquires the requisite infrastructure as per the norms and standards of the health sector. Three, the District Development Committee passes a resolution that the health centre be upgraded to a sub-district hospital and forwards the minutes to my Ministry through the Ministry of Public Health and Sanitation, under whose mandate health centres currently fall. Four, my Ministry then gazettes the facility as a sub-district hospital.

Mr. Speaker, Sir, presently, none of the three health centres meet the requirement for gazettement as sub-district hospitals. The Ministry will consider upgrading them to sub-district hospitals when they meet the requirements.

Thank you, Mr. Speaker, Sir.

Mr. Chanzu: Thank you, Mr. Speaker, Sir. I want to thank the Minister for bringing out the guidelines that are necessary for these facilities to be upgraded to sub-district hospitals.

But, Mr. Speaker, Sir, apart from the norms and standards, I would have felt that the Ministry would have expanded the criteria because there are many other considerations that should be taken into account, not only population. I am sure the Minister has considered this because he believes that Vihiga District Hospital is within that area. But I think what he is forgetting is that Vihiga District Hospital is almost like a referral hospital, as it serves a very large catchment area. Could the Minister consider, at least for the time being, allowing us to make a recommendation that he upgrades one of these facilities to a sub-district hospital because of the various factors that affect this place; the terrain, the distances and so on? There is the need that the Government is supposed to provide this to the citizens; they cannot put up buildings themselves---

Mr. Speaker: Order, Mr. Chanzu! it is Question Time!

Mr. Chanzu: Mr. Speaker, Sir, could the Minister consider allowing one of the health centres to be recommended to his office for upgrading?

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, the hon. Member is right. In fact, Vihiga District has a population of 114,000 people, and this is above the 100,000 people that is required by the norms and standards. When you look at the three health centres he is talking about, they are located in a very mountainous area, as my neighbour there knows. My Ministry is quite prepared to upgrade one of them to a sub-district hospital, because, as he says, Inzaro Health Centre, for example, has facilities that can make it easily upgradable to a sub-district hospital and so is Vihiga Health Centre.

All my colleague needs to do is to put this matter before the District Development Committee (DDC) and recommend to us which of the three the DDC wants us to upgrade. I am prepared to visit the district and hold discussions with the hon. Member and the officials from the Ministry of Public Health and Sanitation in order to come up with a decision. Quite honestly, we are just waiting for the deliberations and the minutes of the DDC to choose which one should be the sub-district hospital.

Mr. James Maina Kamau: Mr. Speaker, Sir, with the creation of the new districts countrywide, what is the Ministry doing to ensure that all the existing health centres are upgraded to the level of district hospitals?

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I have said in this august House before that our policy is to make sure that every constituency has at least a sub-district hospital. Once the various DDCs submit to us the recommendations as I have read, we are very much prepared to upgrade the relevant health centres to sub-district hospitals.

There are certain districts where because of geography, distances and so on, they may have a district hospital and even one or two sub-district hospitals. We are prepared to look into those cases because we want people to have easy access to health facilities. We want to ensure that referral facilities like the sub-district and district hospitals are not too far from health centres and dispensaries. So, regulations and guidelines are there. We have a policy that we should, at least, have a sub-district hospital in every constituency.

Mr. Chanzu: Mr. Speaker, Sir, I thank the Minister for his assurance. Maybe we need to update some of the information. For example, Lyanaginga Health Centre now has electricity. I undertake to make sure that we upgrade, at least, one of these health centres into a sub-district hospital.

Mr. Speaker: The Member for Nyatike! Hon. Members we have to revisit this Question because the Assistant Minister, Ministry of State for Planning, National Development and Vision 2030 is now available. We still have a little time on Question Time.

Question No.031

POSTING OF DISTRICT DEVELOPMENT
OFFICER TO NYATIKE DISTRICT

Mr. Anyanga asked the Minister of State for Planning, National Development and Vision 2030:-

(a) whether he is aware that Nyatike District does not have a District Development Officer; and,

(b) when the Ministry will post the DDO to the district.

The Assistant Minister, Ministry of State for Planning, National Development and Vision 2030 (Mr. Kenneth): Mr. Speaker, Sir, I apologise for not having been present when this Question was asked. Thank you for giving us this opportunity because this is an important Question that affects most Members of Parliament.

I beg to reply.

(a) I am aware that Nyatike District does not have a DDO. The District is currently being served by the DDO for Migori District as part of the grouping of districts to facilitate service delivery in the short run.

(b) The Public Service Commission (PSC) is currently in the process of advertising the filling of 219 vacant positions countrywide. We hope that by July, 2010 we will deploy DDOs to all the districts including Nyatike.

Mr. Anyanga: Mr. Speaker, Sir, it is true that Migori is quite far from Nyatike District. Sometimes it takes time for development projects to be processed in time. Could the Assistant Minister confirm when he will post the DDO? According to me April, 2010 is far.

Mr. Kenneth: Mr. Speaker, Sir, the issue of DDOs arose because districts were created in a faster manner than the number of DDOs who were available. Again, there was an embargo on employment in the Civil Service. We only got the clearance towards the end of last year. So, we hope that by July, 2010, Nyatike District will not rely on the services of the DDO in Migori because it will have its own.

Mr. Njuguna: Mr. Speaker, Sir, I thank the Assistant Minister for responding to that Question very well. Could he indicate to us when the Ministry will release funds to the new districts where DDOs have been posted and work under deplorable conditions?

Mr. Kenneth: Mr. Speaker, Sir, the Ministry is in the process of putting up resource centres for all DDOs in the country through a fund provided by African Development Bank (ADB). We expect that in the next financial year, we should be able

to tackle, at least, 100 constituencies in terms of building offices for the DDOs. We will build the rest in the next financial year.

Mr. Chanzu: Mr. Speaker, Sir, the Assistant Minister has said that it is because of the fast rate at which districts have been created that we have shortage of DDOs. I am sure the other factor would be financial constraints. What are the academic qualifications of these people who are to be employed as DDOs?

Mr. Kenneth: Mr. Speaker, Sir, DDOs must have studied Economics. Therefore, the positions that have been advertised are for economists. That is the qualification.

Mr. Anyanga: Mr. Speaker, Sir, I am glad that the Assistant Minister has confirmed that he will post a DDO to Nyatike District in July, 2010. I hope he will respect his word. I am satisfied with that answer.

Mr. Speaker: That is fair enough! Hon. Members, that brings us to the end of Question Time.

POINTS OF ORDER

FRAUDULENT PURCHASE OF CEMETERY LAND

Mr. Gaichuhie: Mr. Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for Justice, National Cohesion and Constitutional Affairs over the on-going scandal involving the fraudulent purchase of cemetery land that has seen the President interdict senior civil servants.

In his statement he should:

(a) Indicate whether he intends to file the Kenya Anti-Corruption Commission (KACC) Report on the same and when.

(b) Confirm the allegation in the Report by the KACC that was sent yesterday to the Prime Minister, hon. Raila Odinga and the Permanent Secretary, Secretary to the Cabinet and Head of Civil Service that a senior Member of the Cabinet is being investigated for his participation in the scandal.

(c) Explain the role of Mr. Newton Osiemo who according to the KACC represented the interest of the said senior Minister in the scam and was---

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government (Mr. Nguyayi): On a point of order, Mr. Deputy Speaker, Sir. I am concerned that the Ministerial Statement being sought has raised very serious allegations on the Floor of this House. Without due substantiation, it will be very--- There are serious accusations---

Mr. Deputy Speaker: Order, hon. Assistant Minister! Hon. Gaichuhie, could you, proceed and seek your Ministerial Statement?

Mr. Gaichuhie: Thank you, Mr. Deputy Speaker, Sir. I am perturbed by my colleague because I have not mentioned any names. Is he trying to tell us the obvious?

(c) Let the Minister explain the role of Mr. Newton Osiemo who according to the KACC represented the interest of the said senior Minister in the scam and was awarded Kshs59 million for the hon. Minister.

- (a) We would like him to confirm whether Mayor Geoffrey Majiwa received Kshs11 million from the scam as alleged by the KACC.
- (b) Now that the said senior Minister and His Worship the Mayor are being investigated as suspects by the KACC in the Kshs283 million scam, confirm when the two will step down in line with the sentiments of the Prime Minister, the Rt. Hon. Raila Odinga, who said that if anyone is being investigated he or she should step aside because the war against corruption has to be personalized.

Thank you.

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

Mr. Deputy Speaker: Order, Dr. Khalwale! Can you seek your point of order after the Assistant Minister has given an undertaking on the Ministerial Statement sought by the hon. Member? Mr. Assistant Minister, can you give an undertaking as to when we will have the Ministerial Statement?

The Assistant Minister for Justice, National Cohesion and Constitutional Affairs (Mr. Cheptumo): Mr. Deputy Speaker, Sir, we will issue the Ministerial Statement on Wednesday, next week. I say so because of the nature of consultations we need to undertake with KACC and so on. So, Wednesday will be okay for us.

Mr. Deputy Speaker: What is your point of order, Dr. Khalwale?

Dr. Khalwale: Mr. Deputy Speaker, Sir, I am raising this point of order as a matter of life and death, because the same report that the hon. Member has quoted from has indicated that one Newton Osiemo is missing. Could the Assistant Minister, when he comes back with the Ministerial Statement, assure the country and the family that, indeed, Mr. Newton Osiemo is alive and well?

Mr. Deputy Speaker: Order, Dr. Khalwale! Whereas it is a matter of utmost concern to all of us - when a Kenyan goes missing - but that does not fall under the Assistant Minister's docket. It falls under the docket of the Minister of State for Provincial Administration and Internal Security. So, on the issue that you have raised, you can seek a Ministerial Statement from the latter.

Mr. Chanzu: On a point of order, Mr. Deputy Speaker, Sir. I just want to seek a clarification from the Chair. You have heard reference being made to KACC with regard to the matter before the House. Can a matter that is under investigation by KACC be discussed in this House?

Mr. Deputy Speaker: Yes! A matter that is before KACC is not before a court of law. It does not fall under the *sub judice* rule.

The Assistant Minister for Trade (Mr. Muriithi): On a point of order, Mr. Deputy Speaker, Sir. The Ministerial Statement and points of order that have been raised in this House make reference to allegations in reports that are not before this House. If they have the allegations, they should table them. We cannot, in my view---

Mr. Deputy Speaker: Order! Order! You are not the Assistant Minister for Justice, National Cohesion and Constitutional Affairs! The Assistant Minister is satisfied that, that is a valid point of order and he is prepared to issue a Ministerial Statement on the same. Can we consider something else.

(Mr. Kajwang stood up in his place)

Mr. Deputy Speaker: Is it on the same issue, Mr. Kajwang'?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Deputy Speaker, Sir, I rise on a very fine point of order. I thought that there was a report about that cemetery land, which was done by a Committee of this House. The Report was tabled in this House and, therefore, it is the property of the House. Listening to the substance of the Ministerial Statement that has been sought, it seems like it is on the Report which is about to be debated. So, can we allow this House to debate the Report first, so that we know what it is all about? If there is any supplementary question to be asked, or if there is any additional information that hon. Members will bring, they can bring it during the debate on that Report. So, we will not have a situation where a Committee of this House has investigated something, submitted a Report to the House, and hon. Members are asking Ministers to give certain other clarifications before that Report is debated?

Thank you, Mr. Deputy Speaker, Sir.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister concerned has acknowledged that what has been sought is a valid Ministerial Statement and made an undertaking to consult and come back to the House on Wednesday. Is it in order for hon. Kajwang' to re-visit the issue of another department, when the Assistant Minister says that he is ready to issue a Ministerial Statement?

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang): Mr. Deputy Speaker, Sir, it is not so much about what the Assistant Minister feels he is satisfied about, it is more about the rules of this House. When there is a Report before the House awaiting debate, and you have a Question or Ministerial Statement that relates to that Report, the House should direct you that, that is matter that is pending before this House, so that we do not have to behave this way.

Mr. Deputy Speaker: Order! Order, Mr. Kajwang'! The Report was prepared by a Parliamentary Committee and it is awaiting a date when it will be debated. That, in no way, takes away the responsibility of the Government. The Government is responsible to the people of Kenya. It should perform its duties in a manner that is transparent and corruption-free. Under the circumstances, if the Assistant Minister is prepared to give a Ministerial Statement, and is taking responsibility as the Executive, I do not think the House can say that the Ministerial Statement cannot be issued until the Report itself is debated. This is the Legislature which has to hold the Government accountable. The other one is that a Minister has been asked a very serious Question. Under the circumstances, the Assistant Minister can go ahead and issue the Ministerial Statement.

We will now proceed to another point of order by Mr. Mungatana.

CLARIFICATION ON PREPARATIONS FOR NATIONAL
REFERENDUM ON DRAFT CONSTITUTION

Mr. Mungatana: Mr. Deputy Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the same Ministry of Justice, National Cohesion and Constitutional Affairs.

There is great concern amongst Kenyans that the national referendum that is anticipated on the Draft Constitution may not be held in June this year as provided for in the constitutional review process time-table by the Minister. It is in that light that I wish to seek a Ministerial Statement from the Minister for Justice, National Cohesion and Constitutional Affairs. In his Ministerial Statement, I would like him to clarify the following:-

- (i) How much money has the Government sent to the Interim Independent Electoral Commission (IIEC) in preparation for the June national referendum?
- (ii) How much of the estimated cost of carrying out the referendum has the Government committed and has the Treasury, in fact, released those funds?
- (iii) What is the technical capacity of IIEC to carry out the referendum?
- (iv) When will a fresh voter registration be done and completed, and have the funds for that exercise been released?
- (v) If there is a delay in releasing the funds, why is that so?
- (vi) Has the Government sought any assistance from friendly communities abroad and in Kenya?
- (vii) What has the Government sought, in terms of finances and technical support, from those communities?
- (viii) Could the Minister, in fact, assure us that we are on schedule for the referendum in June?

Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Mr. Assistant Minister, can you give an undertaking on that one? When will the Ministerial Statement be ready?

The Assistant Minister for Justice, National Cohesion and Constitutional Affairs (Mr. Cheptumo): Mr. Deputy Speaker, Sir. I will give the Minister Statement on Thursday, next week.

Mr. Deputy Speaker: It is so directed!

SECURITY SITUATION ALONG KENYA/SUDAN BORDER

Mr. Imanyara: Mr. Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for State for Defence regarding the security situation on the Kenya/Sudan border. Over the last few weeks, we have lost a number of members of the disciplined forces, including Kenya Army personnel under circumstances we do not understand, given that we have one of the best-trained armies in the region. Therefore, I ask the Minister to issue a Ministerial Statement on the security situation on the Kenya/Sudan border and, indeed, on the entire northern border of Kenya.

Mr. Deputy Speaker: Yes, Minister of State for Defence!

The Minister of State for Defence (Mr. Y. Haji): Mr. Deputy Speaker, Sir, I did not get the question.

(Laughter)

Mr. Deputy Speaker: Order, hon. Members! Given that Mr. M. Y. Haji is one of the senior Members, could you Mr. Imanyara repeat the Ministerial Statement request again?

Mr. Imanyara: Mr. Deputy Speaker, Sir, since the Minister is also a very good friend of mine, I will do it slowly so that he can understand.

Over the last few weeks, we have lost a number of officers from the disciplined forces including the Kenya Army, along the Kenya/Sudan border. I would like the Minister to issue a Ministerial Statement on the security situation along that border. What steps has he taken to ensure that our borders are protected and our security forces are sufficiently equipped to meet the challenges along that border?

The Minister of State for Defence (Mr. Y. Haji): Mr. Deputy Speaker, Sir, with your indulgence, I think the Ministerial Statement is twofold. First, he is asking me a question on internal security which is not under my portfolio. So, I would like to seek your guidance on this. Maybe, this Ministerial Statement should be directed to the Minister of State for Provincial Administration and Internal Security.

Mr. Imanyara: Mr. Deputy Speaker, Sir, we have a collective responsibility doctrine that binds all Ministers. Could the Minister sort out that matter between him and the Minister of State for Provincial Administration and Internal Security and determine who will give this Ministerial Statement? All we are concerned with is to get a Ministerial Statement from this divided Government!

Mr. Deputy Speaker: Mr. Imanyara, are the security officers who lost their lives along the border from the Kenya Army?

Mr. Imanyara: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: The Minister of State for Defence, I think you have a responsibility to assure this country that, indeed, our boundaries and the members of the Kenya Armed Forces are safe. Could you give an undertaking when you will issue a Ministerial Statement on the same?

The Minister of State for Defence (Mr. Y. Haji): Mr. Deputy Speaker, Sir, if that is your ruling, we will issue the Ministerial Statement on Wednesday, next week.

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

OPERATIONS/ PERFORMANCE OF KENYA AIRWAYS

Mr. Koech: Mr. Deputy Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister for Transport on the operations and performance of the Kenya Airways which is our national carrier.

Mr. Deputy Speaker, Sir, the Kenya Airways flight did not turn up to pick passengers from Addis Ababa to Nairobi and beyond on 25th February, 2010. Further, flight KQ0403 from Addis Ababa was cancelled and passengers were told to disembark after being in the aircraft for over 45 minutes.

In the Statement I wish the Minister could clarify the following:-

- (i) What caused the cancellation of the flight on 25th February, 2010?
- (ii) Why was the flight cancelled and passengers told to disembark on 26th February, 2010?

Further, I wish the Minister could give the names of the pilots and the entire crew in the said flight. How much was paid by Kenya Airways to the hotels where the passengers stayed for the two nights? How much was paid by Kenya Airways as parking

fee at the Addis Ababa Airport after the aircraft parked for more than 12 hours on 26th February, 2010?

Mr. Deputy Speaker, Sir, I would also like the Minister to clarify why the standards of our national carrier have dropped in the recent past?

Lastly, what has the Minister done to save the reputation of Kenya Airways; the so-called “The Pride of Africa”?

Mr. Shakeel: On a point of information, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order, Mr. Shakeel! There is no provision for a point of information when a Member is seeking a Ministerial Statement!

(Mr. Mbadi stood up in his place)

Mr. Mbadi, are you standing to seek a Ministerial Statement?

Mr. Mbadi: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Why are you hesitant? Are you seeking a Ministerial Statement?

Mr. Mbadi: Mr. Deputy Speaker, Sir, I had sought a Ministerial Statement last week. So, I wanted to find out what happened to that Statement.

Mr. Deputy Speaker: From which Ministry?

Mr. Mbadi: From the Ministry of Foreign Affairs.

Mr. Deputy Speaker: Was an undertaking given?

Mr. Mbadi: Mr. Deputy Speaker, Sir, I sought a Ministerial Statement from the Ministry of Foreign Affairs regarding the existence of Ugandan security forces in Kenya. I was promised that it would be issued today.

Mr. Deputy Speaker: The Minister for Foreign Affairs!

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

Mr. Deputy Speaker: Order! The Minister for Transport, could you give an undertaking on when the Ministerial Statement on Kenya Airways will be issued?

The Assistant Minister for Transport (Mr. Mwau): Mr. Deputy Speaker, Sir, I will issue the Ministerial Statement on Thursday.

Mr. Deputy Speaker: This week or next week?

The Assistant Minister for Transport (Mr. Mwau): Next week, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: The Minister for Foreign Affairs was supposed to issue the Ministerial Statement today. Could a senior Minister from the Government tell us why the Government fails on its own collective responsibility? Why is this Ministerial Statement not being issued today? Why is your colleague not here with a Ministerial Statement?

The Minister for Education (Prof. Onger): Mr. Deputy Speaker, Sir, it is quite understandable that we have a summit of IGAD here. Precisely, it is dealing with the same query that the hon. Member has raised on the Floor of this House. The summit is being held at the Kenyatta International Conference Centre (KICC) and such serious issues are being discussed. They include security issues along the Kenya/Sudan border. I will inform the Minister when they finish that this matter will be revisited next week.

Mr. Mbadi: On a point of order, Mr. Deputy Speaker, Sir. I would like to thank the Minister. I am happy that something is being done about the border. Because I am not

in the Executive, next week, I am not supposed to be in this country. I request that the Ministerial Statement is issued after next week.

Mr. Deputy Speaker: Mr. Minister, could you undertake that on behalf of your colleague?

The Minister for Education (Prof. Ongeru): Most obliged, Mr. Deputy Speaker, Sir.

MINISTERIAL STATEMENT

GOVERNMENT POSITION ON PURCHASE OF MAIZE

The Minister for Agriculture (Mr. Samoei): Mr. Deputy Speaker, Sir, as you are aware, Members have raised concern about the position of Government with respect to the purchase of maize. There has been a bumper harvest in the country and legitimate concerns have been raised by Members on the status of Government to purchase that maize. I, therefore, wish to make the following Statement.

Mr. Deputy Speaker, Sir, the 2009 long rains fell short of expectation in amount and distribution in the main grain growing area of the country. Despite this situation, a total of 20 million bags were harvested in the long rains against an expected average of 28 million bags. This is against a national annual consumption requirement of about 38 million bags. The current strategic reserves stand at 2,496,000 90-kilogramme bags. The Government has purchase 894,389 bags of maize from the long rains of 2009, mainly from the North Rift.

The Government has paid farmers Kshs1, 472,225,000. Outstanding debts at the moment stand at Kshs726 million. Maize production during the short rains was 8.7 million bags against a target of between four and six million bags, with Eastern Province contributing 5.3 million bags which is about 60 per cent. The balance of 3.4 million bags was from Central, Coast, Western and Nyanza provinces and parts of South Rift.

Mr. Deputy Speaker, Sir, 6,000 acres in Bura, Hola and Tana irrigation schemes were put under maize. The expected production from this acreage is approximately 120,000 bags out of which 37,000 bags of maize have been harvested from the initial area of 2,341 acres. We are yet to harvest maize from another 3,600 acres in Bura, Hola and Tana irrigation schemes.

Mr. Deputy Speaker Sir, the Government released last Friday, Kshs700 million for purchase of grain in areas that I have mentioned; another Kshs800 million will be released in the course of the next ten days. The Treasury has also undertaken to release an extra Kshs2.3 billion to enable the stimulus programme continue, especially in the irrigation schemes. It is important for me to also mention that the Government will be buying the maize at Kshs2,300 per bag, as has been done in the past. We intend, however, to review that price later this year.

Thank you Mr. Deputy Speaker, Sir.

Mr. Mungatana: Mr. Deputy Speaker, Sir, the Minister has told us that the Government has already spent an average of Kshs1.4 billion in the purchase of cereals from farmers of the North Rift. Right now in Hola and Bura, farmers who had taken loans are so indebted, and there is so much maize everywhere; even the manager of the cereals board, his office is full of maize. More effort is being made and the rains are coming

again; so maize is going to get spoilt. The question is; is the Minister being selective in the way he is paying these farmers? Why would he pay Kshs1.4 billion to the farmers in North Rift and the farmers of Bura and Hola are all suffering, and they are expecting to make a loss! When is he going to move there? The Minister went there personally and assured these people and up to now no money has gone there. What is happening? Are we being marginalised in Tana River?

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, I filed a Question by private notice on the advice of your office; so I want to request for the same Question to be withdrawn and then I put all the questions which I would have asked under the Question by Private Notice, if I have your permission. I will assume your silence is consent. Only last week--

Mr. Deputy Speaker: Order hon. Charles Kilonzo! I have not heard what you have said, but in any case, I am assuming that you are seeking a clarification from hon. William Ole Ntimama. I mean William Somoei. Proceed!

Mr. C. Kilonzo: What I meant is that I had filed a Question by Private Notice and I intend not to spend any other time in the future on the same. So, I will request that the same question not to be answered, that it be withdrawn.

Only last week the Assistant Minister for Agriculture, Mr. Kareke Mbiuki, told MPs that he has sympathised with them, and that he sympathised with farmers. We do not want sympathy but action from the Government. The Government has been importing maize at Kshs3,300 per bag from South Africa and other countries. The Government buys the same maize from farmers here at Kshs2,300. So, I have the following question: Can the Government consider buying maize at a better price than Kshs2,300? Secondly, we are facing heavy rains as we talk right now in most parts of the country, and in particular, the Eastern Province. We have the challenge of drying facilities. Can the Government provide drying facilities for these farmers? Finally, is the issue of where the farmers will take the maize. When we say farmers take the maize to the buying centres, which are warehouses of the National Cereals and Produce Board (NCPB), can the Minister consider providing mobile units in market centres, so that farmers can reduce the cost of having to trek to the NCPB stores? The minute you introduce transport to the NCPB stores, the question of middle men comes in.

The Minister for Agriculture (Mr. Samoei): In response to Mr. Mungatana's question, I want to set the record clear that the Government is not discriminating in any way against farmers from any part of the country. Last year, we set aside Kshs1.4 billion to buy maize between September and December, mainly from the North Rift. I had a meeting between my office and the Ministries of Special Programmes, Provincial Administration and Internal Security and the Office of the President, specifically to tackle the issue of the short rains. In that meeting it was approved that money would be made available to the Ministry of Special Programmes for purchase of maize in this short rains period. Unfortunately, that money had not been forthcoming. In fact, I am making this statement in the spirit of collective responsibility; it should actually be made by the Ministry of Special Programmes. But we have agreed that I make this statement because, indeed, last Friday, the Government made the money available.

I want to assure Mr. Mungatana that when he goes home this weekend, he will find that all the maize that farmers will want to deliver to our depots will have been bought. The depots were opened across Eastern Province yesterday; the rest of the depots will be opened across Nyanza, Coast and in the South Rift by tomorrow and we will

begin to process payments by the end of this month. But I have already instructed the NCPB to accept the maize and ask the farmers to come and collect their money later in the week, when we have processed it.

We have also, where there are no depots, instructed the NCPB to open buying centres; we would want to liaise with MPs so that we establish appropriate places with sufficient storage capacity for us to locate the centres for purposes of ensuring that the maize does not get spoilt. Unfortunately, we do not have drying facilities in Eastern Province. The farmers will have to help us dry the maize, but we will ensure that whatever maize is made available to the NCPB is bought and relocated, so that we can create adequate space for any additional maize that will be bought.

I want to assure hon. Members that we have already made adequate arrangements for both certified seeds and fertilizers to be made available everywhere in the country. I can assure this House that the fertilizer and seed are already available throughout our depots across the country; the fertilizer has been subsidized; it is now going to sell at Kshs2,000.

Mr. C. Kilonzo: I do not know whether it is the problem of the Grand Coalition Government. The other day, his other Assistant Minister, Mr. Ndambuki, said that they were not going to provide seeds because these are the short rains. So, there are no seeds or fertilizer to be provided; now, the Minister seems to have changed his mind overnight. I want him to confirm what is the true position. It appears one day, the Minister tells us one story and another day, we get another story.

The Minister for Agriculture (Mr. Samoei): The story is one. What I am saying is consistent with what my Assistant Minister said. We are not going to make free seeds available, but we are going to make available certified seeds for purposes of purchase by farmers. We are not going to make free fertilizer available, but we are going to make subsidized fertilizer available for purchase by farmers. So, that is consistent with what my Assistant Minister said.

Mr. Outa: Mr. Deputy Speaker, Sir, I want to thank my friend Mr. Samoei for what he is trying to do to rescue poor farmers in this country. But he can remember that last year, he and I took a chopper and went to West Kano and South West Kano and we pumped in Kshs128 million and, as I speak now, the farmers have produced a lot of rice. Today, some of the rice has rotten. The amount of Kshs198 million that we gave to farmers is not going to help them at all because there is no one who is going to buy that paddy. He has been talking about maize. But can he tell us something about rice and when he will intervene?

Dr. Nuh: Mr. Deputy Speaker, Sir, while I thank the Government for the stimulus programme that has seen Bura and Hola irrigation schemes come to their feet, there is over 5,000 acres of land in Bura and Hola irrigation schemes which are currently under cultivation by the Ministry of Youth Affairs and Sports. There is an understanding between the Ministry of Agriculture, the Ministry of Youth Affairs and Sports and the Ministry of Water and Irrigation. Since the poor farmers were given irrigation land in Bura and Hola way back in 1970s, they have reproduced and there are so many kids who have got no land. The pastoralists have lost all their livestock and they need land to till. When will that land be handed over to the public, so that they till it themselves and earn their livelihood?

Dr. Khalwale: Mr. Deputy Speaker, Sir, I would like the Minister to reassure Kenyans, especially the farmers that, since in the recent past, farmers have witnessed

serious reshuffling where Ministers were suspended and were returned; people were sent on forced leave while others have been interdicted, that the restructuring is not going to leave them behind after being taken for a ride yet again by this Government that is used to coning the public?

The Minister for Agriculture (Mr. Samoei): Mr. Deputy Speaker, Sir, in response to Mr. Outa, I want to thank him very seriously because I went with him to the areas that he has mentioned - South West Kano and West Kano. It is true that the Government has spent Kshs128 million in that project. I also want to assure him that under this programme, we have also set aside money to buy rice, especially Sindano, which does not find a ready market in Kenya. We are aware that the other varieties of rice find easy access to the market, except for Sindano rice. We have made that arrangement and under the stimulus package, the National Cereals and Produce Board (NCPB) has been instructed that, while it buys the maize this week, it will equally buy the Sindano rice from our farmers in Bunyala, South West Kano, West Kano and Mwea.

In response to Dr. Nuh, the issue of land and how it is going to be distributed is an issue that is going to be discussed by the Ministry of Lands and the Ministry under which the National Irrigation Board (NIB) is domiciled; which is the Ministry of Water and Irrigation. But let me just point out that the Government is evaluating how farming is going to be undertaken from now to the future. Sub-dividing land into one and five acres and giving out to locals is not the way to enhance food production. We have to re-evaluate the whole concept of settling people on two, three and one acres and, instead, establish clear areas of settlement and leave the rest of the land for food production. That is the model we are using when we are resettling the IDPs at the moment. We are beginning to think how we are going to use land commercially for commercial production of food rather than sub-dividing land and creating slums in rural areas. So, we will be discussing that and I am sure hon. Members will be brought on board, so that we make the decisions collectively.

(Dr. Khalwale stood up in his place)

Sorry! Let me respond to my brother, Dr. Khalwale. The restructuring of the Government is an on-going process. The only thing that is permanent is change and, therefore, whatever changes will be brought on board for the better. The NCPB, for example, is undergoing a major restructuring process. We have advertised about 30 positions in that institution because we want to re-engineer the institution to tackle the challenges that face that institution and the new concepts and position that we have assigned to it. I want to assure the hon. Member that, that is being done in the best interest of all the stakeholders, including farmers.

Mr. Anyanga: Mr. Deputy Speaker, Sir, I want the Minister to clarify one thing here. Is he aware that private millers, especially those ones in Kisumu, are currently forcing farmers to sell their maize to them at around Kshs1,600 a bag and that, at the same time, the price of their flour in the supermarkets has now gone up to about Kshs125 per two-kilogrammes? Could he clarify that something can be done about that?

Prof. Kaloki: Mr. Deputy Speaker, Sir, on the issue of seeds, and I know the Minister is aware, there was a total crop failure in Kibwezi Constituency and the lower part of Makueni. If we do not provide our farmers with free seeds, the Government is

going to spend a lot of money to feed them. This is the only opportunity we have to provide them with seeds because the rains are plenty. So, could the Minister assure the people of Kibwezi that this time round, they will get seeds so that they can feed themselves? The rains are very promising!

Dr. Munyaka: Mr. Speaker, Sir, first, I want to thank the Government for supplying free seeds to the farmers. That is why we have realized a bumper harvest. However, in places like Ukambani where there is a bumper harvest, the area is prone to the larger grain borer which destroys the grains. What plans is he having so that he can supply pesticides to the farmers so that they can store their grains safely?

The Minister for Agriculture (Mr. Samoei): Mr. Deputy Speaker, Sir, I am aware that unscrupulous businessmen and brokers exploit farmers whenever the Government is not available to buy maize as a buyer of last resort. That is the very reason why I have instructed NCPB to open its stores beginning yesterday. Farmers are now on the clear that they can deliver their produce and they can be paid. I am assuring them that they will be paid within seven days of their deliveries.

We have negotiated successfully in the last two days to get Kshs600 million to buy free seeds and free fertilizer for the resource poor farmers, especially those in areas that experienced total crop failure.

Therefore, on our earlier plan in which we exhausted the funds last year, the World Bank has been kind enough to give us US\$5 million, the Government has allocated Kshs250 million and we have now started the process of identifying the needy farmers that will qualify for the free seeds and free fertilizer in regions that have experienced total crop failure and are spread in many areas that will be going to the planting season this March and April. Therefore, I want to assure my brother, Prof. Kaloki that we will look at maybe 1,000 farmers in his constituency and in other areas to benefit from that scheme.

Lastly, under this programme of purchase of grain from Eastern Province, we realized that Eastern Province does not have drying facilities. It also does not have a good network of National Cereals and Produce Board stores. Therefore, storage is a challenge in that area. With this scheme, we also have an inbuilt component for purchase of chemicals by the NCPB and by our officers so that farmers can be given adequate chemicals to spray on their produce so that we do not experience post-harvest losses.

Mr. Deputy Speaker: Can we have two last Members seeking clarifications; Mr. Mbadi and Mr. Chepkitony and that will be the end of it. The leeway is in view of the fact that food is very important and a sensitive issue in this country.

Mr. Mbadi: Thank you, Mr. Deputy Speaker, Sir, for your intervention. I am happy to hear that Dr. Munyaka and Prof. Kaloki are asking for NCPB stores this time. How I wish that North Eastern Province would also ask for stores where they can store their food.

The Minister talked about working with Members of Parliament to make sure that we have sufficient stores to store our food. I have written to the Ministry of Agriculture in the past, asking them to renovate a huge store in my constituency which just requires very little patches here and there for us to store the grain that is being harvested right now. Gwassu is a very high potential region. I would like the Minister to confirm that the store that I was talking about at Magunga is included in the directive that he issued

yesterday that, that store will be opened and that the NCPB will start buying grains from farmers from my constituency.

Mr. Chepkitony: Mr. Deputy Speaker, Sir, my constituency is one of the areas which had a total crop failure last year and farmers were promised that they would be provided with free seeds and fertilizers. The Minister seems not to be very sure because he contradicted himself when he told Prof. Kaloki that they will be considered. I would like the Minister to confirm whether that programme is still on because I remember towards the end of last year, they were saying they would supply 5,000 farmers with free seeds and fertilizers. I would also like the Minister to tell the House whether the farmers will be given time to repay the AFC loans because of the total crop failure. Could the farmers be given time to pay the loans or can the interests and payments be waived?

Mr. Deputy Speaker: Order, Mr. Chepkitony. This is a Ministerial Statement. In a Ministerial Statement, you seek clarification based on the Statement given by the Minister. Do not turn this into an issue of asking questions. If you want to ask questions, you can put that to be a Question by Private Notice or Ordinary Question. Nonetheless, Mr. Minister, if you are willing to respond just respond. This is the last question.

The Minister for Agriculture (Mr. Samoei): Mr. Deputy Speaker, Sir, I want to confirm that several hon. Members have written to me with respect to stores, including Mr. Mbadi. I also want to confirm that some hon. Members have even gone further to ask my Ministry to give them designs of how the stores should look like so that they can build them. I want to thank Mr. Polyns Achieng. He is among the hon. Members who have requested my Ministry to provide them with architectural drawings so that they can use CDF funds to build stores. This will make it easier for us to buy grains and store it in those stores because they are public utilities.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, we are currently working on a design which will be made available to all Members of Parliament. I want to persuade Mr. Mbadi that if he can use a little money to renovate the store, we will open it immediately. Going through the process of allocating money for purposes of renovation will take a while. We want to establish that partnership between the Ministry and Members of Parliament to assist farmers who are mainly our constituents in managing their produce, especially grains.

Responding to Mr. Chepkitony, last year, we availed seeds to his constituency. I would have expected him to be grateful before asking this question. We will make available---

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

The Minister for Agriculture (Mr. Samoei): We managed to negotiate in the last few days, a facility where we will target areas that experienced total crop failure for assistance to farmers who are resource poor with free seeds and fertilizers for at least an acre per farmer. It will not be possible for the Government to provide seeds and fertilizers

for farmers who have 500 acres and 1,000 acres. Under this programme, we are targeting farmers who are resource poor.

Mr. Temporary Deputy Speaker, Sir, on the issue of AFC, I will make a comprehensive Statement tomorrow on a new model that we have established to manage the heavy loans that farmers have as we prepare to recommend to this House some of the facilities that we think merit write-off. Tomorrow, we will unveil a new programme by the AFC on how to manage loans that are given to farmers. I would rather that the hon. Member would wait until tomorrow for me to unveil that programme.

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the thanks of this House be recorded for the exposition of the 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 4.3.2010)

The Temporary Deputy Speaker (Prof. Kaloki): Maj. Sugow, you have seven minutes to complete your contribution.

The Assistant Minister, Ministry of State for Public Service (Maj. Sugow): Thank you, Mr. Temporary Deputy Speaker, Sir. When I was contributing here last time and interrupted by lack of quorum, I was talking about the Constitution. In my concluding remarks, there were three issues, mainly; the importance of us, leaders, to avoid making utterances outside the established forum for discussion of the current debate on the Constitution.

When leaders go out and make statements, we send the wrong signals. I am very glad that the Office of the Speaker has decided to provide an informal forum through a workshop for this week to thrash out differences between the various parties so that when the document comes to the House, it will be smooth sailing. We must maintain the spirit of the PSC which is made up of all the representation of various parties of this House. I would also like to talk about the issue of security at our borders.

Mr. Temporary Deputy Speaker, Sir, the other issue that I would like to talk about is security along our borders. One Member raised a question about our border with Southern Sudan. Generally, in the last one year or so, a lot has been happening along our international boundaries. There is nothing as important as the sovereignty of a nation. The strongest benchmark for measuring that is the ability of a nation to defend its boundaries. It was very important for the President to have come out and reassured Kenyans of the Government's commitment to secure borders of this country. I thought that, that was an important matter which the President should have mentioned, but which did not come out.

There are standing issues, especially with regard to what has been happening in Somalia. Recently, there has been a crack down on alien Somalis in this country. In the

process, many Kenyan Somalis were harassed. To date, Kenyan Somalis have a problem going about their normal day today routine activities in this country and yet, it is very easy for the Government to control the movement of Somalis at the border points. I host refugees in my Fafi Constituency. In fact, we have the largest refugee camp in Fafi Constituency. More than one and a half years, the people of Fafi gave a piece of land for the settlement of refugees that have been coming in since 2006. The Government has not done anything to ratify that gesture, so that the people who are coming into this country and pilling pressure on our villages around the refugee camps that exist can be settled properly. The NHCR has accepted this land. The County Council of Garissa has given out land. The local communities have given out land. However, up to date, the Government has not done anything. We crack down on innocent people when these people, because of lack of space in the regular camps that were provided more than two decades ago, overflow and come into the country. It is very important that the Government pays attention to this.

One of the major problems facing many youths in this country today is lack of identity cards. This problem is even exasperated further by lack of sufficient infrastructure, equipment and personnel on the part of the Ministry of Immigration and Registration of Persons. My constituency is merely 19,000 square kilometers and has one Assistant Registration Officer who is not even confirmed. He has no office, a vehicle or even a bicycle. How do we want him to conduct registration in a 19,000 square kilometre district without a vehicle? This is just a mockery. Seriously, we are not serious about helping our youth. As a Government, this is where we should have been investing. We are denying the youth a chance to go to college and even to get employment with the meager Form Four certificates that they have. I seriously would like to appeal to the Treasury to give more money to this Ministry. I urge the Ministry concerned to come out clearly and seek the support of this House and its relevant Committees to pressure the Treasury to give it more money. That is a very important exercise for all youth. We talk about supporting our youths all the time. We talk about youth programmes, most of which have failed such as the *Kazi kwa Vijana*. Why can we not just give them the requisite national documents, so that they can fend for themselves? We are totally incapacitating them or denying them the necessary capacity to fend for themselves.

Recently, some youths from North Eastern constituencies were repatriated together with alien Somalis. These are youth who are known. They are Kenyans who, let alone their parents, even their ancestors have never seen Somali and they were repatriated by our courts. These are very painful experiences that our youth are undergoing as a result of lack of this crucial document.

With those few remarks, I beg to support.

The Assistant Minister for Higher Education, Science and Technology (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to speak in support of the Speech by the President. I begin by agreeing with him that this Parliament has a rare opportunity to make history by concluding important matters that will, not only unify the country, but will contribute to accelerated growth. The two issues that were particularly important to him related to the Constitution and the fight against corruption.

With regard to the Constitution, there is much more hope now than was the case in 2005 when the No-Vote won during the Referendum. If we go back to the problems of

those days, we realize that part of the problem was that, that debate was personalized. It was either about Kibaki or Raila or various teams that were associated with them. It was about whether or not So and So would lose power and So and So would gain the power that has been lost. That time, there were also problems in that there was a big contest whether or not we needed to have a Prime Minister in addition to the President. Now, we have a Prime Minister and a President. So, again, some of the causes of that tension have been dealt with. More importantly, even those who were fighting in various camps are now working together. The people that represented various parties, namely, the Orange, KANU and the PNU are now actually working as one Government. If you look at the Vice-President and Minister for Home Affairs, the Prime Minister, the Deputy Prime Ministers and the Minister for Justice, National Cohesion and Constitutional Affairs were all hardcore Orange people. They are in the same Government now.

The Minister for Justice, National Cohesion and Constitutional Affairs was the one who was against the Wako Draft. He has to push this current draft which is a good harmonization of the issues. So, the very fact that the main contenders are together is good enough reason for us to have hope of getting a new Constitution. We need to be very careful because Kenyans are likely to ask why we are uniting just because we are sharing the spoils of power and everything that goes with that power, but when it comes to uniting for the cause of the common Kenyan, we cannot unite. So, people will watch us very closely that we have united, we have big powers, many privileges as individuals and as politicians and the people in the Government, but when it comes to uniting for the course of the majority of the people of this country, we are not doing that. So, this is a good reason for us to be extremely careful about how the public is likely to perceive us.

In this regard, therefore, it is up to the President and the Prime Minister to talk to their respective troops, convince them and give them no choice, but to speak together in one language for the sake of the people that they represent. Likewise, we have to be careful with the other forces outside Parliament and outside the political class that are causing trouble. They include religious leaders and the media. It is important to find a way of ensuring that they too, do not contribute to dividing as opposed to uniting Kenyans. That is why, even the debate that the clergy are bringing to this, we need to be very careful about the fact that even their own flock could give up on them if they are seen to be fighting the passing of a document that could lead to uniting the country. One of the greatest support that the media can give this process is to black out any politician who is divisive when it comes to the Constitution and other issues of national importance. If they can contribute that role, rather than publicizing the ones that are fighting a united country and a united stand on the Constitution, then they will also have made a more important contribution than when they highlight those divisions.

Mr. Temporary Deputy Speaker, Sir, the other issue that I wanted to talk about is corruption. Some of the clauses of the new Constitution would greatly contribute to fighting corruption. There are many issues that we are going to discuss when it comes to the Constitution. So, it is particularly important that it passes. In addition to bringing people together, it will contribute to fighting a problem and a disease that has been difficult to eradicate for years. But we cannot see corruption just in terms of senior politicians and other people. In fact, we are living in a country where corruption in many ways has almost been democratized, in that people expect favours. Even what you are expected to be given rightly by the Government, you have to bribe. You will find that in

the public, churches, employment, educational institutions with examinations and so on. So, as we fight this, we must also ask questions. I hope the Constitution will help us resolve what kind of structures we are putting in place to ensure that there is fairness in employment such that, we do not have to go to people we know or some contacts, so that you are given a job. It is particularly critical when it comes to the forces; the police, Military and Administration Police.

This process, as Members of Parliament and Kenyans have said, is really a joke of the whole institution of recruitment in terms of merit. You need money to buy those jobs in order to be in the military. So, why do we not think of a better system that is even more democratic, consultative and involving? We have given before the example of how teachers are recruited where the Teachers Service Commission (TSC) would give guidelines to the communities. The communities, where the Member of Parliament and other leaders are represented, would do a shortlist of the candidates that would be eligible. They can do that shortlist to make sure that it is representative constituency-wise, in terms of gender and the background of the candidates. After that shortlist of 20 or 50, the Military can then come and pick the ten that they have to pick from that constituency and ensure that they have the right qualifications. But when you leave a few people to do it and make a joke about young people by bringing thousands of them to run round a field when you know that you have almost predetermined whom you are recruiting, I think sooner or later, young people will say enough is enough and they riot. So, it is important that, that process is made consultative and we learn from the experience of the way teachers are recruited in this country.

Mr. Temporary Deputy Speaker, Sir, in addition to coming up with legislation on corruption, I think we must also be prepared – and I hope the Constitution will take account of this – to take drastic action against the corrupt. In countries of the East, the punishment is very severe. In some cases, there is execution in public. This is because when you commit major crimes, you are killing more people than even a murderer, because hospitals have no medicine, more accidents due to narrower roads than they should be and no facilities in schools. It means you are killing the lives of innocent Kenyans in many ways. Therefore, it is not enough to have legislation, especially when you realize that even the Kenya Anti-Corruption Commission (KACC) is struggling to get cases going through. I think we should just have no patience with the corrupt by taking drastic action against them and not worrying too much about legal structures. This is because many of these people are able to buy their way and get the best legal representation that is possible. I also agree with the President that as we do this, this fight must not be selective or personalized. We must not personalize or politicize who we touch. But at the same time, you can look at this on the flipside and say that we should not personalize or politicize inaction against the corrupt. So, as long as we do not personalize those we touch, we should also not personalize or politicize those that are corrupt that are not being touched. If the two principals really wanted to fight corruption in this country, they just need to sit down and go through the list of their politicians and supporters and ask questions about the people they have. They should ask: “Who in my camp has been involved in corruption?” They will probably find, at least, ten from each of the camps. If they sacrifice them at a go, then it would be clear to the public that the real fight against corruption is not being politicized and that if you are corrupt,

irrespective of how close you are to the principals, you would be touched. Unfortunately, they do not need any law or authority.

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

Mr. Bahari: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to join my colleagues in congratulating His Excellency the President for a very simple and straightforward Speech that he gave, touching on issues that are important to this country.

Mr. Temporary Deputy Speaker, Sir, from the outset, I want to start on the issue of national cohesion. As a nation, if we are not cohesive, then we will disintegrate into pieces. I know that we have put in place a Commission to look into those issues, but it is not the Commission which is going to do the job. It is up to us, as individuals and leaders at different fora to preach the issue of national unity. But preaching alone may not be enough. As a Government, we need to move further and prove to every citizen that actually, this Government cares for them. How does this come in? This comes in as a matter of priority by way of allocation of resources. If I know that if Mr. Speaker is in the Chair, then I do not get the necessary resource in my corner of the country, and I know that it is unjustly diverted elsewhere, then I will not feel comfortable. Therefore, that cohesiveness, closeness and unity will not be there. I think this is where we need to put emphasis. Justice must be done in the first instance in terms of allocation of resources and development agenda in this country. That is when we will make the nation cohesive.

What the Commission should be doing is to find and point out to the Government how to bridge disparities in income, wealth and so many other ways in this country, so that whichever corner you are, because of the institutions that you have put in place and irrespective of the leader that is going to be in State House or wherever it is, then you feel that you belong to this country. I am not saying anything new.

In 1975, the late J.M. Kariuki said that when some people come from Northern Kenya, and it is in the HANSARD, they say that they are coming to Kenya. He said that they do so because the leadership then had not done anything to make the people in northern Kenya feel like they are part and parcel of this Republic. You know very well that 80 per cent of this country is arid and semi-arid. I do not need to tell anybody about the level of development of those areas. I do not need to go even to the semi-arid areas. Look at the urban setting in this country. There is Kawangware, Mathare, Dandora, Kibera and others. You do not expect national cohesion when there is so much conspicuous poverty all over.

Wait in the evening and, perhaps, stop at some point and look at the number of people who move into these areas. These people need a decent living. It is only when we upgrade these slums that they will live a decent living. That is when we can talk about national cohesion. All this has not been possible due to lack of goodwill, poor planning and poor implementation of projects. I believe that once the right institutions are put in place to fight corruption, we can do these things. Corruption is a very costly exercise. For instance, a piece of land that cost Kshs30 million can now be sold at Kshs300 million. This is done when many officers are watching here. This tells us how low we have gone in the fight against corruption. That is the money which should have gone into building roads, schools and hospitals. That is why we do not have drugs in our hospitals. That is why we do not have enough teachers. We are resorting to unorthodox means to recruit

teachers through internship. If we are able to fight corruption and eliminate it, everybody will be comfortable and national cohesiveness will be achieved.

Mr. Temporary Deputy Speaker, Sir, I want to touch on the issue of poverty, particularly in the arid and semi arid areas. The arid and semi arid areas constitute about 80 per cent of this country's land mass. Also 50 per cent of livestock population is in the arid and semi arid areas. I want to say that 46 per cent of the agricultural produce in the market, originate from the livestock sector. But how much are we contributing from the Government coffers in terms of investment? We cannot believe; it is a meagre sum. We talk about economic development when we are actually misallocating resources. We ignore the livestock sector which keeps a number of African economies running. When you talk of agriculture, most people talk about farms. But the livestock sector is very key. In a number of districts, if you look at allocation of budget resources to the Ministry of Livestock and that of Agriculture, you will be surprised. There are more allocations in the agricultural sector than in the livestock which is the backbone of many economies in Africa. The officer from the Ministry of Agriculture may have more than one vehicle and you will realise the District Livestock Production Officer (DLPO) may not even have any. If he or she has one, it is not even serviceable. This is misallocation of resources which is a very basic matter. These things are happening because we want to continue doing things the same way. Yet, this time round in this country, we have emphasized time and again that it is the time to reform. We better stop doing thing the old way and start focusing on citizens.

We appreciate that roads are being opened up in parts of northern Kenyan like Isiolo-Moyale Road. Let this issue not take a long time. Different contractors can be contracted to do different sections of the road. We need to get there, to open up what will potentially transform this country in terms of GDP.

I also want to add my voice on the East African Community. There is immense opportunity for this country. We needed to reposition ourselves. The Ministry concerned should be dialoguing with the business people in this country, so that they can take advantage. We are moving further. We know that the East African Community is one of the building blocks to form the African Union. We, as a continent, need to be cohesive. We need to take a common approach in facing the rest of the world. If Europe is transforming itself into one market, if Asia is doing the same, what is it that is in Africa? It is our small nations that are pulling us back from forming a united front. We must support the Common Market Protocol and unification of Africa, so that we attack all these issues from a common front. This agenda must flow down. I know in Addis Ababa, the Heads of State sign a lot of protocols which are not brought to this House. I urge the Minister for Foreign Affairs to table those protocols, so that Members of Parliament and the nation are aware of efforts to unify the continent.

One of the issues that keep on disrupting development in Africa countries is election. Whenever there is an election, people get worried and investments are withheld. Business people reduce stocks because they are not sure of what happens. That makes the issue of the Election Bill very critical. This issue requires proper leadership. I had an opportunity to be one of the election observers in Ghana. If it were not for the leadership of that country, there would have been a problem because there was only a difference of 23,000 between the two presidential candidates. But the country was still calm. We need

that kind of leadership. It was because the leadership was focused and that was why they were able to conduct a peaceful election.

With those few remarks, I beg to support.

The Assistant Minister for Nairobi Metropolitan Development (Mrs. Ongoro): Mr. Temporary Deputy Speaker, Sir, for reasons best known to me, I am looking forward to the day we will have a real lady speaker in this House.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Assistant Minister, what is the purpose of that statement?

The Assistant Minister for Nairobi Metropolitan Development (Mrs. Ongoro): Mr. Temporary Deputy Speaker, Sir, I have been rising on my feet since last week. All the time, I have not been noticed.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Assistant Minister, the Chair is fair, so just proceed to make your submission.

The Assistant Minister for Nairobi Metropolitan Development (Mrs. Ongoro): I want to make my contribution, having listened to the Presidential Speech which was quite bold. He suggested several reform measures. I hope that the country will be bold enough to implement the reform measures that will steer this country towards political stability and economic growth. If these measures are well implemented, we will get the social integration and cohesion that we have been talking about.

Mr. Temporary Deputy Speaker, Sir, of particular interest is the President's confirmation that the Government will re-introduce the Judicial Service Bill. This has been something that Kenyans have been agitating for, for a long time. If re-introduced and passed, it will give us judicial reforms and independence of the Judiciary that we have been looking for.

I also support the President's proposal to repeal the current Local Government Act. What is witnessed during election of mayors and chairmen of councils is nothing short of comedy where the mayors are elected because they are able to take councillors to resorts. So, they do not have the people's mandate.

I also support replacement of Companies with the proposed Companies Bill. Currently, what we have is not friendly to the business community.

I also want to add my voice in support of the President's direction to the line Ministries that they consider production of powdered milk. This country has become a nation of contradiction. One minute we are starving, our children are dying of malnutrition and the next minute, we have rivers of milk flowing through this country. So, I support, not just the inclusion of powdered milk into our food reserve, but also other stable food produced in this country.

Having supported the President's Speech to a large extent, I beg to differ with him on a few issues contained in his Speech. The world is becoming a global village. We, as a global village, are concerned in what happens in other nations and other nations are also concerned about what happens in Kenya.

In the recent past, the Kenyan community sent its own people to intervene in countries like Southern Sudan, Somalia and other countries. When we do that, we do that with a very good intention to bring peace and to achieve global peace that all of us are looking forward to achieving. It cannot, therefore, be that in our own country, when we invite the international community to come and help us at times of crisis, after achieving the much needed peace, we turn around and refer to these same people as external--- We

now want to refer to their assistance as external interference. Everybody was here in 2008 when we went through the crisis that all of us really loathed. But all of us did not exhibit the capacity, or the ability, to bring about the peace that we wanted. Every Kenyan, all leaders included, did not have the capacity to compel the two principals to come to an agreement. It was the international community, with very good intentions, who were invited and eventually put in place the Coalition Government that we now see. Now, when a baby is born and we now, after only two years, are experiencing problems with this two-year-old baby, and we do not want to make reference to those who midwived the baby into being, I think we are only being hypocrites. Those who are now talking really loudly and making bold statements, that Kenyans should never seek international mediation, or international help, were present in person, with all abilities, and they did not make any move that brought peace to this nation! I find nothing wrong.

Mr. Temporary Deputy Speaker, Sir, while I really support local solutions at every level, I am also sober enough to know that some solutions, like the one we needed in 2008, require people who are not partisan; people who come from outside this nation. Indeed, they came and did a good job and we should not turn around and make statements that we will never appreciate anything that comes from outside the country.

Mr. Temporary Deputy Speaker, Sir, I also want to state that having listened to the President's Speech, I was not convinced that he came out with a very bold and good way forward on the issue of corruption. What we listened to, and what is contained in his Address is what all of us are used to. It is just another stanza to the music that has become what we call our fight against corruption. What is more baffling, though, was the President's sentiments that we should not politicize nor personalize the issue of corruption. I am wondering how then we are able to talk about the issue of corruption. It is not robots or trees that get involved in corruption; it is individuals with names, holding certain portfolios, and you cannot deal with this monster that is called corruption without making reference to certain names. Though I am also in agreement that nobody should be crucified falsely and the issue of corruption should not also be used for witch hunting but, definitely, it is a political issue. As politicians, we cannot say that we should not politicize the issue of corruption. When an individual or two people take from this economy Kshs20 billion of taxpayers' money that causes the 40 million Kenyans to suffer for the next five, 10 or 20 years, is that not a political issue? As politicians, the issue of corruption is political, and the issue of corruption must be personalized, because we cannot talk ambiguously about this and make references that do not really point at any direction.

Lastly, Mr. Temporary Deputy Speaker, Sir, I want to support the President that, yes, we need a new Constitution. But I was here in this House last week on Thursday when an hon. Member rose and made a Statement that can only be termed as intimidation to hon. Members of this House and, by extension, to the community that is Kenyans! The process of constitution making, as we have stated before, is for the people of Kenya and none of us has got the mandate to intimidate, or to tell a section of this society that if you will not pass that constitution as it is, then chaos will break out. That is intimidation! Every Kenyan has got a right to contribute, to make their sentiments heard; every one of them, even a community of five or a family of two! Nobody should intimidate us by saying that the exclusion of the Kadhi's Courts will lead to chaos in this country. Christians are members of this nation by right and nobody is going to intimidate the

Christian community. Those who have spoken on behalf of the community are people who hold the position with highest authority within the Christian community. Nobody is going to stand here to tell them that all their sentiments are rubbish, and that they are not going to be heard! Then, we can also, as the Christian community, say that the retention of Kadhi's Courts will lead to the rejection of the Constitution, and nobody is going to whip us! Nobody is going to take us to any court! It is our constitutional right and you cannot rubbish the sentiments of 70 per cent of this nation.

With that, Mr. Temporary Deputy Speaker, Sir, I want to support the sentiments contained in the Address

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Namwamba: Thank you, Mr. Temporary Deputy Speaker, Sir. It is with great pleasure that I also wish to join my colleagues in the House to support the President's enunciation of public policy contained in his Presidential Address to this House a couple of weeks ago.

Mr. Temporary Deputy Speaker, Sir, I want to commend the President for setting very clear beacons for this House in this Session, and also for the setting of what I can call the national mood in respect of certain very important issues. It was gratifying to hear the President flag the constitutional review process as a national priority, and make his personal and his Government's commitment to support that process fully.

Indeed, Mr. Temporary Deputy Speaker, Sir, right now, no national agenda, or task, is more urgent or more critical than the completion of this process that has taken this nation round and round in circles for over two decades. When Nelson Mandela walked off Robben Island almost a decade and a half ago, he told the people of South Africa: "Sometimes, and rarely so, it falls on a generation to be great." He reminded the people of South Africa that time that "being the generation that was poised to cross the threshold from apartheid to a free nation, a nation of various ethnicities and races existing side by side, was a favour granted to a generation only once in such a long time."

Mr. Temporary Deputy Speaker, Sir, I can only say that the current generation of Kenyans is a blessed one. This generation is blessed with the opportunity of being the generation that remakes the very foundations of our nation state. That will happen by the enactment of a Constitution which 200 years from today, future generations will look back and be proud of the generation that we live in today.

It was gratifying to hear the President acknowledge the work of the Parliamentary Select Committee (PSC) on Constitutional Review. Indeed, the PSC has set the tone and momentum that those of us who have had the privilege and humble honour to serve in that Committee hope will inspire the rest of this House to conclude this process and the long search for a new Constitution and enable this country to have a fresh beginning.

Mr. Temporary Deputy Speaker, Sir, to honour all those who have sacrificed for this process all these years, we should set aside our political, ethnic, regional and other sectoral differences in order to give this country a Constitution that can unite us and one that can be the beacon of renaissance for our land.

I also took note of the President's commitment to have the economy of this country back on the fast track of growth. Indeed, as the President noted, in the buildup to the 2007 elections, the economy of this country was not only growing at a healthy pace, it was, indeed, galloping in comparison to the economies of other countries within this geopolitical zone. Of course, after the post-election crisis, the economy has been hit hard.

We hope to see action beyond the commitment the President has made. That is actions that can make fast economic growth a reality. Therefore, it is a bit disappointing that a major initiative like the Economic Stimulus Programme is yet to take off in any major way six months since it was first initiated.

A programmes like *Kazi kwa Vijana (KKV)* which was intended to trigger faster economic growth by putting money in the pockets of ordinary Kenyans has really not functioned the way some of us expected. For the goals that the President has set out to be achieved in terms of economic growth, we need to get serious in terms of implementing these programmes. We also need to get serious in pursuing equitable distribution of the resources of this country.

Mr. Temporary Deputy Speaker, Sir, I want to say something about education. My concerns are in two levels. There is no way you will talk about fast progression of this country without serious regard to matters of education. First, I am concerned about what I call the “disappearing middle” and the tendency by the Government to transform every middle level college we have had, for example, teachers training colleges and institutes of technologies into university campuses. That has been done to the extent that we hardly have any serious institutions of learning providing technical professionals that can provide the link between professionals at the highest level and artisans at the lowest level.

Even the Kenya Polytechnic has now been transformed into a university thereby removing it from a very critical mandate that institutions like polytechnics have played traditionally in the growth of professionals in this country.

My other concern is the proliferation of the so-called Parallel Programme. When this Programme started, we did not expect that it was going to replace the normal process of admitting students who have attained the minimum grade to go to the university. At that time, the Government made it clear that it could not take more students because of lack of capacity and facilities in the universities. This is the case and yet, since this Parallel Programme started, where we now have the so-called self-sponsored students, all of a sudden, our public universities have space! When will the Government go back to the original arrangement where any student who has scored a C+ (Plus) and above is granted an opportunity to join university as a public sponsored student? I really hope that the Ministry for Higher Education, Science and Technology will tackle these two issues. That is the issue of the “disappearing middle” and the issue of admission into our public universities.

Mr. Temporary Deputy Speaker, Sir, the question of national healing and reconciliation is critical. That is why it is important for us to ensure that processes like the truth, justice and reconciliation are on track. It is really sad to see what is happening to the Truth, Justice and Reconciliation Commission (TJRC). One hopes that what is happening to the TJRC can be sorted out. I challenge this House to rise to the occasion and rescue the TJRC process even if it means taking the painful decision to disband the TJRC as currently constituted and put in place a new team that can enjoy public confidence. This House cannot afford to sit back and watch what is happening to the TJRC.

On the question of national reconciliation, and it is gratifying that we now have the National Reconciliation Commission, we want this Commission to go beyond paying lip service. We want to see them engage the people of Kenya and handle issues like

inequitable distribution of resources and improper manner of appointing people to public positions; a manner that makes Kenyans start feeling that they are not part of this country.

Finally, I want to talk about corruption which has brought this country to its knees. In Budalang'i, my people and I are feeling the heat over the suspension of a Kshs6 billion World Bank project because of corruption. So, when you talk about tackling corruption, it is not a theoretical thing. Tackling corruption must be real, realising that this is an issue that affects the people. Today, my people remain at risk of floods because the Kshs6 billion project has been put on hold by the World Bank due to corruption. So, I urge the Government to go beyond merely paying lip service and face the problem of corruption head-on.

However, I agree with the President that we cannot run this country on the basis of rumours and fight corruption on the basis of speculation. I even urge the media to help this country to fight challenges like corruption in an orderly and effective manner. People have compared Kenya to countries like the USA and Japan. If you are mentioned in a scandal in Japan, you leave office. If you are mentioned in a scandal in the USA, you also leave office. However, we have forgotten to compare two things. For your name to appear in the media in Japan in connection to anything, it must be based on very substantive information. It is not the way we do it here where some reporters in an excited spurt of inspiration pick up your name, links it to something and everybody says; "Lynch that person!"

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

Mr. Mwangi: Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support the President for his guidelines and layout of the way forward. Having said that, without repeating much of what has been said, there are issues that cut across this country. The distribution of wealth as envisaged by the Economic Stimulus Programme that has been drawn by the Government has taken a long time to get started. I urge the Deputy Prime Minister and Minister for Finance to hasten the provision of funds to some of the projects under that programme. Otherwise, we will get to the end of the financial year and nothing would have been done. There are so many projects that would have started by now, but nothing has happened.

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

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

I would like to support the President in the way he looks at the economy of this country. There are issues of Millennium Development Goals (MDGs), eradication of poverty and others that would have seen the country get out of the habit of borrowing food and other things from other countries, when we can do it locally. We need to address that immediately.

Madam Temporary Deputy Speaker, this afternoon, for instance, the Minister for Agriculture talked about buying maize all over the country. He hardly said how much cash he has for buying maize. He just talked about how the maize is going to be bought

and how the farmers are going to benefit. But when you go to the ground, maize is rotting in the fields. It is as if we are not ready to achieve what has been set out by the Government. There is need for the Government to provide the finances. There is need for the Ministers to go to the ground and ensure farmers are paid.

In the last few months, we have had problems with New Kenya Co-operative Creameries (NKCC) Limited. The Minister stood here and promised that a sum of Kshs300 million will be provided for purchasing and processing milk. Today, farmers have the milk and the prices have gone down. That is killing the morale of dairy farmers. You cannot activate poverty eradication activities by merely promising that funds to revamp agricultural activities will be made available.

Madam Temporary Deputy Speaker, while supporting the President, it is also important to know that, today, much of what we get from the agricultural sector is through small-scale farming. Small-scale farmers hold the key to fighting perennial hunger. Around the world, the security of small-scale farmers depends on how much the Government is going to support their projects. We also need to address infrastructural development. Without getting to the high potential areas by providing good roads and other infrastructure, we cannot be able to fight poverty adequately.

We have heard almost every hon. Member of this House complaining about the road network. Every corner of this country requires reasonably well-maintained roads. Unfortunately, some of the contractors that are given the contracts to do the roads do a very shoddy job. No wonder, every hon. Member who has spoken in this House this afternoon or last week, has emphasized on the need to fight corruption. Every road that is done in this country requires repairs hardly six months thereafter. There is need for the Government and, particularly, the Ministries concerned, to look into that aspect.

Madam Temporary Deputy Speaker, Sir, we have many new districts that have been created and yet, we do not have adequate staff to serve the *Wananchi* in those areas. They require attention.

I would also like to draw the Member's attention to the issue of education. Whereas we may say that we have converted enough colleges into university campuses, I am sure that we do not have enough human resource to catch up with other countries.

I would also like to support the President on the issue of the constitutional review process. It is every Kenyan's right to stand and support the enactment of a new Constitution. We need the new Constitution much faster than we thought. We have waited for a very long time. We should support the draft Constitution and come out clearly, so that we can give this country a new constitution. I am sure we will achieve that objective.

With those remarks, I beg to support.

Mr. Mwadeghu: Bi Naibu Spika wa Muda, naomba nichukue nafasi hii nitoe pongezi zangu kwa Rais kwa Hotuba aliyotoa wakati wa kufungua Bunge majuma mawili yaliyopita, na kwa kielelezo alichokitoa kuhusu mwelekeo anaotarajia Bunge kufuata wakati wa kuchangia mjadala wa Katiba mpya.

Ni muhimu Wakenya wakae na watafakari na wajiulize wao wenyewe: "Je, Katiba tunayotarajia kuitengeneza ni ya watu gani? Ni ya Wakenya wanaoishi hivi sasa ama ni ya vizazi vijavyo? Haina haja ya watu kuudhiana ama kutiana udhia. Ni muhimu watu watafakari na kuelewana. Wakristo wakae chini waelewane na Waislamu. Haina

haja hata kidogo ya watu kuzozana. Nia yetu ni kuhakikisha kwamba tumepata Katiba ambayo itaweza kuiendeleza nchi yetu kama inavyotakikana.

Nikikumbuka vile Rais alivyosema, ni matarajio yake kuona kwamba nchi inaendelea mbele na inapata viwango vya ustawi kama inavyohitajika. Lakini tukumbuke kwamba viwango vya ustawi vitakua ni shida kupatikana kama yale matukio yaliyotufanya tukazozana mwaka wa 2008 hayataangaliwa kwa undani na kwa ujasiri na kufikiwa vile yakavyoweza kutatuliwa.

Bi Naibu Spika wa Muda, uchumi wa nchi hii hauwezi kwenda mbele iwapo mambo kadha wa kadha hayatachunguzwa. Nikitaja machache, tuanze na mambo ya barabara. Imebainika wazi kwamba kila Mbunge aliyesimama hapa kuchangia Hotuba ya Rais kwa Bunge, amelalamika na kulia kuhusu barabara mbovu katika eneo la Bunge analowakilisha. Tukumbuke kwamba kilio hiki kinaletwa na mambo ambayo yametokea hapo awali. Ukiangalia hivi sasa Mkoa wa Pwani, kwa mfano, utaona kwamba barabara ya kutoka Voi kwenda Taveta imeisha. Kila Rais ambaye amechukua usukani wa nchi hii ameahidi kwamba atarekebisha barabara hiyo. Rais Moi alisema vivyo hivyo, lakini hamna lolote lililotokea. Rais Kibaki akaja, akasema vivyo hivyo, lakini hamna lolote lililotokea. Hivi ninavyosimama hapa, hiyo barabara imeisha kabisa. Magari hayawezi kupita. Mnatarajia wale watu wafanye nini?

Tunavunjana moyo na hisia kama hizo zikiachwa zikiendeleo kupanda, itakuwa vigumu sana kwa watu wa Kenya kukubali kuwa wako pamoja na wanaendelea pamoja. Usambazaji wa raslimali umekua ni pengo kubwa katika nchi hii. Tuanze na mahospitali. Katika tarakimu zilizotolewa na Serikali yenyewe, inabainika wazi wazi kuwa katika miaka minne iliyopita, Mkoa wa Pwani ndio ulipata fedha chache zaidi kuliko mikoa mingini kukidhi maswala ya afya.

Je, ni kwa nini? Tukiwauliza wakuu wa Serikali wanasema: “Hayo ni makosa ambayo yamepita.” Kwa nini yakubaliwe yapite? Je, tuna hakikisho gani kwamba kuanzia sasa, madhambi yanayotendewa watu wa Pwani yatakomesha? Haya ndiyo mambo ambayo tunatakiwa tutafakari na kujiuliza: “Je, tuko wapi na tunaelekea wapi?” Kuna swala kama lile la Mzima Springs. Maji yanatoka Mzima Springs, katika eneo la Taita nzima, kabla kugawanywa na kuwa wilaya za Taveta, Wundanyi, Voi na Mwatate. Maji hayo yanaenda mpaka Mombasa. Watu wa Mombasa hawayanywi hayo maji bure. Wanayanunua. Hizo fedha zikilipwa, zinaenda wapi? Hazirudi pale kuboresha hudumu hiyo ama angalau, kuanzisha bomba la pili la maji. Zimekua zikitokomea tu; miaka nenda, miaka rudi.

Hivi sasa, watu wa Mombasa wanalia kwamba hawana maji na maji yako chungu nzima Mzima Springs. Kwa nini tusiwe na mabomba mawili ya mifereji ya maji? Huu ni ufiisadi ama ni nini? Kero yao ni nini?

Tukiangalia mambo ya mbuga za wanyama, tunapata ziko Taita lakini hakuna faida yoyote watu wa huko wanapata. Tukianza Taveta hadi Tsavo Magharibi, hakuna kitu watu wa huko wanapata. Tukija Taita mlimani ambapo pia kuna Tsavo Magharibi na Tsavo Mashariki, tunaona hawapati chochote. Je, mambo kama haya yataendelea mpaka lini? Tukiulizana nini kinachoendelea, hakuna mtu anayetueleza kinachoendelea.

Ninaomba tuulizane mambo yaliyotokea baada ya kura ya mwaka wa 2007. Mambo ya ardhi yalitajwa kuwa moja ya mambo ambayo yalichangia kwa kiasi kikubwa watu kuzozana na kupigana. Tunayashughulikia namna gani mambo haya? Rais alisema kwamba angependa watu wawe na maridhiano. Sawa. Je, ni mwelekeo gani tunauchukua

kuhusu jambo hili? Tume ya Mariadhiano imeweka mambo gani ya kushugulikia maridhiano? Je, watu wa Kenya wameridhiana sasa hivi ama bado kuna utata? Ni maoni yangu kuwa mpaka sasa hakuna shughuli kabambe ambazo zimeandaliwa ambazo zitawafanya watu wa Kenya waridhiane na wasameheane. Hata tupitishie sheria gani, kama watu hawataridhiana na kusameheana na kuondoa chuki, tutakuwa tunawasha ule moto uliokuwa hapo awali.

Bi. Naibu Spika wa Muda, ni ombi langu kwamba wakati umefika watu wa Kenya kukaa chini, tuulizane: Jamani, matatizo kama haya sisi wenyewe hatuwezi kuyatatuwa? Nina imani tunaweza kuyatatua.

Katika kazi na ufisadi, unakuta kuna kazi zilizobuniwa nchini kupitia mpango wa Kazi kwa Vijana. Tukiangalia vile vijana walivyoajiriwa pia, tunapata kuna dosari. Vijana walikuta wengine wameajiriwa na hakukuwa na mtu wa kueleza vijana hao wameajiriwa kiviipi. Ukiuliza vijana hao wametoka wapi, unaambiwa ni mpango wa Serikali. Lakini ni utaratibu gani ambao ulifanywa kuhakisha kwamba Mpango wa Kazi kwa Vijana umetekelezwa na kila sehemu, watu wamepata haki yao? Mara nyingi hapo ndiyo tunakosea. Tunabuni miradi, mawazo ni mazuri, miradi yenyewe ni mizuri lakini tukija kwa utekelezaji unakuta dosari. Hizi dosari ndizo zinafanya kila wakati Serikali ionekane machoni mwa wananchi kuwa haifanyi kazi inavyotakikana.

Tunakubaliana kuwa nchi hii inakumbwa na ufisadi. Kutokana na habari tunapata kila wakati, tunaona kwamba watu na Wizara fulani zimehusika na ufisadi. Lakini imekuwa ni vigumu kuwaona hao watu wakichukuliwa hatua zinazoonekana.

Ni hivi sasa tumeona ufisadi katika City Council of Nairobi kuhusiana na ununuzi wa pahali pa makaburi. Ni hivi sasa hatua imechukuliwa. Shilingi milioni 257 zilizotumiwa badala ya shilingi milioni 24 zimechukuliwa na watu wachache. Haya ndiyo mambo yanayowaudhi watu wa Kenya. Ni hatua gani inatakikana kuchukuliwa?

Bi. Naibu Spika wa Muda, mfumo wa elimu wa hivi sasa unaadhirika kwa sababu pesa ambazo zingetolewa na mataifa wafadhili zimebanwa kwa sababu kuna ufisadi katika nchi hii. Je, ni sheria gani tutabuni katika Bunge hili kuhakikisha ufisadi umekomeshwa?

Tunakubaliana kuwa vyuo vikuu vinafanya viwesavyo ili viboreshe elimu nchini. Lakini mara nyingi unakuta kuna kasoro fulani. Hakuna usawa katika wale ambao wanachukuliwa katika vyuo vikuu. Unakuta wengine wamechukuliwa kutoka sehemu fulani na wengine hawakuchukuliwi. Katika kuajiriwa kazi, utakuta wengine walichukuliwa sehemu fulani na wengine hawakuchukuliwa. Ni kitu gani kinaendelea nchini? Ni ombi langu kwamba Bunge likae na lije na njia mwafaka ili janga la ufisadi liangamizwe kabisa nchini mwetu, ili lisiwe janga ambalo litakuwa linatuletea utata.

Bi. Naibu Spika wa Muda, ni msimamo wangu kuwa rasilimali lazima zisambazwe kote nchini. Hii ndiyo maana mfumo huu wa kusambaza fedha kupitia maeneo ya Bunge unahakikisha kwamba watu wamepata haki yao.

The Temporary Deputy Speaker (Prof. Kamar): Your time is up!

Mr. Mwachugu: Bi. Naibu Spika wa Muda, ninaomba nikomee hapo. Pia, ninatoa pongezi kwa Hotuba ya Rais.

Ahsante.

Mr. M'Mithiaru: Thank you, Madam Temporary Deputy Speaker, for giving me this opportunity to contribute to the exposition of the public policy as contained in the Presidential Address during the opening of the Fourth Session of the Tenth Parliament.

Madam Temporary Deputy Speaker, in his Speech, the President expounded very well the exposition of public policy. He gets commendations from Kenyans for that. We would like to see the spirit of the Address being acted on especially on corruption. This is because the culture of corruption and impunity must come to an end.

We know that corruption and poor governance are bedeviling our Government. We hope that all Government departments will now be required to be very efficient and ensure that all the policies governing public institutions are properly adhered to. This includes what we call “quality assurance of Government”. If a job is supposed to take one or two days, it must be exactly that. The issue of “come tomorrow” or “come and check” should come to an end.

Madam Temporary Deputy Speaker, the promises of the Government in this august House must be looked into. Hon. Members ask Questions and Ministers answer them for the sake of it and nothing is done. That must come to an end especially now that we have the Committee on Implementation. This Committee should follow up any promises that are made on the Floor of this House to ensure that they are implemented.

A case in point is the Maili Tatu – Lare – Mutuati Road which is in my constituency. The Minister promised that this road would be tamacked in the 2009/2010 Financial Year, but nothing has been done to date. Those are issues that require the Government to pull up its socks.

The other issue is on the mismanagement of our resources. We know Kenya is endowed with many resources. If those resources are efficiently utilized, I am sure we will live in a country in which everybody would be happy to live. Unfortunately, you find that there is misallocation and mismanagement of resources that goes unnoticed and is sometimes just condoned.

Madam Temporary Deputy Speaker, a case in point is the scandal bedeviling the Ministry of Education. Apart from the embezzlement of the training funds, there is also the issue of book funds. This House would like to see a special audit report of all the books supplied to primary schools. This is another avenue which has been abused. Suppliers take invoices to schools without supplying the books.

Madam Temporary Deputy Speaker, the President also talked about inefficiency and integrity of our judicial system. We know that justice delayed is justice denied. In our courts today, we see a lot of inefficiency. I am sure it was because of that inefficiency and the mistrust, by even this House, that we were unable to trust our judicial system to oversee the creation of a local tribunal for the trial of perpetrators of the post-election violence after the 2007 general election. The justice system is the central nerve of any country, because that is where justice is dispensed. I have a case in point of our High court where there are very few judges, and you find that cases have stalled and you get a backlog dating back five years. For instance, at the Meru High court, the judge who is there is trying very hard, but then they cannot cope with the amount of cases that there are.

Take Maua law courts manned by magistrates; this is where you see dispensation of injustice. It is corruption that operates here. There is no justice meted out at all. I should even ask the Minister for Justice, National Cohesion and Constitutional Affairs to ensure that, that particular place is overhauled. He should bring in additional magistrates and judges to ensure that justice is effectively dispensed.

On the police reforms, this is all about public image; what we are seeing is that the people we are supposed to get protection from, are the ones who are feared by the public. This is an area that we would wish that the new Police Commissioner instils proper discipline in his force to ensure that the police-public image is improved.

I wish also to congratulate the Minister for Finance for his exposition of the economic stimulus package, which actually endeared him to all MPs, only that the take-off has been very slow, indeed. I think we are yet to hear where a particular project has taken off, save for a few areas where the fish ponds have been created. But above all that is that we still have relics of corruption of yesteryears in the name of the District Road Engineers who are embezzling public funds left, right, and centre. Today, under the stimulus package we have the bills of quantities that are being presented. A case in point is where you have a Public Works Officer who presents a bill of quantities to construct a classroom and gives a figure of Kshs1.2 million. These are classrooms we are putting up with CDF money at Kshs400,000. So, it is even an issue--- We may see as if the stimulus package has big amount of money, but it may not do a lot if public officers are allowed to do things the way they are doing now.

On the issue of spurring our own economy, the president talks of how the Government is going to reduce the interests rate. I commend the Central Bank of Kenya in this respect; they have taken steps and prevailed on the banks to reduce the lending rates, but the banks have not heeded to that. Having been a banker myself, I do remember that banks used to practise policies from the CBK through what was called “a moral situation”. For example, there were times when banks were supposed to lend 17 per cent of their total deposit portfolio to the agricultural sector.

Today you find that the banks are reluctant to reduce the interest rates, yet the same bank that is lending at 18 percent pays the saver at 4 or 5 percent, a margin that is unbearable considering that these are banks that are making huge profits. We have seen the balance sheets of the banks. If you are a poor saver, even if you go to the bank to get even a statement of account, you are charged Kshs200. So this is an area we would urge the Government to move into, even if it means an action that will prevail on the banks to ensure that the rates are affordable; we know the banks are the live blood of any economy, and if credit is not affordable then we are not really spurring any growth at all.

Madam Temporary Deputy Speaker, unemployment has caused concern to everybody - especially the youth. If it is a white collar job, they are asked whether they have experience. Already, we have the *Kazi kwa Vijana* Programme which is a non-starter in the first place. Those are huge sums of monies which can be used to start what we call cottage industries to ensure that the youth get employment as they participate in activities within those cottage industries, rather than giving money to be paid per day under a programme that is not really sustainable.

Lastly, let me touch on the Constitution. I share with the rest of my friends the commitment of the House to have a new Constitution for Kenya. I have no doubt in my mind that, with the spirit that we see, we are really going to have a Constitution. The only issue is that as we tackle the issues about the new Constitution, we should also understand what the people are saying out there. To echo an old adage, the people said: “No taxation without representation.” So, I am sure the issue of the counties will really be looked into in a very positive manner.

Finally, every country invests in its education because that is the future. But you find that we have many secondary schools in our country today. We have used a lot of money through the CDF to build schools, but there are no teachers. That is an area where, even if it means the Government borrowing money, it should borrow to ensure that it employs enough teachers to man our education system.

With those few remarks, I beg to support.

Mr. Ethuro: Madam Temporary Deputy Speaker, I also rise to support this Motion and, particularly, to give my thanks to His Excellency the President for the Speech that he delivered to the House.

The President raised quite a number of issues that will require the attention of this House for the time that we are here during the Fourth Session. The President mentioned the Constitution, corruption and the Judiciary, which are normal issues. I expected the President to really demonstrate to us how this country is bleeding. Once you can demonstrate the amount of blood that is bleeding from the animal known as Kenya, then you will go ahead and suggest how to fix it. The President quoted from the National Anthem: "Firm may we stand to defend", and I cannot agree more with him. But the recent events have demonstrated otherwise. There was a raid by Ethiopians into Tedonyang in Turkana North and our own Armed Forces were killed by the Sudanese. We have the perennial issue of Migingo Island. Mr. Poghiso and I are dealing with incursions from Uganda. To what extent can we proudly stand here and sing that National Anthem and say: "Firm may we stand to defend?" I am afraid that "firm we may stand" but defending we cannot. We have been unable and we will not.

To make matters worse, we have accepted the Government policy of serious disarmament. Whom are we disarming? We are disarming the ordinary pastoralists who have a false sense that a gun will protect them. But it does not protect them! But, at least, it is the only thing they cling onto in total desperation. We are tired of the gun. But until you make sure that you have sufficient security forces along the international border; until you make sure that you have a sufficient police force and administration policemen in some of our areas, such statements shall remain hollow and empty talk.

I am not even going to comment on the Constitution. We will have the opportunity to talk about the Constitution starting tomorrow. The only thing I will agree with the President on is in his second last paragraph where he has demonstrated absolute confidence in this Parliament. He has quoted half a century of his parliamentary career. That confidence, at least, on my part - and I want to believe from the majority of hon. Members in this House, will enable us to rise to the occasion and deliver a new Constitution. I urge the House to sustain the spirit of the Naivasha Accord. I urge the House to make sure that we have the necessary amendments. The Committee of Experts (CoE) cannot purport, like some of us who do not seem to read the Accord, to claim that they know better than those of us who appointed them. We need to be honest with ourselves. We need to have the courage of our own conviction that what was important was about the political consensus that was built for the first time in the history of this country.

Politics is a matter of give and take. You cannot just wish to have it your way always. People have gone to great lengths to come to a consensus and then you want to go ahead to defeat that. I think some of our professionals need really to look at--- You can be a competent professional but, are you patriotic enough? Do you have values for

the State? Do you care about our survival or, the victims of the post-election violence - the 1,500 dead Kenyans - are nothing to you? These are the questions that even professionals must ask themselves.

The President went ahead to propose that he will be bringing financing approvals for the new infrastructure projects. One of them that has got my attention is the new transport corridor in northern Kenya. This is a song that we have been singing. As early as 1963, that northern corridor arrangement was there. Get the axis centre at Isiolo, then one to Ethiopia and the other to Sudan and possibly via Modogashe as we go to Mandera. Until this country comes to terms with itself; until this country realizes that until you develop each and every corner of this great Republic, that is the day we can talk of a country that is known as Kenya. But we cannot talk of just a segment of a country that has developed only 20 per cent of its land mass and think that the rest of this country will just play along. We are making a very serious and grave mistake. I expect the President - and I will be waiting in the Floor of this House--- The second transport corridor which was renewed in 2006 can come to this House. We had an occasion to give the Minister for Roads a blank cheque just the other day before we went home. He was to do a few kilometers here in Nairobi. We need that kind of urgency that will save the rest of Kenya!

When I speak about the road to Sudan, I am not speaking for Turkana. I am speaking for Kenya. But we have some Kenyans who think that because it is going through Turkana, then it should not be funded. Just because it is going through northern Kenya, it is like it has no value. They become oblivious of the peace efforts that this country worked so hard to ensure that Southern Sudan and the rest of Sudan can be a peaceful nation to the extent that they are now organizing the first ever democratic elections. This is something we should be proud of. This is an opportunity we should take advantage of, for the sake of our economy.

Madam Temporary Deputy Speaker, the President, while talking about the East African Community, said we should place Kenya in such a strategic and vantage position to take advantage of our economic strength. What are we doing in Southern Sudan? We still think it is Turkana. What are we thinking about clearing the Mombasa Airport so that we can get these goods to Eastern Congo and Uganda with much ease? We think we are wasting our efforts. We need to get these things right.

The President did not talk about the Economic Stimulus Package which I think is one thing we should be building on. We should be talking about the CDF and its impact. We want to hear these things from the President himself supporting the Deputy Prime Minister and Minister for Finance.

Madam Temporary Deputy Speaker, if you look at the package that the Deputy Prime Minister and Minister for Finance brought to this House, when you are dealing with a financial crisis you can either lower the taxes in order to increase the disposable income available to people or inject the cash into the economy in order to increase expenditure especially on public infrastructure. The Deputy Prime Minister and Minister for Finance opted for the later. The attitude of the beauracracts is that some of them think that God created a Kenyan who can handle money and put it in the Treasury and the Civil Service.

The CDF framework that the Deputy Prime Minister and Minister for Finance was using as a model is the best way to develop our country and address issues of inequality. It is the best way to ensure that poverty alleviation is tackled once and for all.

We are talking about a framework where the beneficiaries of this project, the communities, can identify the projects, participate in their formulation and in the implementation of those projects. Government officers who are technical officers and professionals should be there to provide technical advice.

Madam Temporary Deputy Speaker, we expect as we come to the end of the financial year that this economic stimulus package should be enhanced and be promoted because it has started late. This is the time we will make a difference.

There is no good government that you will get in this country, if the Civil Service has an attitude of thinking that public service is corruption and if the Civil Service has an attitude that public service is not making things move. If public servants think that their job is to ensure things are not properly done, we will not be able to develop this country.

I would have said more but let it suffice because even if we talk much and they are not implemented, it is an exercise in futility. I hope we will make a difference.

With those remarks, I support.

The Minister for Medical Services (Prof. Anyang'-Nyong'o): Madam Temporary Deputy Speaker, I beg to support this Motion.

I was listening to my friend, Mr. Ethuro, and I would like to support his points of view, especially with regard to infrastructure. You realize that when the railroad is built from Lamu to Sudan and we also have a refinery in Lamu through which the Southern Sudan will be exporting its oil wealth, this will be a tremendous boost to the economies of the two countries. Indeed, the opening up of the northern part of Kenya will begin. That is a potential bread basket for this country.

If you have travelled to northern Kenya, you will realize that the water table is not that far down. That is why you do not have sandy deserts there. If anything, we have shrubland. This means that those plants growing there must have access to some water. What is happening at the moment is that when it rains, we do not manage that water properly. It becomes a destructive force like you saw happening in Samburu the other day. We need to build dams and wells which will help bring this water back into the earth and help raise the water table for purposes of plant life and animal life.

Another thing that will happen when northern parts of Kenya are opened up through effective building of infrastructure is that there is a problem we have at the moment of poor healthcare in that area. This will also be dealt with. When the area is not properly settled, during drought, animals die. When heavy rains come, those carcasses are pushed by water into streams and people begin drinking the water from the streams and water borne diseases become a menace. So, there is all the reason for the opening up of the northern part of Kenya by proper infrastructural development and encouraging more permanent human settlement. At the moment, you really cannot blame the people of northern Kenya for being migrant because they migrate in search of pasture and water. Were there to be proper sources of water and pastures, they would behave very rationally and settle around those areas which have the natural resources that they need.

This is the history of many countries where the proper management of water and irrigation has helped in improving human settlement and the proper use of natural resources by human beings.

I think it is very important that there is an urgency for the development of infrastructure all over Kenya and particularly in northern Kenya. One of the problems we have in terms of infrastructure development is our procurement laws. It becomes very

difficult to move a project expeditiously when procurement laws make the movement sluggish. It was thought that when you put many roadblocks in procurement, you will fight against corruption. The reality, however, is when the procurement process becomes more complicated, you actually create checkpoints for rent seeking. Those checkpoints for rent seeking are quite often not used for transparency and accountability but more for fudging the process so that people can seek rent.

During this financial year, as we come up with a new constitution and review certain laws, we should think very seriously about how to have a user-friendly procurement law or legal regime. We should have user friendly schemes of procurement services and goods that will aid and help the rapid development of this country.

As I have frequently observed, this country is a nation of great potential but a disappointing under-achiever. If that was not the case, we would obviously have developed as fast as South Korea, Malaysia and even Indonesia but we have not done so. If you look at the results, it is like Malaysia, their resource space is nothing compared to ours.

Kenya is perhaps one of the most beautiful parts of the earth. I think God created this country when he was in a very good mood and wanted to give us all the varieties of geographical features and natural endowments that are very unique on the face of the earth. This should be used for the development of this nation.

The fact that we are on the equator means that we have very good access to the sun, but we have not used that to develop solar power and solar energy.

Madam Temporary Deputy Speaker, at the moment, we have a Geothermal Authority which is exploiting out geothermal natural resources. If we combine that with solar power, we will realize that we have a very good source of energy that will reduce the emission of green house gases that the whole world is currently against. In certain parts of this country - and I am glad that the experiment has already been initiated as far as this is concerned. We have a very high potential for wind energy power in the northern part of Kenya.

The old model of development that we initiated is now outdated. In the 1960s, especially if you look at Sessional Paper No.10 of 1965 on African socialism and its Application to Planning in Kenya, it was assumed that the best way to develop this nation is to emphasize the growth potential of the so-called high potential area, which essentially is the area that follows the railway line from Mombasa to Kisumu and to Uganda. If you read Kelly Francis' book on the geography of Kenya through the railway line, you will understand what this high potential area is. The potentiality of this so-called high potential area becoming a growth pole for this nation has been exhausted. It has been exhausted by the fact that there is too much population here. The use of land without using high technology has made land very exhausted. If this land will be revived per capita, we have to put in a lot of resources. Whereas the areas that are assumed to be of low potential like northern Kenya, only require infrastructural development that will help them develop in a long-term basis.

Madam Temporary Deputy Speaker, this integrated model of development that will not forget the former so-called high potential area, but will bring in the areas that were neglected, will be a great boon for the development of this nation. Indeed, when we worked on the Economic Recovery Strategy for Wealth and Employment Creation for 2003-2007, one of the things that we emphasized is that the ASAL areas or the so-called

marginal areas must become the new growth poles for this nation. I am glad now that we have approved the building of the northern corridor infrastructure and we have also proposed a railway from Bangui through Lokichogio to Juba, which will open up that part of the country. That too should be revisited. It should not be ignored as it was during the NARC Government. I am appealing for this because I believe that, sooner rather than later, as the population increases in the southern part of Kenya along the so-called high potential area, when infrastructure is developed in the north in one united nation called Kenya, we shall be able to move northwards and settle there. The reality of one Kenya will then be realized. Sometimes, when we travel in certain parts of northern Kenya, people ask you: How are you doing in Kenya? This is because they are not really integrated into this nation.

Madam Temporary Deputy Speaker, having said that, I would like to say something about the need for national integration and reconciliation in one nation. We will not have national reconciliation and integration unless we really take the National Accord seriously. This was an agreement arrived at after a very painful experience in this country; an experience that no Kenyan would like to go through again. Having worked so hard to put in place that document, having gone further to institutionalize it in the Constitution, it is our responsibility as Kenyans to respect and honour it and make sure that the governance of this nation is done according to the precepts of that document. If we do not do so, it is clear that we run a great risk of going through yet another experience like that whenever we hold elections. It will be a tragedy if that was to occur. So, let us respect that important institution in our governance.

I would like to support.

The Temporary Deputy Speaker (Prof. Kamar): Is there any other hon. Member who wishes to debate?

Hon. Members, in the absence of any other Member wishing to debate, I would now like to call the Mover to reply.

Mr. Thuo: Thank you, Madam Temporary Deputy Speaker. I wish to take this opportunity to thank all the Members who have contributed. They have made some very serious points and observations. I want to assure them that none of those observations shall be ignored. Your sentiments have been taken very seriously. The collective wisdom of this House is very clear for all and sundry to see. Therefore, I wish to state that, that is why we continue to have constant dialogue between the Executive and Parliament, so that both parties can benefit from this collective wisdom.

Madam Temporary Deputy Speaker, as I wind up, I look forward to a very fruitful Session with very robust discussions, starting, of course, with the Constitution and moving on to all the matters that were enumerated in the President's Speech, including some very business-friendly Bills that will be coming to this House.

Madam Temporary Deputy Speaker, with those few remarks, I beg to move.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kamar): Hon. Members, that brings us to the end of the business of the day. The House is, therefore, adjourned until tomorrow, Wednesday, 10th March, 2010, at 9.00 a.m.

The House rose at 5.53 p.m.