

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 12th March, 2008

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATIONS FROM THE CHAIR

APPOINTMENT OF MEMBERS OF CHAIRMAN'S PANEL

Mr. Speaker: Order, hon. Members! Pursuant to the provisions of Standing Order No.10, I have appointed the following to comprise the Chairman's Panel:-

Hon. Gitobu Imanyara, MP

Hon. Prof. Margaret Kamar, MP

Hon. Prof. Philip Kyalo Kaloki, MP.

The hon. Members will assist me in the absence of the Deputy Speaker and also assist in chairing the Committees of the whole House.

CIRCULATION OF UNOFFICIAL DOCUMENT TO HON. MEMBERS

Hon. Members, my attention has been drawn to a document which is being circulated to the hon. Members' through their Pigeon Holes, entitled: "For your information and urgent action. The truth about the Accord".

Preliminary investigation conducted by my office revealed that the document was deposited at the Registry from the Chief Whip's office. The Serjeant-at-Arms circulated the document in the Members Pigeon Holes without verifying its authenticity.

This document is unsigned and it is, therefore, unofficial. The Pigeon Holes are provided for use of official documents only. The Serjeant-at-Arms under whose jurisdiction the Pigeon Holes fall should ensure that such documents do not find their way in future into the Pigeon Holes. In actual fact, all documents intended for circulation to the hon. Members should be cleared by the office of the Clerk before circulation

The Member for Juja (Mr. Thuo): Mr. Speaker, Sir, I wish to address myself to your last communication and to, indeed, own up to the fact that I came across the said document, at which stage I came to your office and reported the matter. My own investigations indicate that whoever brought it into the House brought it through my office without my knowledge or my approval.

I wish to take this early opportunity to accept responsibility as the person in charge of that office, tender my apologies and confirm that such will not happen again as measures have already been put in place to ensure it shall not recur.

Thank you.

Mr. Speaker: Hon. Members, that will rest the matter, but please, note.

PROCEDURAL MOTION

EXTENSION OF SITTING HOURS

THAT, notwithstanding the provisions of Standing Order 17(2), this House orders that the adjournment time on Tuesdays, Wednesday Afternoons and Thursdays starting from 12th March till 30th June, 2008, be extended from 6.30 p.m. to 8.00 p.m.

Mr. Speaker: Hon. Members, we will proceed with the debate as had taken place up to early this afternoon. I understand that Maj. Sugow was on the Floor. Can you, please, complete your contribution?

The Member for Fafi (Maj. Sugow): Thank you very much, Mr. Speaker, Sir. I would like to take the first opportunity this afternoon---

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I beg your pardon. I know that this Procedural Motion was touched on at the House Business Committee, but in all honesty, I did not think there was unanimity over it. Therefore, it takes me by surprise, but I do not mind the House dealing with it. It is basically an extension of the sitting today from 6.30 p.m. to 8.00 p.m. I could move the Motion if the Chair so directs.

Mr. Speaker: Order, hon. Members! It would appear that the Leader of Government Business is not ready to move this Motion. He appears to have been taken by surprise. So, we will defer the Motion until such time that the Leader of Government Business is ready to move it.

(Motion deferred)

Shall we proceed to the next Order!

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Thursday 6th March, 2008.

*(The Vice-President and Minister
for Home Affairs on 12.3.2008)*

*(Resumption of Debated interrupted
on 12.3.2008)*

Mr. Speaker: Maj. Sugow, proceed!

The Member for Fafi (Maj. Sugow): Mr. Speaker, Sir, for the benefit of my colleagues---

Prof. Anyang'-Nyong'o: On a point of order, Mr. Speaker, Sir. Will it be in order for me to seek clarification from the Leader of Government Business whether what he is proposing means that he agrees in principle with extending the sitting hours of the House, but not necessarily today?

The spirit in which we were proposing this was to make this House work harder under the circumstances in which we are, where the workload of this House should be in tandem with the

expectations of Kenyan people, that the productivity of this House should be higher than before.

Mr. Speaker: Order, hon. Members! Prof. Anyang'-Nyong'o, that maybe, indeed, a genuine concern. But as things stand now, we have moved away from Order No.6 and I have given appropriate directions. My direction was that a matter of Order No.6 is deferred until the Leader of Government Business is ready to move that Motion. Indeed, we have moved on to Order No.7. So, that comes a bit too late in the day.

Maj. Sugow, will you, please, proceed!

The Member for Fafi (Maj. Sugow): Mr. Speaker, Sir, I would like to take this opportunity, first of all, to introduce myself, so that our new colleagues will know me. We are still knowing each other. My name is Maj. Sugow, the Member of Parliament for Fafi Constituency.

In the morning when I started my contribution, I had taken about two minutes thanking the President and the Prime Minister designate for the leadership that they have provided in taking this country out of the quagmire that it has been in. The onus is on us now, as parliamentarians, to ensure that we maintain the pace, so that the relative peace that we have started to enjoy can continue to develop until all Kenyans trust each other.

Right now, in many areas in this country, there is lack of trust among communities and we still need to maintain the leadership that has been put in place by the two principals.

Mr. Speaker, Sir, the problems bedeviling this country has got nothing to do with the last elections. The last elections only acted as a trigger for the underlying problems facing this country. These problems date back to the colonial times. They need to be addressed seriously and I do not think the Accord will address them. The Accord is only a kind of a first aid to bring the patient to the real hospital, so that the real treatment can start.

The sooner the two Bills which were mentioned, namely, the Truth, Justice and Reconciliation Bill and the Ethnic Relations Bill are brought to this House, the better. I was hoping that they will all be published and brought to the House. These two Bills are very critical to addressing the underlying problems which have caused the mayhem in this country. Right now, there are so many areas in this country showing some kind of relative peace, or rather they show some apparent tranquil. But, in reality, historical injustices dating back to colonial times are still persistent today. There are quite a number of issues that have made certain areas in this country, particularly the former Northern Frontier District (NFD), try to secede immediately after Independence. This was brought about by problems that emanated from marginalisation by the colonial administration.

Mr. Speaker, Sir, just before Independence in Kenya, the then leaders from the NFD felt that they were not ready in terms of being in tandem, development-wise, with the rest of Kenya. They had opted to remain under the colonial administration for a while before they could really determine their destiny through a referendum. That was not to be. That is what made the then leaders attempt a secession.

Out of that settlement, there came the Arusha Declaration of 1967 where an MOU was written. It was not legislated like we are doing now. That MOU, among other items, stated that the NFD was to get 20 per cent GDP for the following 20 years, so as to be in tandem, development-wise, with the rest of the country. That did not happen. That kind of affirmative action was also supposed to take place in terms of employment. We do not know where that document is. We only have its history in the form of the people who took part in that agreement.

Mr. Speaker, Sir, it is lack of respect for agreements by subsequent governments in this country that is actually bringing problems. This provides a very opportune moment today to address all these problems. So, when we are talking about putting this Accord in place, the commission that we are to form must address these problems. The marginalised communities are in some way happy and also a little bit apprehensive in that the coming together of this House is

making smaller communities feel a little irrelevant in the pecking order of this country. If it is a question of numbers that will be determining who becomes what, then we are in problems.

It is very important, therefore, to ensure that there is equity. Today, if I could just give you one development parameter, the ratio of doctors to patients in North Eastern Province is 1 to 120,000. This means that there is one doctor for every 120,000 patients. The most endowed province in respect to that parameter in Kenya today has one doctor to 120,000 patients. Look at that disparity. It is these disparities that are making this country not move forward. It will not move forward unless we comprehensively address these problems in this House. We do not have any other chance.

So, the earlier we get a comprehensive constitutional order in this country, the better for us. Once we sign this Accord--

With those few remarks, I beg to support.

The Member for Gem (Mr. Midiwo): Thank you, Mr. Speaker, Sir. I want to take this opportunity to thank you for letting me address myself to the President's Speech. This is a time like no other. I want to begin by taking a cue from Maj. Sugow who has just spoken about the real issue. This House has a daunting task to address what this country has failed to address in the history of Kenya.

Something very worrying which you have just raised this afternoon is that some of us are beginning to go against the spirit of the Accord. Leaders from both sides of political divide are talking carelessly. They are not trying to let us move forward as a country. There are a lot of undertones implying that anybody willing to negotiate is a coward and is not trying to give and take. Let me inform my hon. colleague who has just spoken that although he said that in North Eastern Province the ratio of doctors to patients is one to 120,000, the situation could be worse in my place. That is why people are so angry. Our people are venting out their anger through the wrong channel. There is no law to protect the innocent.

Prior to this election, a lot of people were living in every part of this country. This Parliament has never taken a single initiative to ensure that our people wherever they live are protected by the law. It seems that every law we pass protects the interests of the rich and a few minority. It is time that this House ensured that a Luo can leave Siaya and go to own a shop in Nyeri, without fear. We want to see a situation where a Kikuyu can own a butchery in Siaya and live without fear. We need to confront these issues once and for all.

Mr. Speaker, Sir, the President, in telling this House to prioritise these Bills, took the first gigantic step in ensuring that this House is properly guided. Therefore, nobody should scare us into rejecting what is expected of us.

I would like to tell my hon. colleagues that the world is watching. We are also watching from either side. We are expected, at least, for once, to come through for the citizens of this country. We live well, we are paid well and Kenyans also need to go in that direction. They should at least be given hope that this country is for all and not for the few rich who have opportunity to loot.

Mr. Speaker, Sir, there is a general feeling across the country that people are tired of war. People do not want war. People do not want leaders who are careless with their mouths. People do not want leaders who preach water and drink wine. If we will support the Bill, let us rise to the occasion. We should guide this country in a way that will let our people be peaceful. Above all, we want our people to feel some protection within the law.

Why do we, as leaders, fear to confront the land issue in this country? Why is it that if you go to Nyanza Province, where I live, you will find that somebody has 20 acres of land, but he has never utilised them in the last 20 years?

If you go to Kisii just across the border - and we live in the same Province - or even in Central

Province, our people do not even have a place to bury their dead in dignity. Yet, there are people, including some leaders here, who own land the size of some provinces. We must confront these issues! We need a good land policy to protect our people once and for all.

(Applause)

We are not saying that we will take people's land. But we are saying that if you have one million acres of land that is idle, you pay tax on it so that, that Kisii without land can live a dignified life within the borders of this country.

I support the President's Speech and I know many hon. Members want to contribute. I want to urge my fellow colleagues to put the interest of this country first.

Thank you.

The Member for Ikolomani (Dr. Khalwale): Mr. Speaker, Sir, thank you for giving me this opportunity to talk on this first day. May I congratulate you upon your election as the Speaker of the Tenth Parliament. I would also like to congratulate hon. Members for winning in the 2007 General Elections. I would also like to congratulate the President for winning and steering the country during the just ended crisis. I would also like to congratulate Mr. Raila for appending his signature to what has become the reason why we are slowly finding order in our country.

Mr. Speaker, Sir, allow me to condole members of the families that lost their loved ones during the crisis that we have been going through. May I also condole people who lost their property, including their houses. I would like to thank the people of Ikolomani for re-electing me as their Member of Parliament for a second term.

I would like to thank them for, particularly, keeping peace during the crisis that we had. My constituency is the only one where people from non-Luhya communities continued and still continue to do business because our people did not rise against the so-called "foreigners".

How I wish we had not had this problem because the Government has started off very well in Kakamega. It has given the people of Ikolomani a new district - Kakamega South District. We are very happy and we want to thank the Government. It has also given us a new division and the DC and the new DO have arrived.

Mr. Speaker, Sir, having said those good words about what has been going on, allow me to come alive to the fact that the theme of the moment in this country is a Coalition Government. As we all seem to be in agreement that this is a good thing, let us not forget that we have serious national challenges that are facing this coalition. Unless we rise and address ourselves to those challenges, we could lose where we may have gained. I have in mind the issue of political institutions in this country. We must think about the Opposition in this country before we start debating the National Accord and Reconciliation Bill and the Constitution of Kenya (Amendment) Bill. The stability of Parliament goes beyond the interest of Kenya. It places Kenya in the international community. When they do credit rating, for example, they use the stability of institutions to decide whether we can access credit or not. Therefore, we may want to think and ask ourselves: Is there anything wrong in us having a Coalition Government and, at the same time, having a Coalition of the Opposition? That is because, believe me or not, the disquiet that we are having as we move into the Coalition Government is not happening for the first time in this country. Even when KADU joined KANU to form a one-party state in this country, both sides of the House agreed. They even celebrated but, little did they know that many years later, lives would be lost, limbs broken and properties destroyed so as to restore multiparty democracy.

Hon. Members, we must think about that because today, the urge to have peace might be such that we might forget that, maybe, the thirst for power could have been the reason why things went out of control. A great thinker, who did not come from Africa, Mark Victor Hansen, said that

most people think that what they want in life is power when really, what they need in life is a heart-centred visionary leadership. We want to use this opportunity to re-define the role of leadership. It is a shame that in all the Parliaments that we have had in this country, the real big boys who perpetrate corruption happen to come from Parliament. The challenge now to this House, now that we have agreed on a Government of National Coalition, is for us to rise and call upon the people who perpetrated Goldenberg and Anglo-Leasing to answer for it. That way, the youth will realise that the properties they wrongfully got will finally go back to them.

(Applause)

Mr. Speaker, Sir, our youth may have sung for us during the crisis but, maybe, their agenda was different. I strongly believe that until the Tenth Parliament is going to have a national masterplan for our youth in this country--- It should be clear for a university student that when he or she leaves the university, there is a clear path that he or she is going to pursue until he is employed. If that is not done, we might not go too far. We will move from hatred against ethnic groups to class wars where hon. Members who are here, very well cushioned with security and money both at home and on the road, will find the youth saying: "Okay! Having chased away the tribes that we did not like in our place, we now want to go for the rich within our midst." These are the challenges that we cannot run away from. We must address them.

I know that hon. Members have already spoken on the issue of land. But I want to reiterate that there is an urgent need for us in this country to have a national land policy. We must have a new order which should include an attempt, right from homes to schools and universities, to teach our youth that we shall not always have land for all of us. People must start learning that some of the richest people in the world--- In fact, all the richest people in the world that you find in America; the ones that you read about in *Forbes Magazine*, are not land-owners. There are other ways of earning a living. Until we change the national psyche, people will continue fighting on matters of land. As we do so, we must not forget what we have already achieved in history. In this country, we already have the Ndung'u Report on matters of land. These are issues we could look at and implement, so that our people could stop killing each other just because of a few acres of land.

Mr. Speaker, Sir, when you go to our High Court, it is very frustrating when people are pursuing land disputes. We need to develop a permanent and sound land ownership policy that has simple and effective ways of resolving land disputes in this country. I come from a community where, when you wake up in the morning and meet a friend, a relative or even an enemy, the first thing you tell them is "peace be with you". I was ashamed when I went back and found out that in the land of bull-fighting, where people love and enjoy peace even during bull-fighting, we could no longer tell each other "peace be with you".

Mr. Speaker, Sir, I stand in this National Assembly to say that the people of Kakamega love all investors in Kakamega Town. I speak with a lot of authority because I live, sleep and do everything in that town. We should not in any way obstruct the police from carrying out effective investigations. I am sure, at the end of the day, we will find that in places like Kakamega Town, the majority of perpetrators of the violence against the investors did not necessarily come from our community.

With those few remarks, I beg to support.

Mr. Speaker: Hon. Members, once again, I want to remind you that, please, give your name and the constituency that you represent, so that the record is accurately kept.

The Member for Samburu West (Mr. Lesrima): Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to the Presidential Address. My name is Mr. Simeon Lesrima. I come from Samburu West Constituency which is just below Lake Turkana for those of you who

may have problems in locating it.

Mr. Speaker, Sir, I would like to take this opportunity to thank my constituents for re-electing me for the second time. I also want to congratulate colleagues who have been elected in various constituencies. I would like to urge all of us to develop the spirit of reconciliation on behalf of our people. From my experience in the last Parliament, our people will fight if we fight here. Our people will talk peace if we talk peace here since they listen to us. So, I urge hon. Members to develop a spirit of reconciliation and send right signals out to our people. Let us make history as the Tenth Parliament; as a Parliament that will midwife the birth of the new Constitution and also one that will deal with the past. It is not a very easy task to deal with the past. There are a lot of interpretations on historical injustices. There is a lot of panic in the country. Some people believe that land will be taken away from them. I believe that the question of land requires another day and forum. However, my understanding is that nobody should be denied the right to own land, especially if he bought it. Compensation does not necessarily mean returning people back to where they lived during pre-colonial days. I leave that to a debate on another day.

Mr. Speaker, Sir, I want to commend His Excellency the President, and hon. Raila, for signing the Accord. This Accord leaves us with very few options; either to live in peace or war. I go for the option of peace. We are all Kenyans. We look forward at this time of jostling for positions to a formation of a Government that recognises merit, but also accepts the fact that Kenya is a big country and the Government must have the face of Kenya.

Mr. Speaker, Sir, the President's Speech was very comprehensive and had a very big agenda on very important issues. Of particular importance is the humanitarian assistance for post-election victims. Although we do not have post-election victims in my constituency, we do have pre-election Internally Displaced Persons (IDPs). I hope the relevant Government department will also look at pre-election IDPs arising out of that menace called cattle rustling.

Mr. Speaker, Sir, the President must also be commended for mentioning tourism and wildlife Bills. He also mentioned something to do with science and technology policy. At the international level, Coast Province leads in tourist attractions. It accounts for about 60 per cent. Other parts of Kenya, particularly my constituency, hosts wildlife in large numbers. When I hear that the Wildlife Bill will be brought back, I know that my people will also benefit through prevention of human-wildlife conflict and establishment of tourism facilities.

Mr. Speaker, Sir, science and technology is very crucial. Over the years, the Ministry has been established and abolished. It should be remembered that the East Asian countries were at the same level of development with us in the early 1960s. It was science and technology, and the development of human resources that propelled them to the First World from the Third World.

Mr. Speaker, Sir, another commendable aspect of the President's Speech is what I would term as parliamentary reforms. I was extremely pleased by the instructions given by the President to the Parliamentary Service Commission (PSC) to give research support to parliamentarians. This will improve our research and enrich our contribution in this House. I would also urge the PSC to improve Information and Communication Technology (ICT) facilities because we are [even up to 16 personal assistants to support them in their contributions in Parliament. The ICT is not developed here. The department of ICT has only three members of staff. I think something needs to be done urgently.

Mr. Speaker, Sir, I would like to add a few additional issues that should be brought to the agenda of this Parliament. The Budget law needs to be reinstated. The Budget law was meant to allow public participation and also committee participation of this House in the formulation of the Budget and also to improve accountability.

The Cotton Act is also very important and so is the Pyrethrum Act. Some people will be surprised as to why the Member of Parliament for Samburu West should talk about cotton and

pyrethrum. Indeed, research has been done on pyrethrum and results have shown that the best pyrethrin; the poison that kills mosquitoes, can grow in Samburu. We want to diversify the economy.

The Mining Act is very colonial since it prefers large-scale mining. It needs to be overhauled, so that small-scale miners and communities can benefit. There are massive resources of minerals in my constituency.

Mr. Speaker, Sir, I want to talk about livestock. In the President's Speech, the only aspect of livestock that was mentioned was the dairy sector. I want to say that livestock is very critical for food security not only for pastoralists but for all of us.

Mr. Speaker, Sir, as a country, we have not recruited veterinary officers for the last ten years. There are 400 veterinarians in the Civil Service, most of whom will retire in the next five years. Something must be done because the country requires 100 veterinarians for food security, disease control and even to protect the dairy industry which the President mentioned.

Mr. Speaker, Sir, I want to commend the Anti-stock Theft Unit based in my constituency. The Government must not allow them to be harassed by cattle rustlers. As I have said, we have incidents of cattle rustlers harassing Anti-stock Theft Unit officers. Policemen must be respected. If we do not respect the police, if we do not treat them as human beings and if we attack police stations, then we have attacked the very fabric of Government. I know it is not very popular to praise policemen in this House.

Finally, I want to urge the Government to tarmack Maralal-Rumuruti Road. That road belongs to Kenya and many Kenyans use it, including tourists travelling to Lake Turkana.

(The Minister for Roads and Public Works (Mr. Michuki) smiled)

I can see my friend, hon. Michuki, smiling there! I am sure he is going to take action.

With those few remarks, I beg to support.

The Member for Lamu West (Mr. Twaha): Thank you, Mr. Speaker, Sir, for allowing me to contribute to this Motion that the thanks of this House be recorded for the exposition of public policy contained in the Speech by His Excellency the President which was delivered on the 6th March, 2008.

Mr. Speaker, Sir, many things have been said especially about recent events. I think most of the people have been talking about the symptoms rather than the actual cause of these problems. When we were students, 20 years ago, there were very serious efforts to control the population of Kenya. There were measures such as public policy, advocacy and all sorts of things. But our population is now growing too fast. Twenty years ago, we had a population of 18 million people. Today, we have a population of 38 million people. In seven years time, we will be 50 million people. We cannot expand the supply of land the way we are expanding political positions with the proposed creation of the Premier and Deputy Premier positions, but we can control demand for land by controlling the population.

So, Mr. Speaker, Sir, when the HIV/AIDS came, it became unfashionable for people to talk about population control or birth control. There is now need for population control measures to be restored. This is because we cannot expand the supply of land but we can control the demand for it. The only way to do this is to control our population. I also agree with what Dr. Khalwale said that we should educate our people that land is not everything. There are other ways and means of creating wealth. Today, this tribe is telling their tribesmen that, that tribe is to blame. So, today, my tribe would be fighting your tribe. It is convenient to blame that other tribe but then the other tribe is not to blame. I confess I have done my bit in expanding Kenya's population in a very short

period. I have trippled my own family's population in a very short period of being married. Every tribe is guilty of contributing to the increased population when the nation's cake is very small. So, no tribe is to blame for the problem because every tribe is to blame for increasing the population too fast. It is a daunting task for any manager whatever his qualifications to manage an economy that is doubling the size of its population after every 18 years. These people want schools, jobs, housing and all sorts of things. It is too much and we have to do something about our population growth. If we are going to burry our heads in the sand and pretend that it is a taboo to discuss our population or whatever the things that hold us back from saying the truth--- We have to control this population and we cannot run away from this. We can sign all the accords we want but the conflicts will be there. This is because conflict arises when there is too much demand for scarce resource. I think this point is clear and hon. Members can expand on it when they have a quiet drink in the evening today.

Another thing that we need is the national identity initiative Our generation is rotten to the core. This tribalism is now in our blood and brains. We are totally corrupt as far ethnicity is concerned but the national identity initiative is need by our children in schools, churches and mosques to remove this backward thinking. It is backward thinking that even today we are talking about this-and-that community. We have only one community that is called Kenya. If we are real leaders, and we took oath here to be truthful to Kenya; *"Nitaitumikia kwa moyo wangu wote Jamhuri ya Kenya sio kabila langu!* I would go back to English. So, let us all fight for the good of Kenya. If Kenya's condition improves, then the conditions of our communities will also improve. If you are a women leader today and you were brought to fight for affirmative action, you should fight for all Kenyans. Women are also Kenyans. You should fight for all Kenyans. My tribe is also Kenyan. That way, everybody would be in a good place. But this business of "us" versus "them" is just cheap politics. This is because political leaders do not have to say what they have done for their people. It is very easy to blame the other people for the problems affecting us. All communities have problems of poverty, disease and ignorance. But it is cheap politics to say it is another tribe's fault. That is cheap politics! We need our leaders to take initiative to fight for all Kenyans all the time. For anybody who embraces ethnicity, the rest of Kenyans should come down on him like a chain of bricks as the Americans say and isolate them. We should isolate these tribalists whatever their status is in society because they are the cause of the problem.

Mr. Speaker, Sir, another thing is that we have a problem of mob justice. Every Kenyan who is aggrieved goes to these courts. All of us have to wait in line sometimes for five years before we get a

hearing date. This is a witness that this House is to blame. This is because we are the ones who can pass the laws here to increase the number of judges. We have the capacity to raise the jurisdiction of the magistrates so that the judges are not overwhelmed by too many cases. But then whatever somebody's status in society, he should be subjected to the same laws that poor Kenyans are subjected to. Even if you are a presidential candidate and you have lost or you have a dispute, you have to go to those courts. Mob justice has no place in the civilised modern society. Today, what we call the National Accord is really just appeasement of people with tall egos to create jobs for them so that they can keep quiet. That will not be a solution to our problems. People have to respect institutions. We have to respect the Presidency, this Parliament and our courts of law.

With those few remarks, I beg to support.

The Member for Kisumu Rural (Prof. Anyang'-Nyong'o): Mr. Speaker, Sir, let me take this opportunity to contribute to the Presidential Speech and also to congratulate Members for being re-elected to the House or elected to the House, whichever case it maybe. I would also like to thank my constituents for re-electing me to this National Assembly.

The previous speaker provoked me to say something briefly about population. There is an

old theory which argues that the problem of development is population growth. That theory has been challenged many times. Some people say that the problem of development is not really population growth but effective use of resources, equity and distribution of our natural resources. It has also been argued that as population grows, it challenges people to use their resources more effectively and be more inventive in trying to look after that population. We should, therefore, treat our people as a resource. It is a challenge to us to make sure that all those resources that God put at the disposal of humanity are used in the manner in which it is said in the great books, both the Quran and the Bible; that we should look after God's creation in a godly manner. That is a major challenge to humanity.

Secondly, Mr. Speaker, Sir, it is important, I think that we go into this year with a challenge of the National Assembly to produce the basic law of the land in terms of the Constitution which we have been after for so long. As long as I remember the struggles of democracy in this country, the matter of the basic and fundamental law of the land; the Constitution, has always been on the agenda. I do believe that almost every party that has been formed since Independence, especially those that have challenged the one-party presidential regime, have always put at the forefront of their agenda a democratic constitution that would guarantee a national developmental state, that ensures both individual and people's rights.

Mr. Speaker, Sir, I believe that one of the fundamental problems with our Constitution is its little attention to people's rights, and more attention to individual rights. Both should be paid attention to. If we paid adequate attention to people's rights, we would use our ethnic diversity more creatively, and, perhaps, more democratically. Quite often it is because of our misuse and misunderstanding of our ethnic diversity, which is the richness of our culture, that we blame this ethnic diversity for our problems, which problems are the result of poor politics and economic policies.

Mr. Speaker, Sir, I would urge the House that as we begin to look at our Constitution, let us be proud of our cultural and ethnic diversity. Let the Constitution provide room for people's and communities' rights.

Mr. Speaker, Sir, people of various urban centres and cities of this nation have responded to the idea of people's rights very creatively. When the people of Nairobi were challenged with security problems, we realised that almost in every neighbourhood, people moved to form neighbourhood associations. Whether you are talking of people living in Buru Buru, Lavington, Kileleshwa, Runda or Muthaiga, you will find that every community has formed itself into a neighbourhood association. This makes us realise that when people confront problems together, they can come together and live in communities that respect their own laws that look after their own security, provide for their cleanliness and so on. This is in response to the failure of the Government to provide these services. Therefore, when we review our Constitution and look at the basic forms of Government, let us respond to what people have already created in their response to lack of services and poor governance. These neighbourhood associations are a very good example of how people can be governed, give themselves a government and how they can be involved in the use of their own resources, and even in the creation of those resources.

Mr. Speaker, Sir, I remember that when I first moved to new Runda, we did not have a tarmac road. It was a distance of about one kilometre long. We got together, contributed money and constructed that road. No sooner had we constructed that road than the Nairobi City Council (NCC) claimed it. Now they say, "This is a public road. Anybody can pass on it. You have no right to stop others from using it". Since we were public-oriented, we conceded to that demand by the NCC. However, the point had been made, that when people have a need for a service they can contribute to it. When they are doing that, the Government itself should respond creatively, and not wait until the people have finished doing the job to come and claim people's rights.

Mr. Speaker, Sir, I am trying to underline the fact that given a democratic context, given a Constitution that respects both individual and people's rights a lot of issues that we seem to be blaming ourselves for, like saying we are genetically born tribalists, will not arise. As the great philosopher, Thomas Hobbs said: "We are born into this world naked and innocent. It is this world that teaches us wicked ways and gives us clothes".

Mr. Speaker, Sir, I believe that each and every individual is born very innocent and very good. However, when they grow into a society, or a world, where people have not been given good conditions for reproducing their goodness, they acquire bad habits and cultures. It is, therefore, upon us to preserve this innocence of birth, and make sure we develop political and social cultures that will bring out the best in us.

Mr. Speaker, Sir, that leads me to the issue of education. We are proud to say that over the years this country has been developing an education system that has been becoming more and more open to all Kenyans. Nonetheless, in that openness certain forms of inequalities are emerging. For example, in the initiative to establish free secondary education, the Ministry of Education has come up with a policy which may increasingly become discriminatory. It is said that unless a class has at least 40 students, it cannot get the disbursement of funds to enable free secondary education. Knowing fully well the conditions through which we have gone over the last two months; knowing fully well the historical injustices that exist in our society, and the inequalities that are inherent therein; knowing fully well too that the rate of drop-out in our schools is as a result of things other than those for which parents are responsible, for example distance which certain pupils have to walk, the conditions in those schools because they have not been improved notwithstanding the efforts by hon. Members of Parliament, I would like this policy by the Ministry to be revised. All schools should have access to this money.

At the moment it is causing headaches to headmasters and parents. It is causing a lot of conflict in rural areas. Headmasters are being blamed by parents that they have received this money and are not putting it at the disposal of their children. The headmasters are saying that there is a policy that says they cannot receive it until all classes are full, and that parents should bring their children to school. Some schools have reached *cul de sac*. They do not know where they are going with this kind of rather discriminatory policy. If, indeed, we are going to have an education system that is truly responsive to the needs of our people, some of these policies that we propose should be much more realistic to our conditions as a society, and ensure that as we implement them, we guarantee that the conditions under which they are meant to be used already exist.

Mr. Speaker, Sir, the other issue that I would like to talk about in terms of equity and this culture of equality is the issue of people with disability. It is unfortunate that even in this Parliament we do not have any single person with disability. I think we should respond to the concerns of the disabled persons in all our policies, and make sure we do so creatively.

With those few remarks, I beg to support.

The Member for Limuru (Mr. Mwathi): Mr. Speaker, Sir, my names are Mr. Peter Mwathi from Limuru Constituency.

First, I would like to thank my constituents for electing me to this House on my first attempt. I know they have put a lot of respect and trust in the work that I am going to do with other hon. Members here.

Secondly, I would also like to take this opportunity to congratulate every hon. Member of Parliament here, for having been elected to do the noble work of representing our people, and discussing issues to do with the resources of this great nation.

Thirdly, I would like to congratulate the team of negotiators from ODM and those from PNU for a job well-done. They set aside their differences, came together and showed magnanimity at a time of need, to steer this country towards a path of peace and reconciliation.

Mr. Speaker, Sir, I would like to support this Motion but also bring to the attention of hon. Members that the utterances we might be making outside there - as much as we discuss peace and reconciliation here - may still continue to cause havoc within our communities. As we speak, I know that there are areas where violence still continues to take place. Over lunch hour, I got information that there were houses being burnt in Laikipia and Molo. We are here hugging ourselves saying that we have put aside our differences while the poor person out there is still suffering. I, therefore, take this opportunity to call upon my colleagues in this Parliament, to ensure that they preach peace and genuine peace. They should not go out there to preach water and drink wine. Hon. Members, let what you preach during the day be what you preach to your people at night.

It is very important to have peace in this country for the success of the Accord that was reached at by our very able negotiators, in order to have real peace in this country. It is very important for each one of us to go out and condemn the situation. In fact, after today's Sitting or tomorrow, we should come together and issue statements, jointly, from ODM and PNU. I believe that we are now one and should show people out there that we are speaking in unison for the sake of true peace and reconciliation.

Mr. Speaker, Sir, as we discuss and anticipate the resettlement of the Internally Displaced Persons (IDPs), it is important for us to think about the students or children who are in the IDP camps and who are now candidates in Class Eight and Form Four. I happen to have one IDP camp in Limuru which has about 10,000 people. You can imagine the number of children in this camp. The biggest problem those people have is the placement of children in schools. We have worked very hard to have those children placed in schools. We have also talked to the principals and headmasters of various institutions not to charge them any fees. However, the issue of registration for examinations has not been solved. It is, therefore, very important for the Government of National Unity that we are forming, as a matter of urgency, to address the issue of payment or waiver of the examination registration fees for the Class Eight and Form Four students.

Mr. Speaker, Sir, I would like to echo the sentiments of Mr. Midiwo on the issue of land. As we establish the Justice, Truth and Reconciliation Commission, we have to address the land issue and have proper national land policies. As we talk about reducing the demand for land, we must know that in this august House, there are great men of Kenya who own huge chunks of land which are not utilised while our own people do not have any piece of land. In that respect, I think that the land policy is long overdue. It should address those injustices not just from Independence but from the time we had the colonialists who brought injustices by placing people where they did not belong.

(Applause)

Mr. Speaker Sir, the President, in his Speech talked about upgrading of slums. It is very good to upgrade slums, but as long as those people in the slums have no jobs, we will continue to upgrade where they are but no sooner we do that, than they will go to create another slum elsewhere. It is, therefore, important that, as we do the slum upgrading, we should ensure that our youth access the jobs they require to sustain their lives and their families.

Employment of the youth has not been addressed even though it was hammered out as one of the issues and policies to be undertaken by the previous Government during the 2005/2006 period. I have noted that the documents we have or the forms that people looking for employment fill have one aspect which I want this House, at a later date to address. This is the issue of filling in the tribe of the person applying for a job. I would be more comfortable if the forms required one to fill his or her nationality but not the tribe because that is insisting on where our people come from. I

am yet to know what tribe a person born of an Asian father and a Kikuyu mother would fill in that form.

Mr. Speaker, Sir, I want to talk about the issue of roads, having had a background in the Ministry of Roads and Public Works. This is an issue that the President touched on in his Speech. One time, there were people who were blacklisted as "cowboy contractors". While I was in the Ministry and even up to now, I do not know what happened to them. There was a good attempt to ensure that we only had good contractors getting jobs. However, no sooner did the hue and cry come out, than they somehow performed some marvellous jigs of puzzle that made us forget about the whole issue and we do not know where they disappeared to. I still believe that those people are somewhere within and they are the ones constructing bad roads. I, therefore, propose that once we have people who have been blacklisted, be it on road or building construction, that this House gets to know their names. Once the blacklisting is lifted, we should also get to know why it was lifted.

Mr. Speaker, Sir, as I conclude, I would like to take cognisance of the fact that there is a Bill on Organised Crime that will come to this House. The Bill will seek to address issues concerning people who organise themselves into gangs to fight other communities. That will be a Bill to be dealt with by the Tenth Parliament because it is upon this Parliament to either make or break this country. Whatever we decide here, in this House, and the road map we set, is what will either make or break this country.

I rest my case as I support the Motion.

The Member for Rarieda (Eng. Gumbo): Thank you, Mr. Speaker, Sir. My names are Eng. Nicholas Gumbo, the Member of Parliament for Rarieda Constituency.

Mr. Speaker, Sir, allow me to relate an experience that I had recently. That incident has to do with the campaigns that we went through recently. Personally, I believe that affected all of us. The campaigns were extremely tough and many times, as an engineer, I wanted to find a mathematical model to try to explain why they were so tough. Recently, I went to a friend of mine's house and they had just had a baby boy. The mother said she would name the baby boy after me and hope that, one day, he too would become a Member of Parliament like me. Then, I looked at the little guy and he smiled at me. I started wondering what chances he had of becoming a Member of Parliament. So, I looked at the 210 Members of Parliament and our population of 38 million. It occurred to me that, that little guy, his chances of ever becoming a Member of Parliament is one out 180,000, which translates into 0.0005 per cent. I am sure Prof. Saitoti will bear me out.

So, Mr. Speaker, Sir, I think hon. Members here deserve commendation and, on that note, I want to thank the Almighty God, my creator, my parents, the late Francis Gumbo and my mother, Dorcas Chek, the people of Rarieda, the Orange Democratic Movement and all those who came to campaign for me to make it to this august House.

Mr. Speaker, Sir, the Speech by His Excellency the President, in my view, should be viewed as a victory for all Kenyans. I think it is something that all of us have a duty to support. But, even as we support it, I think we owe it to Kenyans, as leaders, that we have to stop the culture of impunity. If you look at the leadership of this country, many times you wonder if some of the leaders we have in Kenya have made it a duty to try to write a biblical version of George Orwell's *Animal Farm*. Sometimes, the way things are distributed in this country does not, at all, take cognisance of the fact that, Kenya is a multi-tribal society with over 43 tribes. If we have to undertake business as usual, it must be the sort of business that recognizes the diversity of Kenyans.

Mr. Speaker, Sir, I come from a constituency which borders the lake region. I feel that for the over 45 years that Kenya has been independent, the lake region has been badly neglected. The same way I used to see our fishermen toiling 30 years ago, is the same way they still do it to date. There are over 30 fish landing sites and beaches in my constituency and to-date, only four of them

are accessible. Only four of them have electric power. I think time is ripe for us to have something that we can call a "lake economy". I find it sometimes ridiculous that when I am in my home at Rarieda, I can, more or less, see Uganda. But to get to Entebbe, I have to come to Nairobi and fly out to Entebbe! I think that with an efficient transport system in the lake, I would not have to do that.

Mr. Speaker, Sir, Prof. Anyang'-Nyong'o has spoken about the reforms in the education sector. I think the reforms with regard to providing free primary and secondary schooling is good, especially for those of us who come from very impoverished constituencies. The poverty level in my constituency at the moment is about 75 per cent. But I think this country must do more to improve the reforms in that sector. If you look at the education sector today, we cannot say that all Kenyan children have equal access to education. I was just looking at a particular case. That is the case of national schools in Kenya.

Mr. Speaker, Sir, as I speak now, this country has 17 national schools. Those schools are spread in only four provinces, with Nyanza having one, Rift Valley having four, Nairobi having five and central Province having seven. Coast, North Eastern, Eastern and Western provinces have none and yet, we know that in the provinces where these schools are, certain preferences are given to students coming from those provinces. I am not sure, but I think it is about 30 per cent of the intake that come from those provinces.

Mr. Speaker, Sir, if we want to provide equal access to education to our children, then we either have to make a decision whether national schools are needed and, if, indeed, they are needed, then we must have them in all the provinces of Kenya.

(Applause)

Mr. Speaker, Sir, I was excited by the position of His Excellency the President about Vision 2030. That is a very ambitious programme. But every time I look at the methodology for achieving that vision, some very vital elements have been left out. That is the element of providing adequate energy. Most of you may not know it but, Kenya, as it stands today - and allow me to use the word - is still fairly a very backward society. Almost 70 per cent of our energy needs still come from wood fuel. The fossil fuels, that is, if you like, petroleum, only provides about 20 per cent, with electric power providing 10 per cent and the rest 2 per cent comes from alternative sources of energy.

Mr. Speaker, Sir, if we aspire to be a truly industrialized nation, then we cannot expect to achieve the goals that we want without a requisite investment in energy. That is not gainsaid. Recently, you heard the Investment Council in South Africa advising the Government to stop promoting South Africa as an investment destination purely because their programmes are now not able to cope with the shortages they are having in their power supply. I, therefore, want to submit that, for us to achieve the goals of Vision 2030, it is very important that we undertake massive investments in energy. Those investments actually does not require the sort of donor-dependent investments that we are talking about. Sometimes, I consider it ridiculous that some countries in the temperate world, which only have two hours of sunshine, actually generate more solar energy than all the energy generated in Kenya. Why do we not take bold steps to start more wind pumps, biogas plants and intensive exploration of petroleum in our country?

Mr. Speaker, Sir, the President's Speech talked about the need to elect mayors directly. I commend him for that. But I want to suggest that, in addition to electing mayors directly, I think that, perhaps, now it is the time that we started paying our councillors from the Exchequer. I say that because some of us come from rural constituencies and the revenue that some of those councillors collect is not enough for their sustenance. Therefore, they actually become a burden to

us with the effect that they are no longer able to discharge their duties properly.

Mr. Speaker, Sir, finally, there has been proposed a legislation for registration of engineers. I want to propose that the professionals in the building and construction industry, that is the engineers, architects, quantity surveyors and surveyors--- At the moment, there are Acts and regulations governing their payments. Those are spread all over the Ministry of Roads and Public Works, the Ministry of Housing, the Architectural Association of Kenya and the Association of Engineers of Kenya. I want to propose that, at some stage, this honourable House should consider having a common legislation to govern the remuneration of professionals in this industry.

Thank you very much, Mr. Speaker, Sir. I beg to support.

The Minister for Foreign Affairs (Mr. Wetangula): Thank you very much, Mr. Speaker, Sir, for giving me an opportunity to say a few words in support of the President's Speech.

Mr. Speaker, Sir, I will start by paying tribute to the President and the leader of the Orange Democratic Movement, hon. Raila Odinga, for signing the Accord that brought peace and normalcy to the country.

Mr. Speaker, Sir, the events that followed the General Elections of December last year exposed the soft under-belly of our country. The events shook the fabric of our society to the core. We were all left vulnerable and nobody across the Floor or behind me could have wanted what we went through.

Mr. Speaker, Sir, I am happy that sanity reigned and we eventually solved the problem. All of us assembled here, and other Kenyans, have no alternative country. Peace is not an option. We must all embrace it. We can stand here and talk about education, water, roads, healthcare and everything under the sun. However, we must always realise that there is no way to peace, but peace is the way in everything we do. Without peace, even our politics, will be made nonsense of in our environment.

We have heard of colleagues who were marooned here in Nairobi. They could not get to their constituencies. The momentum that the events took went beyond an electoral dispute, showed us that we have people in this country who have the propensity and capacity of engaging in extreme criminality. We need to check them. Bands of youths were taken advantage of by some of us.

As we grapple with this truth in this country, I want to plead with all of us that when the Truth, Justice and Reconciliation Commission comes into force, we must remember the words of the Holy Bible: That, it is only the truth that will set us free.

We all have a duty to stand up and say the painful truth, own up to our acts and omissions and own up to our shortcomings for a better Kenya tomorrow. We all must stand up and say with a loud voice that never again shall we have a situation where we go through a noble democratic process and end up with a blood bath that causes an embarrassment to everybody.

Mr. Speaker, Sir, our tourism sector has suffered so much. From an average inflow of more than 40,000 tourists per week, we reached a low level of less than 500 tourists. This is revenue lost. I recall sometime in February, when I came from Addis Ababa with the Foreign Minister for Sudan. I went to book him at the Hotel Intercontinental. Apart from the CNN crew from Atlanta, the Minister of Sudan was the only other guest. The hotel did not have a single other soul. This is a shame to our country. We must carry this collective shame to the future knowing that we should not be hostages of history. We must learn from history and move on.

Now that we have two critical Bills coming to the House, I want to urge that we pass them quickly, have things fixed up for the country to move forward. We should remember that the political class is solving a problem they created. There are many more people down there. We should not end up by signing the accord, sharing positions and forgetting the hungry *mama*, the hungry child, the hungry *papa* back home, still staying in camps for Internally Displaced Persons (IDPs). We should not forget that the Kenyan farmer today is paying Kshs4,000 for a 50-

kilogramme bag of DAP, up from Kshs1,650 last year.

Mr. Speaker, Sir, we should not forget that the farmer growing *sukuma wiki* in Nyandarua District was unable to get to the market in Nairobi for a period of one month. We should not forget that the small bunch of armed and misguided people in Mount Elgon District have made lives miserable for the majority of the peace-loving people of that area. We should not forget that we have heightened the ethnic consciousness in this country to frightening limits. We must rise to the occasion and realise that there is no single community in this country that can have its way.

Equally, there is no single ethnic community in this country that is in this country on invitation. We are all here by right. We shall all remain here as of right. We must learn how to appreciate each other. We must learn how to live with each other. Life is not about the people we like. Life is about the people we live with. If we embrace that understanding, we will very quickly solve the problems of this country. We will then make a meaningful contribution, sit down and find ways and means of how to develop our country.

Mr. Speaker, Sir, we will then legitimately ask how it took the colonialists five years to build a railway line through hostile territory and terrain, from Mombasa to Kisumu. It now takes us six years to tarmac a road from Nyayo National Stadium to the Animal Orphanage. We should start asking ourselves why the colonialists took that short time to build a railway to Kisumu. It takes us so long to build a road from Mai Mahiu to Nakuru, and even as we finish sometimes, where we started is wearing off.

(Applause)

Those are the hard questions we have to ask ourselves. We, as a House, must collectively realise that our vantage position as an economic powerhouse in this region is under threat from our more vibrant, ambitious and organised neighbours. We must be competitive. We must cultivate an environment for a tourist who wants to see a lion to choose to see it in Maasai Mara Game Reserve, and not Serengeti Game Reserve. We must cultivate an environment for a tourist who wants to enjoy the beach to come to Lamu and Malindi, and not go to Tanga or Dar es Salaam. This is competition. We will not compete if we are all breathing venom and hatred against each other. We cannot compete if our energy is misapplied, misdirected and put to bad use, on destructive politics.

(Applause)

Mr. Speaker, Sir, I want to urge that we all see the events of December, 2007, up to January, 2008, as an enormous opportunity of releasing ourselves from our mental blocks to see and realise that on our shoulders, we carry the burden of Kenyans. We do not want to be like the people of an imaginary country called "Kusadikika" as depicted by Shaaban bin Robert in his book called *Kusadikika*, where he says: "*Wasadikika walikuwa wamezoea kutafuta fimbo baada ya kuumwa na nyoka.*" That does not help society. *Tutafute fimbo kabla ya kuumwa na nyoka.*

With those remarks, I beg to support.

The Member for Lang'ata (Mr. Raila): Mr. Speaker, Sir, I want to begin by congratulating hon. Members, first the old Members, who were in the Ninth Parliament, for making it back and secondly the new Members. I know that campaigns were not easy. My advice to the new Members is that they should learn from the experience of the Ninth Parliament, and know that they are here as servants of the people and not as masters, and that they should read those words very carefully, namely:-

"For the Welfare of Society and the Just Government of Men" and women these

days.

First and foremost, the responsibility of hon. Members here is to serve the people. So, hon. Members should think of serving themselves last. Experience has shown that we, as hon. Members, at a time when the country is going through such bad times, need to be very frugal with ourselves. Kenya has been through the worst crisis that it has ever experienced in the 45 years of its existence. We moved to the precipice and we have realised that it is not very far away from where we are. When we looked down the abyss, we were not amused, or pleased, by what we saw. That is the reason why we made a retreat, and came back to the middle.

In the last two months, Kenyans have witnessed agony. We have seen people being maimed and brothers hacking each other to death. These are things that nobody would have thought were possible two months ago. For a long time, there were people who said that we are an island of peace in a sea of turmoil, and Kenyans had believed it. But the crisis that we have faced has shown us that for a long time we have believed a lie, that this is a united nation. We are a conglomeration of desperate ethnic groups that have not been fused together into one united nation. This has to be explained in terms of the failure of the political leadership that has ruled this country since Independence. So, Kenyans still owe so much allegiance to their various ethnic communities than to the nation called Kenya.

Mr. Speaker, Sir, the late Mwalimu Julius Nyerere was a visionary leader, who managed to forge one united nation out of over 100 different ethnic communities. In Tanzania, people are proud to be Tanzanians. If you go to Tanzania and ask somebody which tribe they are, they will tell you: "*Wewe ni Mkenya. Hapa Tanzania hatuulizwi wewe ni kabila gani*". They know that Kenyans are the ones who relate to each other as members of this or that ethnic community. We, as leaders, now have a responsibility to create that nation called Kenya. We have seen homes being burnt, churches being torched with people inside, people being burnt like rats in their houses, matatus being stopped and passengers pulled out and asked to show their identity cards and hacked to death, if they are from the "wrong" tribe. Therefore, we need to find a lasting solution to this problem.

Mr. Speaker, Sir, the previous speaker spoke about tourism. I was at the Coast two weeks ago. I was living in a 400-bed hotel and there were only 20 visitors. In Malindi, before the crisis on 27th December, 2007, there were over 5,000 Italian tourists, but by the time I was there, they were down to seven tourists. Those are minor examples to show that we have a problem. But if you have a problem, then you must solve it. I believe that the problems we have are solvable. That is the reason why we decided that it is necessary to come together as a people.

The trigger of the problem that we had here was the elections and what happened on the 30th December last year. It triggered a chain reaction and people took advantage of it to deal with other long-standing issues that have peppered over for a long time. Those issues need to be addressed now. Let us not suffer from the water hog syndrome. The water hog is a very forgetful animal. You hit it here and it runs to another point, forgets and begins to eat normally. That is how the leopard, and those other animals, usually devour it. So, let us not forget what we have done and begin to speak with arrogance like in the past. This is not the time to exhibit arrogance, otherwise we will just go back to where we have come from.

Mr. Speaker, Sir, after lengthy negotiations, we agreed that we were going to form a grand coalition. Grand coalitions are formed at times of crises like the one we had here. Right now, there is one such coalition in Germany. There has been one such coalition in Japan, Italy and even France. Grand coalitions are formed when there is a hung Parliament, or when there is a crisis like the one we have just been through. It brings two equal partners together, and the two must treat each other with respect. So, what we have signed means that we are in a grand coalition, and there is no number one, two or three. We are all number one. That is how it is. That is how we should

treat this coalition. That needs to be understood properly, so that we move together as one team. I want us to move together as one team so, that we can get this country out of that situation.

Mr. Speaker, Sir, we also need to address the issue of reforms. So, let us use words carefully. Words can build, persuade or create love. But words can also harm, cause pain and agony and even wars. So, let us be civil as we talk to each other. Let us treat each other with respect, so that we can deal with the issue of growth in our country. We have seen how easy it is to destroy it. We can talk of 7 per cent growth, but it could come to zero within a very short time.

Let us address the issue of equity in distribution of resources. Let us learn from countries that are multi-ethnic like Malaysia, which has created bench-marks on how to deal with its ethnic diversity, including the minorities. We should have clear quotas when we are distributing natural resources. If you do that, even the El Molo, the smallest community in our country, will have its share. Let us not just look at merit alone. There is merit among all the Kenyan communities. If you are looking for merit you will get a Kisii, a Meru, a Miji Kenda, a Maasai or a Turkana who has merit. So, let us agree that the 42 tribes of this country are here not by permission from any other, but by right and that we are condemned to cohabit together in the geographic space called Kenya.

I agree that farmers are suffering. We must find a way of reducing the prices of fertilizers, particularly at this time of planting. We will be addressing the issue of reforms as we move on. Let us work together.

With those few remarks, I beg to support.

The Member for Igembe North (Mr. M'Mithiaru): Thank you, Mr. Temporary Deputy Speaker, Sir. My name is Mr. Ntoitha M'Mithiaru, the Member of Parliament for Igembe North, formerly Ntonyiri Constituency.

Mr. Speaker, Sir, let me add my voice in support of the Presidential Speech and, more so, the areas that he covered. He talked about the National Accord which he and hon. Raila signed. That was a sign that Kenyans cannot forget and, more so, when we realise that when both gentlemen went to the polls, they did not do so, so that, later on, they can sign an accord. They were both going to win and form a government. But that did not materialise. During the violence that followed later on, we saw Kenyans being displaced, people killing one another, looting of property and whatever else that ensued. I congratulate His Excellency the President and the Premier-designate for the love they showed for this country. Through the facilitation by eminent persons, they came together and signed the Accord. We should have seen and read the mood of Kenyans on the eve of 28th February, 2008. There was joy and jubilation all over the country and a sigh of relief reigned. That was the first step towards healing and reconciliation.

Mr. Speaker, Sir, the President, in his Speech, talked about hon. Members of Parliament becoming the ambassadors of peace. I would like to echo that call. If all Members of Parliament, with the vigour that we exhibited during the campaign period, went round our constituencies this time round not looking for votes, but preaching peace and how people should live together, there would be peace. If Members of Parliament went round, this time not using the language of hate, but talking about peace and using a language that does not intone that one is against the other, peace will be restored. If Members of Parliament went round the country, criss-crossing the constituencies, from both perceived political divides, Kenyans would see the togetherness in them and the peace and reconciliation that we are yearning for will come faster than expected.

Mr. Speaker, Sir, His Excellency the President, the Prime Minister-designate and the Vice-President traversed this country campaigning. If the three of them could again criss-cross the country with that same vigour and preach to Kenyans the gospel of peace and co-existence, we will see peace and reconciliation faster than expected. That way, we will see farmers going back to their farms. We will also see the businesses that have been looted being reconstructed and people living in peace with one another. I speak that way because I come from a constituency where my

constituents are very mobile. They are all over Kenya trying to sell a crop called *miraa*. When violence struck this country, we suffered most. They could not contain themselves in Mombasa because their businesses and kiosks were burnt. Their vehicles were also burnt. They were not able to live in Kisumu. They actually had to run away. Some of them were killed in Bomet when they were trying to run away from the clashes. The same happened in Eldoret. So, if peace is preached, I would be very happy. As a representative of my constituents, I will now tell them: "There is now peace in Kenya. Go and sell *miraa* all over the country so that you can develop."

Mr. Speaker, Sir, turning to the other phase of the Presidential Speech, he addressed the informal sector. He talked about poverty eradication and job creation. I will now talk from a point of authority. I am trained in the area of micro-finance and especially, in the micro and small enterprises. That is the sector which has received what we can call scarce policy attention previously. I am glad that the President, in his Speech, talked about the Micro-Finance Act which was enacted last year, but it is yet to have a commencement date. The sooner the Minister concerned announces the commencement date for that Act, the better for that sector in Kenya. That sector had been ignored by the banks. It had been categorized as un-credit worthy and all that. It is only the micro-finance Non-Governmental Organizations (NGOs) that came to the rescue when it came to the provision of finances. Those micro-finance NGOs cannot be sustained because they do not have an insatiable source of funds. But with the enactment of the Micro-Finance Act, the institutions will be allowed to accept deposits locally. That way, there will now be a pool of sustainability as far as the source of funds is concerned. I would like that to be done faster because the banks which have not been paying attention to the micro and small enterprises, are now turning attention to them. Today, if you go to any small market, you will find the mushrooming of branches of many banks like Barclays Bank, Kenya Commercial Bank and many others. That is because they are scared of the new Act that has come to give power to the micro-enterprises. If that Act is not given a commencement date as soon as possible, then there will not be a level playing ground.

Mr. Speaker, Sir, the other area where I would like to commend the Presidential Speech is on the Savings and Credit Bill. I would like to say that I had an opportunity of being the Chair of the Task Force that was drafting the SACCO Regulatory Bill. I would like to say the following. If this country has really to get out of poverty, especially where the less-privileged Kenyans will get access to what we call affordable credit, the SACCOs are the avenues today. I would urge Members of Parliament that, when this Bill comes to the House, they should attend to it expeditiously. That is because it will bring sanity and prudent management in the SACCOs in this country.

Mr. Speaker, Sir, on the issue of the youth, we know for sure that 70 per cent of the Kenyan workforce fall in the youth category. I was delighted when His Excellency the President said that those recruited in the National Youth Service could be absorbed in the Armed Forces. But I would also wish to add my voice to a previous speaker who said that when that is done, let the geographical distribution be considered so that we do not have, maybe, areas where certain communities will not have people in the Armed Forces.

Mr. Speaker, Sir, the other issue concerns the youth. Many policy documents are going to be rolled out. One of them, from the Presidential Address, will be on the establishment of a Technical Industrial Vocation and Entrepreneurial Training Authority (TIVETA). There was also a proposal on a National Policy for Science, Technology and Innovation. If we want to create jobs, "innovation" is the word. For those who are in business, they must have innovative minds to create businesses, have them thrive and expand them. That is a policy document that will embrace and pay attention to the small businesses that will come up.

Mr. Speaker, Sir, without repeating what my friend said, I want to pay tribute to the area where His Excellency the President talked about the issue of local authorities. He said that mayors

and county council chairmen will be elected directly by the electorate. The acrimony that we have seen, especially when it comes to the election of mayors, really calls for the---

Mr. Speaker: Order, Mr. M'Mithiaru! Your time is up!

The Member for Igembe North (Mr. M'Mithiaru): Mr. Speaker, Sir, with those few remarks, I beg to support.

The Member for Westlands (Mr. Gumo): Thank you, Mr. Speaker, Sir, for giving me an opportunity to support this Motion. We are here as hon. Members.

As you know, only 30 per cent of the former hon. Members made it back to this House. The majority of the hon. Members, about 70 per cent, are all new. This is a very good thing. In fact, this has shown some of us, who have been here for long, that unless we pull up our socks, maybe in 2012 we shall not be able to make it back.

I have also noticed that the majority of hon. Members here are very young people. Some of us are now getting old, although when we came here we were also very young. When we were elected for the first time, some of us were in our early 30s. Today, we are being told that we are old, and that we should get out. It is easier to defend your seat when you are old than to come here when you are already old.

Mr. Speaker, Sir, I must thank His Excellency the President and Mr. Raila for having signed the peace accord. We needed it. With what we had seen, there was no way out. They were the only two people who could bring us back on track. It is good that they saw sense, and very quickly agreed to come together. We must remember that when they greeted each other and signed that accord on that day, there was relief; everybody was happy. We should follow suit. We must give them support. We must not do anything that can derail the whole process, because wananchi have suffered. As we all know, the people who suffered the most were the very poor. These are people who have nothing to do with politics. The people whose houses were burnt are those who do not even dream of being councillors at one time. That shows that if leaders disagree--- we Africans say that "*Ndovu wawili wakipigana, nyasi ndizo huumia*".

Mr. Speaker, Sir, the greatest trouble we have in this country is tribalism. When we got Independence tribalism had died off. The problem we have today is not with the Head of State but is with the people who are given appointments. Instead of these people using those offices to assist everybody in the country, they go back to their own tribes, villages and homes. That is what has created problems. In the earlier days, you could walk to any Minister's or Permanent Secretary's office, whether he or she came from your home area or not, and you would be assisted. Today, when you visit some of these Ministers' offices, if he or she is a Kamba, you find only Kambas in the waiting room. If he or she is Luo, you will find Luos there. The same applies if he or she is a Luhya or a Kikuyu. That is the problem we have. We must stop that. Today, if you want to appoint a Turkana with a Phd degree to a position, you will get him or her. If you want somebody from West Pokot or North Eastern Province, you will get him or her. There are so many qualified people. It is not that only certain communities have gone to school and not others. They might have more Phds, but there will always be only one job for one person. So, let us try to mix people, so that they can feel that they belong to this country.

Mr. Speaker, Sir, on the issue of IDs, we should pass a law that nobody should fill in the forms for ID cards what his or her tribe is, because it is immaterial. Whether someone is Luhya or a Maasai why do they have to put that information in the form? Does this really mater if someone is a Kenyan? Let us avoid that. Kenyans are known.

Today, if you happen to come from a border district you cannot get an ID card. People from Busia and Bungoma districts, for example--- I do not know whether this affects the Maasai, although they are also from the border. If you come from Siaya, for example, you cannot get an ID card. We have grown-ups today, some young men who are even 35 years old, who do not even

have ID cards. We have married women with five children, who also do not have ID cards. If you visit the districts which border Uganda and Tanzania, the people there do not have ID cards. If you deny a Kenyan an ID card, this is like killing him or her. He or she cannot get a job. If he or she dies on the road side nobody will identify him or her. If a Ugandan wants an ID card, he or she will get it, because he or she will bribe and get it. But the Kenyan, who knows he is Kenyan, cannot get an ID card. These things must be sorted out.

His Excellency the President created the Ministry of IDs--- What do they call it?

Hon. Members: Ministry of State for Immigration and Registration of Persons!

The Member for Westlands: Mr. Speaker, Sir, that Ministry did nothing, because they could not even buy cameras. Let us have a camera in every district or location, so that we can register our people. The majority of our people could not even vote. Those hon. Members who want to be President need to rectify this first. If you want to be President and your people have not been registered and they do not have IDs cards, how will you win? People from Central and Eastern provinces are so lucky, because they get ID cards before they are 18 years old. This is because they do not come from border areas. My own son, and I am an hon. Member for Westlands Constituency, could not get an ID card. He was told: "*Nenda ukalete baba yako*". He told those officers: "My father is the hon. Member for this area". But they said: "*Nenda umleta na ID yake na ya mama yake*". Can you believe that? I had to go and identify myself. The guy who was asking him for his father knows very well that I am his hon. Member of Parliament. Can you believe that? What about the ordinary person from Kangemi who has nothing? How will he get an ID? Therefore, let us give our people IDs.

Mr. Speaker, Sir, let us not look at things in a simple way. Today, we are calling Mr. Raila, Prime Minister designate. We are not changing this Constitution because of Raila! Tomorrow, he will not be there. You remember very well that at one time - Mr. Michuki once said it - we wanted a Prime Minister because it was difficult to remove Moi. Today, who is the President? It is President Kibaki! Tomorrow, it will be somebody else! Let us create these positions for Kenyans because anybody can be a Prime Minister or President of this country. Anybody can be a Minister. We have seen very powerful people in this country. Some people who speak loudest just speak on borrowed power. The day they are not Ministers, they are nothing. The only powerful person in this country is the President. When he makes Mr. Gumo the Minister, he becomes so powerful that he talks so loudly thinking that he is also powerful. He is not!

(Laughter)

He has no power! The man who has the power is the man who put him there. Who knew that some of those powerful people who were here would not be here today? Some of them have even lost elections! I am talking about very powerful people who never knew that they would leave this House.

(Laughter)

Mr. Speaker, Sir, I just want to remind those people who think that because they are Ministers they are powerful and, therefore, talk arrogantly, to people like me, I do not care because I know they are not powerful.

With those few remarks, I beg to support.

The Member for Runyenjes (Ms. Mbarire): Thank you, Mr. Speaker, Sir, for giving me this opportunity. May I, first of all, begin by congratulating you for being elected the Speaker of the Kenya National Assembly and for the able manner in which you steered the business of the House.

May I also congratulate all the hon. Members of Parliament who have been elected to serve in this Tenth Parliament and also those who have been re-elected. It was quite a challenge. I would, especially, like to congratulate the ladies who have made it to the Tenth Parliament. I am very proud of all you.

Mr. Speaker, Sir, may I also congratulate the Prime Minister designate, Mr. Raila, who accepted to put the interest of the nation before his own and also the President, Mr. Kibaki for signing the National Accord. On the day that they did this, we were in New York in a conference for women. We witnessed the signing of the National Accord on CNN while seated at the Kenyan Embassy. We were many women from different communities. Until that news came on CNN, we did not know how much traumatised we all were. This is because we all broke into song and dance and started praying for our nation. It was interesting to see all of us hug each other all the way in New York. We saw a Luo hug a Kikuyu. We saw a Kalenjin hug a Kikuyu and we were very happy.

However, I would like to tell hon. Members that, that National Accord will be nothing if we do not turn it into law. That Accord cannot keep peace in this country and reconcile Kenyans if we do not support it. Hon. Members, you are in the Tenth Parliament to make a difference. I was here, in the Ninth Parliament, as a nominated Member of Parliament and I am grateful to the people of Runyenjes for voting for me. However, I learnt many lessons in the Ninth Parliament.

The lessons I learnt were as follows: First, I did not know that tribe was such an issue until I joined politics and came to this House. I did not know that before you mention your name, the next thing somebody wants to know is what community you belong to and then they can start to judge you by that community. Hon. Members, I did not know that a whole Member of Parliament elected by popular vote could come here and become a simple voting machine. I did not know that you can be elected to come here and forget the interest of your people and start thinking about you and you and you and nobody else. That is the reason we never got the new Constitution. It is because we were thinking of we and we and we and nobody else.

Mr. Speaker, Sir, hon. Members must realise that in this Tenth Parliament, we have got a sacred duty to make reforms that will help this nation. The reforms must rise above Mr. Raila and Mr. Kibaki. They must be reforms that will protect the children of our children. Those are the reforms the Tenth Parliament must provide to this nation. I do not know how many of the hon. Members will be ready to rise above their partisan and tribal interests in order to give Kenya a Constitution that will pass the test of time. I do not know. Because many of us here are new, please, do not let the virus catch up with you.

Allow the reforms before it gets to you. Do what is right for the nation. Let us give the young people out there hope because they are living a hopeless life. Young people out there have no jobs. They are suffering from alcoholism and drug abuse. They have nowhere to live. They are all looking at us and that is why we saw them vent their anger using extreme measures because for them, it was like the world had come to an end. To them, there was no one to speak for them. Therefore, I hope that we can begin to think of how we can create more jobs for young people and how we can legislate laws that will enable young people get opportunities.

[Mr. Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, they say that the USA is a land of opportunities and I want to agree, that it may be. Today, a Kenyan called Barrack Obama is running for the Presidency.

Now, can a Turkana in Kenya run for presidency and become the President of this country? Have we created that opportunity for that Turkana to become the President of this nation? Can a person from North Eastern Province become Prime Minister in this country? Can we begin to create opportunities for that young man or woman to become Prime Minister of Kenya? Let us make Kenya a land of opportunities. We have many Obamas in this country who can be President, Prime Minister, Minister, Member of Parliament or doctor, but we have refused to give them opportunities. All we think of is how we will get power to ourselves and never for the people of this country or those young people.

Mr. Temporary Deputy Speaker, Sir, the reason I speak so passionately is because if the young people did not back me in Runyenjes, I would never have become the Member of Parliament for Runyenjes. That is why I am begging you; let us think about the nation. Let us think about the young people. Let us give them opportunities. The list of opportunities there can be for the young people is endless. But let us not judge them by their own communities! Let us give them equal opportunities irrespective of where they come from. That is because out there, there are many young people who can make a difference in this country. Therefore, I just want to go back to the Bible. In the Book of Esther, she was told: "Who knows that you have been called at a time such as this?". So, I want to ask hon. Members: "Who knows that you have been called to the Tenth Parliament at a time such as this?" Do not waste that opportunity! Now that we have this Grand Coalition, let us rise and give Kenya hope. Let us rise and say that never again shall we witness what we have witnessed for three months since January, in this country. Let us make Kenya a country of opportunity.

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

The Member for Changamwe (Mr. Kajembe): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make my contribution on the President's Speech.

Mr. Temporary Deputy Speaker, Sir, for the first time since I came to this House, the President's Speech was very much welcomed by both sides of the House. Kenyans are very proud today because peace is prevailing. This is the beginning because we have a lot to do to bring Kenyans together. I am saying that because the Accord that was signed by His Excellency the President and the Prime Minister-designate, Mr. Raila, has brought a new face to the Kenyan people. Today, I can see the attitude of hon. Members. They have been hugging each other and talking together. We have a very good working relationship. This is the beginning of change. We need change! The change I am talking about is to bring peace to this country. Our country has a foundation of tribal pillars. I think time has come for Kenyans to do away with tribal pillars in this country. There has been a tendency that whoever comes to power, then his tribe will also be in power, even those who are uneducated. People play with power and show it because their tribe is in power.

I think we must change our attitude! Let us develop all parts of Kenya. We have experienced cases where a Minister in charge of roads has allocated millions of shillings to develop infrastructure and roads in his constituency, and forgot other constituencies. You will read in the Budget that a constituency has been allocated Kshs5 million yet the Minister's constituency has been allocated Kshs500 million. That is not the way of doing things!

Mr. Temporary Deputy Speaker, Sir, there has been a tendency that whenever the President visits a district or a region, all the Ministers follow him there. What for? They have been appointed to do their jobs in the offices and not to follow the President. If every Minister is going to do his or her job in the office, I think we are going to develop. Some areas of this country have been denied development just because they have never had a president from their areas. If you go to areas like the Coast Province, Nyanza, Eastern and North Eastern, you will see that they have been denied development by the Government. The Government in place should develop the whole country

equally.

Today, if you went to the North Eastern Province, you will not find any tarmacked roads. Maybe, if you go to Garissa, you will see a two-kilometre tarmacked road. In the past, those who were in power went to areas and grabbed prime lands. A victim of such behaviour is the Coast Province. All the prime land and the nice beaches have been grabbed by people who are not from that area. If we ask why that is happening; why indigenous people have been made squatters, we are told that this is "one Kenya"! We want a country where resources are distributed equally.

Due to the post-election violence that we have witnessed recently, infrastructure has been destroyed, lives have been lost and people have been displaced. It is now time for this Government to set aside funds to rebuild the infrastructure that was destroyed for no reason. It is time for the Government to set aside some funds to be given to the displaced people. The unrest was there for only two months, but it has brought a great loss to this country. For example, the Port of Mombasa suffered a huge blow. That is because ships were not ready to dock at the harbour for fear that something might happen. Ships moved to the Port of Dar-es-Salaam. So, the Port of Mombasa lost billions of shillings as a result of what happened. It is very important to note that we have learnt a lesson and whatever happened during the post-election violence was nasty.

Mr. Temporary Deputy Speaker, Sir, let us thank God and, more so, congratulate His Excellency the President and the Prime Minister-designate, Mr. Raila. They have saved this country! Otherwise, by today, I think some of those with a good amount of money would have left this country much earlier and leave the poor people here killing each other. Time has come for people to work together. Let us forget the old wounds! Let us co-operate! Before that Accord was signed, very senior people were saying that His Excellency Dr. Kufuor and His Excellency Dr. Annan had come to Nairobi for a cup of tea.

When you listen to a conversation between two senior persons having a cup of tea, they talk about peace. Today, the concept of a cup of tea has changed into peace talk. It is only hon. Kibaki and hon. Raila who brought that peace. It is true that some of the very senior people in the Government are not happy with this peace accord. Some of them cannot even talk about it. They just keep mum and co-operate because they have no choice. Some of them think that if there is a grand coalition that will lead to the formation of the new Cabinet, they might lose their ministerial positions.

Mr. Temporary Deputy Speaker, Sir, I support the President's Speech.

The Member for Garsen (Mr. Mungatana): Mr. Temporary Deputy Speaker, Sir, let me, first of all, take this opportunity to thank the people of Garsen for having re-elected me to serve them for a second time. I want to also congratulate Mr. Speaker for taking up the position he is in.

Mr. Temporary Deputy Speaker, Sir, there is an old Indian tribe that had the tradition that after every nine seasons, they would take the king to a big celebration as if they were enthroning him. They would lead him to a big prepared hole and dump him there, together with his servants and choose a new king. They did not know about democracy or any other process of choosing a king. However, they knew that in every human society there was need for rejuvenation and rebirth of its leadership. I am speaking on the point of this Parliament. We have been stuck on old traditions for a very long time.

In his Speech, the President congratulated the Ninth Parliament in which I had an opportunity to serve, for passing only 17 Bills. This is not in my very humble opinion a tradition that we would like to carry on with in this Tenth Parliament. We have elected a new Speaker who speaks of the future of our Parliament that will be effective, IT sensitive, one that will be productive and that will have televised debates. We want you to know that we want to support this move and bring a rebirth in this House, so that we can move forward with the development of this country.

Mr. Temporary Deputy Speaker, Sir, the legislative programme that His Excellency the President outlined spoke of many things. However, he gave top priority to four crucial Bills. I would not want to talk about the first three Bills, but the establishment of the Ethnic Relations Commission of Kenya Bill is of great interest to me. Every time, people talk about ethnic communities, there has been a tendency to speak about those clearly identified communities and try to think how they can balance them and sort out the issues that surround ethnic communities and the challenges we have in this country. My honest appeal to this House is that when this Bill does come to the House and when we establish this commission, we should think about another minority community and not the El Molo or the other ones that we have identified before. There is a community which I belong to and which some and many people here belong to and maybe our children will belong to whether we like it or not. It is the community that cannot claim to have a clear genealogical heritage from either one tribe or another that we have identified in this country, even from any of the 43 ones.

Mr. Temporary Deputy Speaker, Sir, there are people whose grandparents came from across the divide of these communities. There are people whose mothers and fathers came from across the divide of these communities. They have married and reproduced and their children have married and remarried in other communities. There is a community called the Kenya community. It is a very marginalised community which went to schools that spoke Swahili and English languages. We also had to learn what our fathers tell us is our mother tongue. Actually my father would teach me what is my mother tongue, but really it was not my mother tongue because my mother tongue would be a different language.

Mr. Temporary Deputy Speaker, Sir, I am raising this issue because I think we need to preach cohesion and integration in Kenya. Countries that have developed and gone ahead in these matters of democracy and whatever have not been preaching separation. They have been preaching integration and cohesion. That is what we should be emphasising. I pray that when this commission is established, it will try to address these issues and there are very many of them.

I would be interested in letting this House know that even in old democracies like that of England which we can claim is one of the older democracies in the developed world, on 24th August, 2006, the Secretary of Communities, Ms. Ruth Kelly, set out a commission that was not going to look at ethnic or racial issues, but specifically to look at integration and cohesion of racial and even faith issues that are affecting England to date. These challenges will be with us for a long time. What we should be emphasising again and again, is that we are one country, and one nation and one people. I hope it will be in the terms of reference of this commission when it is formed. We should teach our children that this country is one, right from where we were before we started having all these other problems.

Mr. Temporary Deputy Speaker, we should have in the terms of reference of that commission a discussion on whether or not the ethnic radio stations in this country are helping us towards integration and cohesion of this society or are they emphasising our differences. We need to look at these things and debate them. If I set up my mother tongue station, it would not have interest on any other thing that happens around the country. By the way, my mother is a Taita. My father is a Pokomo and if I set up a Pokomo radio station, it will not be interested in what the Taita people are doing and yet we come even from the same province.

Mr. Temporary Deputy Speaker, Sir, we must debate the terms of reference of this Ethnic Relations Commission of Kenya Bill. This is because many radio stations came up as an executive order from the former Minister for Information and Communications. They just issued frequencies and people started radio stations. We know the roles these radio stations played during the recent electioneering period. We also know the roles ethnic radio stations played in Rwanda during the

difficult years in that country. The terms of reference of this Commission should be to talk about how we can bring a vibrant new Kenya where people are not going to look at themselves as Pokomos first and then Kenyans, but as Kenyans first and then whatever other ethnic communities they come from.

We need to suggest ways in which regional social discriminations that have been there can be balanced in terms of wealth and economic distribution of this country. I think one of the greatest achievements we shall make in this Tenth Parliament is to initiate dialogue among ethnic communities in this country.

Mr. Temporary Deputy Speaker, Sir, the third and final issue I would like to speak very briefly about is coffee. The President spoke about amending the Coffee Act, 2001 to provide for direct sales of coffee. The Sugar Act was also discussed here. We need to develop crops for regions such as the Coast Province where we can also talk about big terms like this so that this region would never again feel marginalised in this country.

With those few remarks, I beg to support.

The Member for Gwassi (Mr. Ng'ongo): Thank you very much, Mr. Temporary Deputy Speaker, Sir. My names are John Mbadi Ng'ongo, Member of Parliament for Gwassi. For those who have not heard of Gwassi, it is one of the two constituencies in Suba District.

Mr. Temporary Deputy Speaker, Sir, allow me to make a few comments in support of the Presidential Speech. I would like to point out that I was impressed by the reconciliatory Speech of the President. But allow me before I go into the details of that Speech not to forget to thank my constituents. This is because they elected me as their Member of Parliament at this age. I think, I must thank my constituents most sincerely for showing confidence in me and for believing that I can represent them effectively in the Tenth Parliament. I hope that I will not disappoint them.

Let me now go straight to where I left; that is, thanking the President for giving a reconciliatory speech to this House. I must say that my confidence was renewed. I came to this House with a lot of hope. When I conceived the idea of contesting, I had a lot of hope. I believed that I would be productive in this House. But when the events that took place in December last year started, I really had a second thought, whether I was really going to the right profession after leaving my beloved profession which is accountancy. Right now, I must say that, I think God has a purpose that I must bring some change.

I agree with hon. Mbarire, who is relatively youthful as I am. I just want to appeal to the hon. Members, who are young like me, to take up the challenge. I know that these people who have been in politics for a long time have passed through a lot of stages. They have a lot of differences which somehow look irreconcilable. We can help them as young people to bridge the gap that they think is difficult to bridge. I say this because in 1991, when I was an undergraduate student, the people I admired most as my role models included, hon. Raila, hon. Murungi and hon. Muite. I would also like to mention hon. James Orenge and the current Speaker. I admired them as agents of change in this country. They were working together, but somehow right now, they are on different sides. What is dividing them is very simple. It is just misunderstanding about power. They do not believe they can work together. But as young people, I am sure we can show our seniors that they can still work together.

I also want to mention something about the displaced people and the National Humanitarian Assistance Fund amounting to Kshs1 billion that the President talked about. I know that many of us think that only those areas which were highlighted in the Press suffered a lot of violence. There are other places and constituencies where we have internally displaced people. I must tell you that my constituency is a multi-ethnic one. Some people think that it is entirely a Luo constituency, it is not. Actually, it is not even a Suba Constituency. We have Luhyas there. We also have a large population of Kisiiis. We also have Subas and Luos. So, there were people who were

displaced. I hope that my people will also be considered during the disbursement of these funds to help them resettle in their places. Some people lost their shelter as it happened in other places in the Rift Valley and Nyanza provinces.

I wanted to mention something which is very dear to my heart, and that is the infrastructure. Since Gwasssi Constituency was born, there is no single Member of Parliament who has ever made it for a second term. The main reason for this is purely poor road network. Our roads are impassable whenever it rains. I hope the Government will consider this issue. That way, at my age, I would go for the next elections when I am 41 years old. Please do not render me jobless. Nobody will be willing to employ someone who has been in Parliament. I hope the Government will consider improving the road network in Gwasssi and Suba by extension. We are actually some of the few districts without even an inch of tarmac road and all-weather roads. Our roads are only dry weather roads. So, if the road network in my constituency is given the first priority, I will make it to the next Parliament. I would not even campaign. So, I request the Government to help me win my second term. I am appealing to the Government to consider that. My constituency is really marginalised. It is the only constituency which has no electricity. I am sure very few constituencies can be compared to Gwasssi Constituency which has no electricity. Even one metre of electric wire is not there. So, I am appealing that this time round---- I think Gwasssi people elected a young person because they realised that these things require some youthful strength so that I can carry the load. I know they had confidence that I will carry the load and get them connected with electricity. They said that I was young and I have enough strength to serve them. I know that I would not be able to carry the load, but through persuasion and proper policy framework, we can have better networks.

I want to move very quickly and say that I do not know where the ring-road from Port Victoria to all the way to Muhuru Bay went. The Ugandan and Tanzanian sides are already done. I wonder why the Kenyan side was not done. The former Minister for Roads and Public Works, hon. Raila, had a very good plan, which if implemented, would benefit the people who border Lake Victoria. We would not have had these problems. We would not have been talking about poor infrastructure.

Mr. Temporary Deputy Speaker, Sir, I want to mention something about devolution. The President talked about reconciling the three party manifestos: the PNU manifesto, the ODM manifesto and the ODM(K) manifesto. The ODM and, to a large extent, the ODM-K manifestos talk about devolution of both power and resources. I am sure we are currently engaged in devolution of power. However, I hope that the team that has been appointed to harmonise these three manifestos will look at the devolution of resources, so that we have equitable development of regions. If you look at what the Constituencies Development Fund (CDF) has done in this country-- I know some people have misgivings, but by and large, if you look at the kind of development we have witnessed in the last five years, courtesy of the CDF, you will agree with me that we require more devolution of resources. I hope that the team that has been charged with a very important assignment will look for a way of marrying these manifestos together so as to devolve more resources to our regions or constituencies. I have in mind an idea like increasing the percentage to the CDF from the current 2.5 per cent to a minimum of 10 per cent, if that can be sustained.

Mr. Temporary Deputy Speaker, Sir, the President talked about economic growth. I must thank the NARC Government for having turned around the economy to a growth rate of almost 7 per cent. However, even though we are now complaining about the chaos that brought the problems that we have with the economy at the moment, we need to look into our institutions. I want to talk about the Capital Markets Authority (CMA). That two brokerage firms have been struggling for a few months, those are M/s Nyaga and Associates and Thuo and Associates, sends a very bad signal from the stock market. I think the CMA needs to come out and speak to Kenyans. It

needs to give Kenyans the reassurance that their investments are still safe. I talk to many investors and I have seen a lot of pessimism. There is a lot of reluctance on the part of Kenyans to invest in the stock market. They are not sure whether the regulator is really doing its work. I think the CMA needs to come out and reassure Kenyans. It should do a thorough audit of all the brokerage firms that we have and give us a report. Make the report public, because these are things that just depend on perception. Once the economy is affected by perception, you cannot recover.

Finally, I would like to talk about land title deeds. There are areas where we own tracts of land without title deeds. I hope the Ministry of Lands will speed up the issuance of title deeds in certain areas, especially in Nyanza Province. Nyanza Province is really hard hit. You cannot even access any credit facility despite owning huge tracts of land.

Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to make my maiden speech.

The Member for Kangundo (Mr. Muthama): Thank you very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also express my sincere congratulations to His Excellency the President, hon. Raila Odinga and the team of negotiators from both sides.

Mr. Temporary Deputy Speaker, Sir, a lot has been said, and we will continue to say more. We are talking about issues that touch on peace and Kenyans. I want to refer to the few trips that I had an opportunity to make to the most affected areas with Internally Displaced Persons (IDPs). I want to confess to this House that what I saw was quite devastating. I saw innocent women, men and children sleeping in compounds. Children were being born in the open. We buried one body in Cherangany, whose head had been chopped off. The family was there and it was a very emotional occasion.

Mr. Temporary Deputy Speaker, Sir, as we embark on discussing and touching on these issues, I want the Government to give the resettlement of the innocent affected Kenyans priority. They do not know what crime they committed. They find themselves in that very devastating situation, yet the crime they committed was to vote for us. We were voted for to lead Kenyans to peace and harmony. However, what Kenyans are receiving is completely different. The poor people do not know what it means to go to State House. They do not know what it means to become a Minister. All that they want is a peaceful night, a plate of *ugali* and *sukuma wiki*. Is it impossible for the Government to provide that?

Mr. Temporary Deputy Speaker, Sir, these problems started in 1992 when we were about to go to the general election. In 1997, they were there. In 2002, they were there. In 2007, they happened. We know we have a Government which we pay taxes to maintain in order for it to provide security to Kenyans. We had a department known as the National Security Intelligence Service (NSIS). However, it seems like something has gone wrong somewhere. How come that for the last 20 years the Government has been unable to establish where these problems come from? Are we waiting to have the same thing in 2012? What information has been given by the NSIS and the Government failed to act on it? It looks as if it is either a well organised kind of crime that is well known within the system, or the Government lacks the capacity to deal with that situation.

Mr. Temporary Deputy Speaker, Sir, I want to say that it is up to the Government to come out clearly and say to Kenyans--- This is not about Opposition or pro-Government Members of Parliament. It involves Kenyans. The Government should come out and say: "This is the problem and it has been coming from this. It starts from here and the Government is able to deal with it".

Mr. Temporary Deputy Speaker, Sir, we are talking about one country. However, unless we are serious and sincere, we will just sit here, spend hours contributing in all sweet words, but when we get outside there what happens? It is tribal issues. I have never seen in any part of the world where someone works, sweats, saves his money, goes to a certain area where he or she buys a piece of land and he is seen as a foreigner, yet he belongs to the same country.

Mr. Temporary Deputy Speaker, Sir, I never made an application to be born where I was born. I would hate to imagine that I would be referred to as a member of a certain community.

Mr. Temporary Deputy Speaker, Sir, we politicians have incited people and caused problems. For us to be famous, popular and then get elected, we start by telling people: "Elect so and so because he comes from your tribe, and when he gets there, it will be your time to eat". It is not a secret.

Mr. Temporary Deputy Speaker, Sir, it is time that we stopped instilling in the minds of our people that once one gets elected, that creates a means and ways for them to "eat." This forms the backbone and the beginning of corruption.

We want to improve the economy of this country. And I speak as a businessman now. There is no way we can empower farmers by reducing the cost of fertiliser. We will not be able to change the standard of living of the farmers. We have two classes of people in Kenya; one at the very top and the other below. We lack the middle class in this country. I learnt this in the United States because I have visited there and I trade with them. It is the middle class that commands the power and they are the driving force of the economy of any country. From the post of Permanent Secretaries, the rest of the class there, right up to teachers, earn peanuts.

Mr. Temporary Deputy Speaker, Sir, it would be important to harmonise the salaries of civil servants. Teachers, DOs and chiefs are the class of people who hire houseboys, maids and *shamba* boys. When we talk about lack of jobs in Kenya today, we do not talk about jobs at the level of Permanent Secretaries but at the lower level and the middle class level. If we can work on that and make sure that instead of each one of them earning Kshs7,000, they earn Kshs30,000, then they would also employ five more people. We should not rely on people in the city whose earnings do not trickle to the villages.

There is the issue of nursery school teachers. In my constituency, we have nursery school teachers who are not placed under any job group. Nobody pays them, and yet they are the ones who mould the brains of children who join Standard One. I would like to ask that a job group be created for nursery school teachers.

Mr. Temporary Deputy Speaker, Sir, from what we have seen, the feeling that I got when I visited Cherangany was that there was not enough security personnel. We are 35 million Kenyans and the Government should provide funds for security. If security is required in Kenya, there is no need of talking about constructing good roads for people while they are being killed day and night. You cannot provide those people with health care if they cannot live peacefully. I would like to suggest that the Government sets aside funds to hire security personnel so that in case of violence, such as what we witnessed, security officers are sent to every village to guard every house because it is the right of every Kenyan to be provided with security.

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

The Member for Konoin (Dr. J. Kones): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to take this opportunity to thank my constituents for electing me during the last General Election and to assure them that I will serve them to the best of my ability. Let me join hon. colleagues in supporting the Motion which is the President's Speech.

In my view, what happened recently has exposed two key issues which we must address as a House and as a Government. One of them is the gap between the rich and the poor. This gap has widened. Although the violence was triggered by the election dispute, I still saw an element of class fighting. The marginalised and extremely poor people who are the majority have for a long time felt that their issues are not being addressed and that wealth is not distributed evenly. This point has been brought out by other hon. Members eloquently and I think it will be the main challenge of the 10th Parliament; to lay strategies and means to ensure that wealth is distributed equitably in this country. We may achieve short-term benefits, but if that problem is not addressed,

it will keep on recurring.

Mr. Temporary Deputy Speaker, Sir, the other issue we need to look at is to target a critical group of our population which has for a long time felt that their problems are not being addressed. That is the youth. As of now, you know that the youth form the majority of our population and they are the ones who apparently do not get employment, access to education and all other basic needs that they deserve. The success of this 10th Parliament will be measured by how much we do to address issues affecting the youth in the country.

Turning to the Presidential Speech, I must say that it was reconciliatory. It set the right environment for reconciliation. We are now enjoying that environment. The President talked about a number of proposals which will be tabled in this House to make agricultural production gainful. One of this was an amendment to the Coffee Act which will allow direct sales. I want to say that apart from coffee, we also need to look into the production and marketing of tea. I know that tea production contributes at least 25 per cent of the national GDP. I come from a tea zone. As much as we know that tea brings a lot of foreign exchange to this country, tea farmers still languish in poverty. I think the problem lies in the marketing of tea.

I will be proposing, when the time comes, some changes we need to introduce in the tea sector. Probably one of them would be what was proposed for the coffee sector. There is also the issue of value addition. We are losing a lot by exporting our tea in raw form. We need to prioritise value addition of our agricultural products so that we can get more from this sector.

Mr. Temporary Deputy Speaker, Sir, another issue I wish to talk about is that of the environment. The post-election violence has had very devastating effects on our environment. I can envisage another disaster coming soon, unless we act to prevent it. I want to bring to the attention of this House the massive destruction of Mau Forest. The forest is a source of many rivers that feed into Lake Victoria and eventually flow to River Nile. If we do not take drastic measures to conserve that forest, we might not have River Nile in a few years to come. So, I want to appeal to the relevant authorities to institute the relevant measures to conserve the Mau Forest.

Mr. Temporary Deputy Speaker, Sir, in the Presidential Speech, there was mention of starting a National Science Foundation and a National Innovations Agency. It is true that if we have to prosper, then we should really move towards industrialization training. As it is now, Kenya is still an agricultural-based economy. But we still need to move towards an industrial-based economy. There used to be Vision 2015 for industrialization. Apparently, I do not know what happened to that vision. I hope that in the Vision 2030, which is yet to be launched, strategies are going to be put in place with very specific programmes to ensure that we move from agro-based economy to industrial-based economy. Science and technology is really going to play a key role.

Mr. Temporary Deputy Speaker, Sir, our institutions of research need to be supported with funding. Apparently, most of our research institutions are under-funded. Universities and institutions like Kenya Agricultural Research Institute (KARI) require adequate funding.

Mr. Temporary Deputy Speaker, Sir, another issue that I would like to raise - and some hon. Members have raised it before - is with regard to the disparity in salaries of public officers. Those disparities need to be addressed so that the entire work force is motivated. There has been a tendency in the past to only pay huge salaries to senior management and exclude the middle and lower cadres of staff. I wish that issue will be addressed. I also wish that professionalism is rewarded. We should go for professionals and reward them accordingly.

Mr. Temporary Deputy Speaker, Sir, finally, time and again, we have had many proposals which are very good initiatives. But one of the problems that we experience as a country is that the implementation has been very poor. I wish we could put in place a mechanism of ensuring that some of the ideas and strategies are actually implemented, so that our people can benefit from those very good ideas. So many research findings are lying idle in our universities and research

institutions.

Mr. Temporary Deputy Speaker, Sir, at the moment, there are no means of translating those research findings into practice. So, probably, there should be a mechanism of ensuring that whatever ideas are generated in such institutions are implemented or translated into real activities. That will ultimately address the problems affecting our people.

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

The Member for Githunguri (Mr. Baiya): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I also want to introduce myself. I am Baiya Njoroge Peter from Githunguri Constituency. I also want to take this opportunity to thank the people of Githunguri Constituency for affording me this opportunity. It is my wish that I will represent them and their interests.

Mr. Temporary Deputy Speaker, Sir, I also want to support the Motion before the House, which is touching on the Presidential Speech. The Speech by the President came quite well in terms of showing the direction that this country so badly needs at this time, after having gone through the crisis that occurred after the General Elections. This country, as it turned out, is divided along many divisions, including tribal divisions. It was apparent that even prior to the elections, this country and the leaders--- The way we sought the support of the Kenyan people actually ended up sowing those seeds of division. So, the politicians and the political class are, to a large extent, responsible for causing the division amongst the Kenyan people along tribal lines. We know that, that is a historically established practice in this country. It was started way back during the colonial times. It is well documented that even during the first election in this country, we had parties that were supported by our former colonial masters for purposes of pushing their own political agenda as far as this country is concerned.

Mr. Temporary Deputy Speaker, Sir, as we think about strategies for peace and strategies for sustaining ourselves as a country, it is my opinion that we will be deluding ourselves as a country if we leave those practices uncurbed. There can never be any genuine rule of law if those who are bent on destabilizing the political system are left free during the elections.

Mr. Temporary Deputy Speaker, Sir, Kenyans who are actually in the Internally Displaced Persons (IDP) camps are, to a large extent, innocent. They merely voted as Kenyans, just like everybody else did. They exercised a democratic right, only to end up bearing the brunt of chaos and mayhem that befell the country after the elections. Those who actually caused the mayhem are themselves now enjoying the perks after they caused that mayhem.

Mr. Temporary Deputy Speaker, Sir, that is also posing a challenge to our own effort as a country to establish democracy. Democracy cannot be sustained if attempts to bring about democracy actually afflict so much pain to so many people and cause so much destruction and death. That has happened in this country not only in this General Election, but also in the last four elections.

Mr. Temporary Deputy Speaker, Sir, may I also submit that the challenge to our country, and it has been addressed by the Presidential Speech--- One of the reasons why the population of this country is agreeing to be used by the politicians and any other persons who are out there to cause problems is because of the state of poverty in this country. I think the bottom line of our problems as a country is poverty. It is really a challenge even to our viability as a nation. It is also true that with the current poverty levels, we have many youths who feel that they have nothing to lose even if they engaged in violence; who feel that they can even gain by committing crime. I also submit that a big section of the population feels that it has been left out just because of poverty. So, the nation, the country and the leaders need to address our foremost problem; the question of poverty afflicting all sections of our society.

We have the Vision 2030 that is being pursued by the Government. This Vision 2030 is a

very good strategy. However, it is a strategy which is bound to take quite some time to actually alleviate poverty in this country. It will, therefore, be very important for all leaders to work together to realise this vision. We all know that it cannot be achieved within a day. For the youths, waiting for Vision 2030 to deliver them from poverty does not look like a viable option. It is upon leaders to deliver this message to the youths. I, therefore, submit that if the leadership is divided, there is no way any one leader in this country can deliver any viable programme.

I would also like to express my appreciation to His Excellency the President and Mr. Raila for actually recognising this fact and coming together to sign this accord. My trust is that each one of them and all those who actually support them appreciate the fact that President Kibaki or Mr. Raila alone cannot deliver any viable programme by himself. They require the support of each other and our support for us to be able to carry forward a sustainable programme that can deliver Kenyans from poverty in the long run.

Mr. Temporary Deputy Speaker, Sir, another point I want to make in relation to this is that, on the basis of united leadership, we expect leaders to stop inflicting more pain to the people by talking about injustices and inequality, not realising that these virtues cannot be addressed until we overcome poverty.

I also appreciate very much the reference made by the President to his Government's intention to bring to this House a policy paper on amendment to the Co-operative Act. I have a background of working with co-operative societies. I know that they are useful vehicles for helping ordinary Kenyans. They are socio-economic institutions which enhance their unity, and which help them to mobilise resources. We know that the policy behind the existing co-operative movement has actually certain challenges. I look forward to the Bill, so that we address some of the weaknesses in the existing legislation.

I would like to conclude my contribution by urging hon. Members to view this development as an opportunity for us to institute constitutional and legal reforms, which will enable this House to address some of the long-standing bottlenecks and problems that have bedeviled this country.

I believe that if we carry out those constitutional reforms, we will also have lifted our country above the level where we have had to depend on individuals rather than institutions. A time will come when all the individuals holding office will eventually not be there, but the institutions that this Parliament will help to establish will possibly help this country to anchor through situations like the one that triggered the crisis that has befallen this country.

I submit that we should learn from history that institutions will help us more than individuals. Also, consistency is important. For instance, there is actually a case in point. One particular party, in 1997, when it was in power, supported the version of the constitution of the Public Accounts Committee (PAC). They had the majority in the PAC. In doing so, they overlooked the fact that the PAC is meant to ensure that there are checks and balances in the management of public affairs by a Government. Five years later, they found themselves on the receiving end.

The Temporary Deputy Speaker (Mr. Imanyara): Your time is up, Mr. Baiya!

The Member for Githunguri (Mr. Baiya): With those remarks, I beg to support.

The Member for Muhoroni (Prof. Olweny): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the Motion.

I would like, first of all, to thank the constituents of Muhoroni for showing their confidence in me by re-electing me to the Tenth Parliament. By now, I should have celebrated my re-election. There is an election that I have never celebrated, because of what happened in Kenya. Immediately after the elections, the country went on fire. In my constituency, we lost a lot after the last general elections. A lot of sugar-cane was torched. A number of houses were burnt down. Unfortunately,

some of our friends with whom I was in my car, who had been campaigning with me for more than a month, had to run away just because they did not belong to the local community, because of post-election violence.

Mr. Temporary Deputy Speaker, Sir, that tells us that we can lose a lot of what we have saved and acquired in this country since Independence if we mismanage this country. We have, of course, mismanaged the affairs of this country since Independence; be they cultural, political, economic or religious. That is what has led to all these problems. If only the founding fathers of this nation had done what the late President Julius Nyerere of Tanzania did for Tanzania--- Even though the world accused him, saying that Tanzania was not taking the right route of development, today we have seen that Tanzania had taken the right route. For us, in a matter of seconds, everything can be in pieces. In this country, things can fall apart within minutes. We have witnessed it happen. It affected us. It is something we should not wish repeated in this country.

I wish to thank His Excellency Kofi Annan as well as the mediation teams from the Orange Democratic Movement (ODM) and the Party of National Unity (PNU). I give them my thanks for what they did for this country. Of course, I also thank the two gentlemen, namely, His Excellency the President, Mr. Mwai Kibaki, and Prime Minister-designate, Mr. Raila Odinga, for what they did for this country by signing the peace accord, which may put all those problems behind us. Ladies and gentlemen of this country, once we put all those problems behind us, let us try to put this country on the right track. Let us forget statements like "we are not going to give it to so-and-so."

Mr. Temporary Deputy Speaker, Sir, let us put Kenya before us. Let us give to Kenya whatever it is that we want to give to Kenya. Let us not say "we are not going to give it to this or that tribe." Let us bear in mind the fact that whoever you are talking about is Kenyan. Let us put everything regarding tribes behind us. I did not ask God that I should be born a Luo. Other people did not ask God that they should be born into whatever tribes they belong.

We want to make this country ours, because it belongs to us and we all belong here. Let us start talking like Kenyans and not like people who belong to different tribes. If anything happens, we shall all lose together. There is nobody in this country who will be happy. What is happening in Iraq? Which Iraqi is keeping the country? Everything is going down the drain. Across the border in Somalia here, who is happy? What happened in this country in January showed me that anybody given arms can cause mayhem. Some of those guys just used stones, *pangas* and other crude weapons, yet they caused a lot of mayhem. What if they had more sophisticated weapons? Can you imagine the kind of destruction that we would have been in this country? We would not even be having a Parliament.

So, it is up to this Parliament to make sure that we have a country. What happened in this country at the end of last year, and the beginning of this year, was as a result of what the last Parliament did not do. If the last Parliament had done the constitutional reforms and put in place a good electoral commission, I do not think we would have ended up with that kind of problem. If the previous Government had cared about land reforms in this country, I do not think people would have been killed in Mt. Elgon, Laikipia and Kuresoi. Let the 10th Parliament mind about Kenya. Please, do not mind who you are giving a job or your tribe. If we do that, then I do not see the need of having a Parliament again.

Mr. Temporary Deputy Speaker, Sir, the President talked about the infrastructure in this country. Kenya to the west of Nakuru has no roads. The Ministry of Roads and Public Works needs to move into other parts of the country which have been ignored. The road from Nakuru to Busia is a nightmare. I like what the President said with regard to the road reserves; that they should be protected. In fact, one of the major problems that we are having with our roads is that the road reserves are never recognised. They are cultivated and kiosks are constructed on them. Those who

think their land is not enough for building on, or for cultivation, use the road reserves. That means that the engineers do not have enough space when they want to improve roads or do road maintenance. In my constituency, there is rice cultivation up to the road. So, when the road engineers want to do drainage along the road, they cannot do it because of water along the road. So, it will be a wonderful idea if road reserves are protected.

Mr. Temporary Deputy Speaker, Sir, lastly, I would like to talk about education. This year we have started the free secondary education. I do not like the idea of the Ministry coming up with a policy that certain secondary schools which have students below or above a certain number will not benefit from the free secondary education funds. Secondary education funds should be given to Kenyan students, even if a secondary school has ten students per class. Let all of them benefit because that money is meant to benefit Kenyans. Some of the schools that are new and do not have 40 students per class, but have at least have 25 students per class, which is the required limit for registration, should benefit from the secondary education money.

With those few remarks, I beg to support.

The Member for Laisamis (Mr. Lekuton): Mr. Temporary Deputy Speaker, Sir, thank you for this opportunity. First, I would like to introduce myself. My name is Joseph Lekuton, Member of Parliament for Laisamis.

I would like to thank my constituents for electing me for a second time. The first time was through a by-election.

I do wholeheartedly support the President's speech. It was a speech of reconciliation, and a new beginning for this country and a new renaissance for us all. It is truly a time to heal a nation. There is an old saying that says that if you want peace, prepare for war. But in this country we say that if you want peace, prepare for justice. That means justice for the poor, the oppressed, the landless, the internally displaced people (IDPs) and for anyone who cannot stand up for themselves.

Mr. Temporary Deputy Speaker, Sir, a pastor in Nazi Germany in 1932 said in German, and this is one of the points Mr. Annan raised: "They first came for the communists; I did not speak up because I was not a communist. Then they came for the Jews and I did not speak up because I was not a Jew. When they came for the trade unionists, I did not speak up because I am was not a trade unionist. Then they came for the Catholics; I did not speak up because I was not a Catholic. Then they came for me and by that time, there was no one left to speak up". In Kenya, we are lucky enough to have two men who are old enough to speak for us. I would like also to thank the negotiation teams from both sides for doing a wonderful job. They sat day and night to make sure this nation had peace. We thank them all.

Mr. Temporary Deputy Speaker, Sir, the President's Address touched on many issues regarding our daily lives, such as unemployment, economic growth, energy, education, agriculture and much more. With the success of this Government, the past successes, and with the anticipation of a great economic growth down the road, I only think it is fair if we spread that wealth across this country. Napoleon said that the strongest oak tree of the forest is not the one that is protected from the storm and hidden from the sun; it is the one that stands in the open where it is compelled to struggle for its existence against the winds, rains and the scorching sun. I come from a very vast area in the north of the country, which measures 26,000 square kilometres. I feel that we have been left behind in many ways, and we are not crying in this case. It is a fact. I echo my colleagues who have spoken about that issue in the past.

Mr. Temporary Deputy Speaker, Sir, to be specific, there are four points that I would like to raise. There is need to revisit the Constituencies Development Fund (CDF) distribution poverty index. In my area, in 2003, when they did a poverty index evaluation, we lost 90 per cent of our livestock, yet the basis of the allocation of CDF funds was wealth. As nomads, cattle and camels

are our wealth; the moment they die due to drought or banditry, we go back to square one. So, we would like the allocation index to be looked at again and rectified immediately.

Mr. Temporary Deputy Speaker, Sir, there is also need to identify the appropriate energy sources in those areas. For example, the wind power and solar research in the north should be speeded up. In some parts of my constituency, we have a wind speed of nine revolutions per minute. With masts in the region, we are capable of producing 25 per cent of this country's current electricity requirement.

Mr. Temporary Deputy Speaker, Sir, there is also need to urgently address the poor infrastructure. I travel for about 1,100 kilometres from Nairobi to my constituency, and only 300 of those kilometres are tarmacked. Thinking logically, five years of travelling along those bad roads, what would happen to my back and most of my colleagues' backs, and yet we represent our nation here? So, infrastructure is a key point that we should all look at.

Mr. Temporary Deputy Speaker, Sir, also, there is need to hold accountable any oil drilling companies connected with oil exploration. They need to have some serious environmental assessment. They need to seriously take into consideration some cancer cases that have sprung up in northern Kenya where, in 1989, there was some oil exploration in Kargi, North Horr area. We have had a huge increase of cancer patients coming to Nairobi and other parts of this country. So, anytime we have oil exploration or anything of that sort, we need, as a Government, to put measures that will adequately look into people's health. We should not only look for the resources that the oil products will bring.

Mr. Temporary Deputy Speaker, Sir, finally, there is the issue of cattle rustling. As I speak now, about three days ago, there was an attack by between 200 and 300 bandits who attacked a village in my home area and got away with 2,000 head of cattle. We need to ensure that our forces do their work to make sure that those people who toil for many years to breed their livestock and sacrifice in the scorching sun and drying rivers to make sure that they have got all of those animals, and all of a sudden, in a flash of a minute, are made poor and paupers--- We need the Government to increase the security forces in the north and have a lasting solution to the problems affecting those areas.

Mr. Temporary Deputy Speaker, Sir, if I have the time, allow me to just tell a short story about a village that a long time ago had big enmity between two tribes. One day, the scouts from one tribe came and told their villagers that their enemies were coming in hundreds. In that village, there were two men who were disabled. One had no legs and the other one had no eyes. The villagers quickly gathered their stuff together and the chief elder said: "We have to run because the enemies are coming." Those two men were left in the village waiting to be killed. Both of them reasoned and asked themselves: "What do we do to survive? What can we do to make sure that we help ourselves?" The blind man was a strong man and the man who could not walk had very sharp eyes. So, they reasoned together and the blind man went down on his knees and told the man who could not walk to go over his back. He stood up so that the man on top could see and the blind man could walk. So, they slowly traced down the villages and passed them.

We were chosen by our people and they carried us to this Parliament. We ought to be their eyes to make sure that we succeed in our society.

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

Nominated Member (Mr. Yakub): Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, I support this Motion on the Presidential Speech. My name is Mohamed Dor Mohamed Yakub.

Mr. Temporary Deputy Speaker, Sir, I wish to congratulate both His Excellency the President, hon. Mwai Kibaki, and His Excellency the Prime Minister-designate, hon. Raila Odinga, for their bold and courageous leadership qualities which saved the lives of Kenyans and Kenya. I

also wish to congratulate you, Mr. Temporary Deputy Speaker, Sir, for being elected to this 10th Parliament. I wish to congratulate all the hon. Members for being elected to this august House, without forgetting my fellow 12 Nominated Members who were nominated by our respective political parties.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the Almighty God and the National Muslim Leaders Forum (NAMLEF), jointly with the ODM Party, for having confidence in me and for allowing me to come here and serve Kenyans in this 10th Parliament.

Mr. Temporary Deputy Speaker, Sir, the President captured almost everything in his Speech, which the *mwananchi* would like to hear. But the implementation is entirely on us.

The Member for Ikolomani (Dr. Khalwale): On a point of order, Mr. Temporary Deputy Speaker, Sir. While I am aware that on a maiden speech, the hon. Member cannot be interrupted, but, maybe, the Chair could guide him to the fact that Standing Orders do not allow hon. Members to read a statement to the House.

The Temporary Deputy Speaker (Mr. Imanyara): Indeed, that is the position. I did not want to interrupt the hon. Member while he is making his maiden speech. But now that the issue has been raised, the Standing Orders say that you may not read, but you can refer to notes.

Nominated Member (Mr. Yakub): Mr. Temporary Deputy Speaker, Sir, in all our memoranda in the political parties, we had covered the issue of youth and people who are disabled. I think it is our duty here to make sure that in our discussions, both the societies are given equal rights.

Mr. Temporary Deputy Speaker, Sir, may I take this opportunity again to thank all those who took part in the negotiations, especially, Dr. Kofi Annan.

I wish to end by saying that I support the Motion on the Presidential Speech.

The Temporary Deputy Speaker (Mr. Imanyara): Yes, the hon. Member right at the back of the Chamber!

An hon. Member: Which one of us?

The Temporary Deputy Speaker (Mr. Imanyara): I am referring to the one standing between the two of you.

The Member for Manyatta (Mr. Kathuri): Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to support this Motion. I also wish to thank the people of Manyatta for electing me to serve and represent them in this House. My names are Mr. Emilio Kathuri from Manyatta Constituency.

Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion, but I have some comments to make. When I look at the President's Speech, I realise that there is the Ethnic Relations and Commissions Bill that is supposed to be presented to this House. I think we have a duty, as Parliamentarians, to ensure that when that Bill is brought, we should come up with strategies that will definitely make our country steer clear of tribalism. I believe that one of the ways is even to drop some of our names, which when you look at them, you automatically know which region of Kenya the specific person comes from. That is an issue which must be given the necessary attention, so that we can steer clear of tribalism. I do not see why I cannot use my baptismal name. If it is made law, it will become very easy for one not to be seen to belong to a specific region. In many hotels we address the waiters by only one name. It becomes very difficult for one to identify such a person as a Muembu, Mumeru, Kikuyu or a Luo. I believe that is the direction that this House should take so that, at least, we can rid this country of tribalism.

Mr. Temporary Deputy Speaker, Sir, on the issue of roads and highways, the Presidential Address did not address the real problem. The reason our roads develop potholes within a very short time after construction has a lot to do with the issue of corruption. Our weighbridges are manned by officers who at the end of the day do not serve the interests of the nation; they serve

their own interests. Even if we constructed ten roads in a year, we would still find that five of those roads would within one year need repairs. We must address this issue, so that we know how we will resolve this problem once and for all. There is no way we can penalise a transporter while ignoring the company that hired the truck, yet, for example, the transporters know that the goods they are supposed to transport from Mombasa to Nairobi weigh 50 tonnes and they use one truck. So, they are aware that they are contravening some of the rules of this country. While addressing that issue, we should also factor in how we are going to deal with some of those issues.

Mr. Temporary Deputy Speaker, Sir, on issues of health, His Excellency the President talked of health care financing. It is true that we cannot talk of a wealthy nation if we do not have a healthy nation. We cannot talk of health if we are also going to forget some of those who may be suffering from ill health arising from accidents. Some of their family members are unable to attend to other productive activities because they are financing bills in hospitals, which were occasioned by accidents. We have the proposed Accident Compensation Bill, which has been pending in this House for many years. I believe it is high time we addressed this issue, so that when that Bill is put in place, it will address some of those issues. The family members who are afflicted - we say that if they are not infected they are affected - will be able to address some of those issues in a better way if that Bill is put in place. A compensation mechanism would make those family members use their resources for other productive purposes.

Mr. Temporary Deputy Speaker, Sir, there are many other issues which I would have wanted to comment on, but I wish to stop there.

Thank you.

The Member for North Imenti (Mr. Ruteere): Thank you, Mr. Temporary Deputy Speaker, Sir. I also wish to join other hon. Members in thanking His Excellency the President for the reconciliatory message that he gave in form of his Presidential Address. It was an Address that gave us the direction which we shall take, and one to put the country together.

I also wish to thank the Prime Minister-designate, Mr. Raila, for seeing it fit to come together with His Excellency the President, to sit, talk and shake hands. Somebody in the business world told me yesterday that one handshake by one of them causes a drop in the value of the dollar. This saved the country a lot of agony and has helped us a lot. That is why we are discussing issues here in a very friendly atmosphere.

Mr. Temporary Deputy Speaker, Sir, I also wish to thank my constituents of North Imenti, who have made it possible for me to come to this august House, after struggling for the last 20 years to be here. It has not been a short journey; it has been a long one, but eventually I am here!

(Applause)

There are issues that have made the constituents of North Imenti think that I am better off in this House. One of these issues is education. We have a serious problem in the education system, which should be addressed. This problem is worse than the clashes that we experienced. The Kenya National Examinations Council (KNEC) has let this country down. At no time in the history of this country have we had two sets of examination results. The 2007 examination has had two sets of results. Some of the students who had higher marks are getting lower grades, and those who had lower marks are getting higher grades. This is an exercise which was done in a very poor way. This shows inefficiency. There was leakage, which was denied. I do not know why students are penalised for no mistakes of their own, while the culprits go scot-free. We are breeding people of no integrity in our institutions. We are killing integrity in our institutions, yet we expect the nation to move into integrity in future years. This will be very difficult.

There is a lot of corruption at the KNEC. We should examine what is going on at the

KNEC, and overhaul the whole system. If the workers there are lowly paid they should be paid properly, so that they do not solicit for funds outside their own means.

Mr. Temporary Deputy Speaker, Sir, we have the free primary and secondary education programmes, but it is meaningless to have classes without teachers. If we tell parents we have the free primary and secondary education programmes, and ask them to employ teachers--- It is better for the Government to employ teachers and then ask parents to assist with some facilities. We should have teachers employed by one institution, the Teachers Service Commission (TSC), instead of having both the Government and parents employing teachers. This causes a lot of problems. That is why the standards of education cannot be maintained. That is why the issue of cheating comes up. Those who do not do well want to push up.

Mr. Temporary Deputy Speaker, Sir, there is also the issue of security in our villages. Security personnel were withdrawn from some of the police posts. Administration Police (AP) posts are now not properly manned. Bad people have now found their way to the villages to harass people and steal their belongings and property. People feel very insecure, especially in the areas I come from. These are areas like Barrier, Ruiru and Gacua. In all these areas police officers have been withdrawn. We want them taken back because security has not improved; it is worse now.

Mr. Temporary Deputy Speaker, Sir, we are talking of farming activities being encouraged, but farm inputs are beyond the reach of the farmers. A 50-kilogramme bag of fertilizer, for example, is now selling at Kshs4,000. It is very difficult for an ordinary farmer to buy these farm inputs, prepare the *shamba* and expect his or her farm to yield half of what he or she has put in. Therefore, if the prices of inputs will not be reduced, the Government should find a way of subsidizing the cost, so that farmers can continue with their farming activities. Subsidy to farmers is provided even in some developed countries. Ours would not be the first country to do so.

Mr. Temporary Deputy Speaker, Sir, roads in our urban areas are being built very poorly. Engineers collude with contractors. They use quarry dust and then on top of it tar is poured. Within one or two years, there is no tarmac on those roads. The work goes on as if there are no people employed to supervise and oversee what is done.

Mr. Temporary Deputy Speaker, Sir, I am not an engineer, but I see what is happening in Meru Town. It is one of the worst quality and should be done away with. When I asked officers in the Ministry of Roads and Public Works, they said that it is not their job. They said that it is the job of the Ministry of Urban Development. Now, I do not know! Something should be done so that we can have quality work going on in construction of our roads. Otherwise, the real issues should be addressed properly.

Last year, we got the message that the Youth Enterprise Development Fund was to get Kshs1 billion to start more enterprises for the youth. This money has not reached them. They have applied for it, but they do not even know where to get it. Mr. Temporary Deputy Speaker, Sir, there should be a way through which the youth can be informed how to access the money, so that it can help them. Otherwise, there is no need of saying that the Fund has Kshs1 billion, Kshs2 billion, Kshs3 billion or Kshs10 billion, when that money does not reach the people it is meant to benefit.

Thank you.

The Member for Turkana South (Mr. Nanok): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. My name is Josephat Nanok, Member for Turkana South Constituency.

Mr. Temporary Deputy Speaker, Sir, I do fully support the Speech made by His Excellency hon. Mwai Kibaki and the comments that hon. Members have made in this House. In my submission, I intend not to repeat them, but to add more or less some issues that had not been mentioned for the record.

This is, indeed, a sensitive period in our history and transition, particularly with regard to

what happened in the last two months. We realise that old wounds that have been existing in the last four decades have come up. They were triggered particularly by the post-election violence. Some of those wounds remain wounds and they have not yet been healed. The Tenth Parliament and the National Grand Coalition has the opportunity to address these issues.

Mr. Temporary Deputy Speaker, Sir, governance and constitutional issues have been with us since Independence. Land issues, as has been mentioned by my colleagues, have also been with us. The issues of banditry and chronic violence that have affected most of the Arid and Semi-Arid Land (ASAL) areas of the country are **The Member for Turkana South** issues that have been omni-present with us. We should not forget the displacement of people that has resulted from the violence. We should also not forget the destruction of property and the lives that have been lost.

Mr. Temporary Deputy Speaker, Sir, I would like to give you an example of my constituency. We have had chronic insecurity along our borders with the neighbouring districts.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Imanyara): Hon. Members, Mr. Nanok will have five minutes to continue with his contribution because today's time is up. The House is, therefore, adjourned until tomorrow, Thursday, 13th March, 2003, at 2.30 p.m.

The House rose at 6.30 p.m.