

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 17th December, 2008

The House met at 2.30 p.m

[Mr. Speaker in the Chair]

PRAYERS

Mr. Speaker: Hon. Members, we adjourned yesterday when we had already started to transact business on a Motion of Amendment as was moved by hon. Dr. Khalwale. We have to take over business from there. Who was on the Floor?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): On a point of order, Mr. Speaker, Sir. When this House adjourned last evening, it was to allow for consultation. I am happy to report that those consultations have largely been successful. In light of that development, would I be in order to request my good friend, hon. Member for Ikolomani, to consider withdrawing his amendment to this Motion?

Mr. Speaker: Hon. Members, the adjournment that we granted yesterday was pursuant to Standing Order No.21. That Motion adjourned the debate on the Amendment Motion as it had been moved by Dr. Khalwale. The discussion of that Motion, therefore, is set to continue from where we left. That is what Standing Order No.21 provides. The reason we adjourned was because hon. Kiunjuri moved that discussion of that issue be postponed to a future date, which is today, as the Chair directed. So, we must proceed from that point.

MOTIONS

APPOINTMENT OF SELECT COMMITTEE ON REVIEW OF THE CONSTITUTION

THAT, the Motion be amended by:-

(i) deleting the following names:-

Hon. Kiraitu Murungi, MP

Hon. Prof. Sam Ogeri, MP

Hon. Beth Mugo, MP

Hon. David Musila, MP

Hon. Joseph Kiuna, MP

Hon. Musalia Mudavadi, MP

Hon. Sally Kosgei, MP

Hon. Jeffa Kingi, MP

Hon. Mutula Kilonzo, MP

Hon. Keynan Adan, MP

Hon. Franklin Bett, MP

Hon. Najib Balala, MP

Hon. James Orengo, MP

Hon. Moses Wetangula, MP
 Hon. William Samoei, MP
 Hon. Jeremiah Kioni, MP
 (ii) Substituting thereof the following names:-
 Hon. Abdikadir Mohammed, MP
 Hon. Kiema Kilonzo, MP
 Hon. Mutava Musyimi, MP
 Hon. Isaac Ruto, MP
 Hon. Hassan Joho, MP
 Hon. Olago Aluoch, MP
 Hon. Eugen Wamalwa, MP
 Hon. Hassan Abdirahman, MP
 Hon. Walter Nyambati, MP
 Hon. Joseph Lekuton, MP
 Hon. Gitobu Imanyara, MP
 Hon. Chris Okemo, MP
 Hon. Prof. Kamar, MP
 Hon. Gideon Mung'aro, MP
 Hon. Charles Kilonzo, MP
 Hon. David Koech, MP

(Dr. Khalwale on 16.12.2008)

*(Resumption of debate interrupted
 on 16.12.2008)*

Dr. Khalwale: Thank you, Mr. Speaker, Sir. I want to thank God almighty that some of us in this House are still alive or, for that matter, are still awake. We have not slept because we really consulted throughout the night.

I have never received so many phone calls from the Vice-President and Minister for Home Affairs and from across the board. I wish we were having these kind of controversies because he would be calling me more often as he did. Given the fact that consensus has been reached, I find it necessary that we do not waste any more time of the House.

(Applause)

Mr. Speaker: Order, hon. Members! Standing Order No.50 gives provision for withdrawal of Motions proposed by the Chair. It says:-

"After the Question has been proposed on a Motion, the Motion shall be deemed to be in the possession of the House and cannot be withdrawal without the leave of the House."

Hon. Members, as I perceive it, there is no objection. That being so, the Motion stands withdrawn.

Dr. Kwalwale: Mr. Speaker, Sir, I withdraw my Motion, so that we can proceed.

*(Dr. Khalwale withdrew his
 Amendment Motion)*

(Applause)

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I thank you for that ruling. Before I move the next Motion, by leave of the House, I also seek to withdraw the next Motion listed as Order No.7, so that I can present a completely new list. I, probably, seek the guidance of the Chair on this Motion.

Mr. Speaker: You have sought to withdraw the original Motion? The same ruling as I have made a few minutes ago will apply. It is apparent that there is no objection, that Motion in so far as the list of names is concerned, stands withdrawn.

*(The Vice-President and Minister for
Home Affairs (Mr. Musyoka)
withdrew the Motion.*

(Applause)

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Thank you, Mr. Speaker, Sir. Pursuant to that ruling, I beg to move the following Motion.

APPOINTMENT OF SELECT COMMITTEE
ON REVIEW OF THE
CONSTITUTION

THAT, pursuant to the provisions of the Constitution of Kenya Review Act, the following be appointed Members of the Parliamentary Select Committee on the Review of the Constitution:-

Hon. Martha Karua, MP
Hon. Uhuru Kenyatta, MP
Hon. Mutula Kilonzo, MP
Hon. Mohamed Abdikadir, MP
Hon. David Musila, MP
Hon. Moses Wetangula, MP
Hon. Danson Mungatana, MP
Hon. Wilfred M. Ombui, MP
Hon. Kambi Kazungu, MP
Hon. Amina Abdalla, MP
Hon. Peter Munya, MP
Hon. Mwangi Kiunjuri, MP
Hon. Jeremiah Kioni, MP
Hon. Ekwe Ethuro, MP
Hon. Isaac Ruto, MP
Hon. Musalia Mudavadi, MP
Hon. Ababu Namwamba, MP
Hon. Chachu Ganya, MP
Hon. Najib Balala, MP
Hon. Omingo Magara, MP
Hon. Sally Kosgei, MP
Hon. William Samoei, MP

Hon. James Orengo, MP
Hon. Milly Odhiambo, MP
Hon. Sophia Abdi, MP
Hon. Joseph Nkaissery, MP
Hon. Charity Ngilu, MP

As I had alluded to earlier, I am happy to report that this list has been agreed upon. All of us, as hon. Members, recognized one thing: That, as I said yesterday, we all can serve in this Select Committee. I want to appreciate the magnanimity of those hon. Members who, on their own accord, like Dr. Khalalwe and Mr. Murungi, chose to withdraw their names from the list in order to promote the spirit of dialogue which has come to characterize the proceedings of this august House in the last few days. It is important that we give this country, as we have been saying, a proper Christmas gift.

I think that if the House quickly agrees to this list, since political parties had been consulted, and smaller parties have also been consulted, hon. Members have observed that some of the comments that were made on the Floor of the House yesterday, for instance, that the Chair of the Departmental Committee on Legal Affairs, Mr. M. Abdikadir, be part of this Select Committee, have been taken into account.

Personally, I am happy to commend this list. As I said, I also commend all political parties. Premise of consideration was actually given to political parties. As earlier alluded, we look at tribal groupings because that is what we are running away from, as a country.

On that spirit, I beg to move.

The Minister for Agriculture (Mr. Samoei): Mr. Speaker, Sir, I rise to second this Motion. I would like to congratulate the House for providing leadership through consensus. I believe that we are giving this country the direction to take in the Constitution Review making. We will need thorough, consistent and comprehensive consultations for us to arrive at a Constitution that will cater for all the interests of the people of Kenya.

This agreement and consensus sets the stage and the framework for us to move into a constitutional Review Process. We should carry the same consensus into that process as well. I also want to congratulate hon. Members, Messrs. Bett, Midiwo and Kingi who voluntarily accepted to step aside, so that other hon. Members could come on board for the purpose of balancing the political representation.

I also want to congratulate the House for holding the leadership of political parties to account. That is a very central key that informed the rejection of the list yesterday and the adoption of the new list today. Again, that sets the stage that even as we formulate the new Constitution, it should be one that holds leadership to account, so that we can move this country to the next level.

I beg to second.

(Question proposed)

Dr. Khalwale: Thank you, Mr. Speaker, Sir. I would also like to support this Motion and wish to take this opportunity to congratulate Members of this House who supported my amendment Motion yesterday. This is because without it, the House Business Committee (HBC), Cabinet and leaders of the political parties in this country would not have found it necessary to be informed by the kind of contributions that have been made by Members on the Back-Bench and the kind of changes which we welcome that have taken place.

Mr. Speaker, Sir, I would like to tell the Members who have found their names on the list that the expectations of this House are going to be extremely high. Also, the expectations of the country are extremely high as evidenced by the so many changes in the Constitution of Kenya that

we have made in so short a time. This means that both the House and the country are in the reform mood. So, we must make sure that, yes, indeed reforms must take place. I would like to urge that the real benchmark for the reform initiative and the reform mood in the country should be the realisation of the new Constitution.

Mr. Speaker, Sir, I would not want to sit down without reminding our leaders both on this particular Select Committee and in Cabinet that reforms in our laws are good and welcome but the Government must deliberately also make reforms in all aspects of the social fabric of the Republic. This is because when one remembers what has happened over the recent past, one realises that we must be as the leadership of this country, doing something wrongly or falling short of the glory of leadership. That the President and Prime Minister of the Republic could be subjected to the kind of humiliation you saw at the stadium during Jamhuri Day means that the citizenry of this country feels that the leadership is not delivering.

We want to urge the Government to make sure that the important issues that wananchi are raising are addressed. If we can reform the Constitution of Kenya, then indeed, we can take charge of the price of foodstuffs in this country so that wananchi can afford them. We can take charge of the cost of fuel and medicines in hospitals so that wananchi can have access to them.

Mr. Speaker, Sir, we have all seen the media bashing us. The media has given the country the impression that all their problems are because Members of Parliament are not paying tax on their allowances. Yes, it is true that payment of tax on those allowances will bring in some money but members of the public should be reminded that, that amount of money is like a drop of salt in the ocean. The Government must give more if we can change and compromise this much. Why can we not as a House resolve now that we reduce the size of the Cabinet from 42 to 20 so that the cost of running the Government is affordable to the taxpayer?

(Applause)

Mr. Speaker, Sir, why can we not stop constructing the house for the Vice-President until such a time that the economy can afford? Why can we not stop constructing an office of Kshs700 million for the Prime Minister until such a time that the country can afford?

(Applause)

Mr. Speaker, Sir, the workers of this country are the ones who provide the money that runs the economy and, therefore, when the teachers of this country cry that they would like their salaries to be harmonised, I do not see why the same Government that trains professionals in this country does not find it necessary to harmonise salaries of teachers. This is because those teachers will after all pay tax on those harmonised salaries and the Government will realise more money.

Mr. Speaker Sir, I come from a bull fighting community and there is something we learn from this game; that, when you are in a homestead and you have the champion bull, you will keep a younger one. When you wake up in the morning and see that the younger bull has taken on the bigger one in your compound, the younger one is telling you that soon, it will be taking over the championship. This analogy of bull fighting is saying that these humble back-benchers, having kept this Government on its toes for the last two weeks, it means the Back-Bench is about to take over and you will pave the way for it.

I support and thank you.

(Laughter)

The Assistant Minister for Energy (Mr. Keter): Thank you, Mr. Speaker, Sir. I also wish to join my other colleagues in supporting this very important Motion which we are about to adopt this afternoon.

Constitution making in this country has been the talk since the time some of us were in school but today, I believe that come next year, we will have a new Constitution. We can only achieve that if the new team which has been mandated today will spearhead it without their political affiliation. They should have the hearts of Kenyans in their minds so that we can move ahead.

Mr. Speaker, Sir, I want to say that we can review the new Constitution, even within a month. I do not see any sense when we say that we can do it for 15 months or two years. If the leadership of this country, that is the President, Prime Minister and us, can come together as we have done in the last two days, then we can make the Constitution without any problem. So, it is high time we pushed this country to the next level by being honest and transparent.

What we saw yesterday was because some few of us wanted to make a list and purport it to have come from various political parties. I want to thank the Back-Bench and some of our colleagues for saying "no". The time to be transparent is now and it has to come from Parliament. We should not hide. Some of us who were in the Ninth Parliament saw what happened. We were here up to midnight and we went out divided. We went out and said that we wanted a new Constitution. We were cheating Kenyans and ourselves. So, I want to say to my colleagues: Thank you so much. Let us be honest and transparent.

The fundamental work of the Parliamentary Select Committee is to select people who will serve in some of the Commissions which will be formed. I want to remind the Committee to be honest and transparent enough. If they are not going to be transparent, whatever list of the Commissioners you will bring to Parliament for approval will be rejected. We want to adopt the names. You should be mindful of geographical and tribal factors in Kenya, when you are making that list. So, we should spend a few hours to approve the list and forward it to the President in consultations with the Prime Minister.

Mr. Speaker, Sir, I do not want to take much of the time because we still have the Adjournment Motion before us. We may also have time to talk about other issues.

Otherwise, I support this Motion and say: Thank you.

Mr. Chanzu: Thank you, Mr. Speaker, Sir. I would also like to support the Motion. I would also like to thank and congratulate Members of Parliament for what happened yesterday and what has happened today.

I think there are many lessons to learn from what we have gone through within a very short time. Last year, we conducted elections on 27th December and there are very many new Members of Parliament here. Almost 80 per cent of hon. Members are new. That shows that when change comes, it is difficult to stop. I think we should learn a lesson from that. The reason why Kenyans are apprehensive is because of the insincerity of the leadership - all of us included - and, particularly, the top leadership. We still have the issue of IDPs even today. At the beginning of the [Mr. Chanzu]

year, we said that we were going to sort out everything. When we got ministerial positions, we forgot all that. The reason why the public is crying about ECK is basically because of the same reason. The moment those workers leave, nobody is going to care. That is because we are all earning our salaries and live comfortably. We will not bother.

What happened yesterday and today is a lesson that we must all not forget. I hope what happened yesterday and today will change the impression of the public about Members of Parliament. The public believes that the issue of the Constitution is not affecting Members of Parliament directly. They expect Members of Parliament to also take the initiative to amend the

Constitution and tax themselves. I think the explanation is already there. The matter is being handled by the Parliamentary Service Commission. But the feeling outside there is that Members of Parliament are greedy and selfish. I believe from what transpired yesterday and today, if we can continue in the same spirit, we would change that impression. But if we will still be haggling over small things come next year, I think we will not change our reputation. In the last two weeks or so, we have seen forced consensus building. But we must examine ourselves.

The consensus has not come by itself. The top leaders have not been held by the neck to come and attend to pressing issues. Yesterday, the Ministers, including the Vice-President and Minister for Home Affairs, were held by the neck to withdraw the list of names that they had proposed. I think we should look at normal consensus. We should not wait until we are held at ransom and then say it is consensus.

With those few remarks, I beg to support.

The Minister for Justice, National Cohesion and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I rise in support of the Motion and also, to applaud the fact that, Parliament has been able to audit and cause a more representative list to be tabled.

I also wish to remind hon. Members who have found their way into the Committee, including myself, that the Act that we are supposed to use to guide the review will become operational in another one week, having been assented to on 11th December, 2008. That means that within a week, we will have to convene and do our work. I have great faith that, in spite of the many obstacles that may come our way, we shall be able, in the manner that we have done in the last seven days, to overcome and find consensus the way we have.

I wish to thank the hon. Members and beg to support.

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Trade (Mr. Omingo): Mr. Speaker, Sir, I also rise to support this very important Motion.

I happen to have been here last year. What caused us to stumble by the way side is grandstanding and mutual mistrust. We did not even read what was readable to the extent that, even when we were nearing an agreement, we punctured it at the eleventh hour. I do not want to remind Kenyans of the history that we went through. Perhaps, if we agreed, Kenya would not have what it had at the beginning of this year. I want to say this---

Mr. Speaker, Sir, if you allowed me to give an analogy, we are all one as a nation. What we lack is caring for your brother. There is an example that I like giving, that of supporting one another. There was that woman who cooked a delicious meal. She gave her two twin sons a long spoon to serve and eat. Those sons could not eat because each of them was selfish. They wanted to pick the spoon and feed themselves. The uncle who walked in to save the situation told them: "Guys, if you continue like this, all of you are going to die of starvation. What you need to do is this: Love your brother and feed each other." They all fed on the delicious meal. That is what we require as a nation. It is not us against them, but collective responsibility.

I want to plead we should not--- I am in this team and I pray that we talk with honesty and sincerity. When we agree as a team, let us support one another. It does not help to come and talk to the gallery to look good. All of us are involved in the process. We will require the membership of this House to help this team to succeed. We cannot do it alone. It is courtesy of this team and the rest of the country to be honest to each other and together I am too sure we shall succeed in less than one year.

With those few remarks, I beg to support.

Mr. Lekuton: Thank you, Mr. Speaker, Sir, for giving me this opportunity. I would like to thank hon. Dr. Khalwale for his great contribution. He has been hitting us in the elbow and telling us that what was going on was not viable. I thank him and the rest of Members.

Mr. Speaker, Sir, this is a historic moment in our country. It is historic because we are now

on the path of redeeming ourselves in what we failed before. We have a chance to give this country the way forward so that, the poor can feel that they are part of this nation.

Mr. Speaker, Sir, I personally gave my chance to a colleague because I saw that it was fit to move forward instead of haggling over that position. As we move forward, we should give our country a chance to heal, and I feel that compromise is the way forward for us as a nation. As the Members of this Select Committee face the challenge of trying to get us a Commission that will be ready to serve this country, I beg them to be independent, diligent, open-minded, to resist tribal temptation and the brother and sister syndrome. Let this Tenth Parliament paint this country in good light and make our Parliament proud.

With those few remarks, I beg to support.

The Assistant Minister for Forestry and Wildlife (Mr. Nanok): Mr. Speaker, Sir, thank you for giving me this opportunity. I will also give my thanks to all the hon. Members for having been patient both inside and outside the House, and for dialoguing. We had very divergent views, but we eventually arrived at a consensus. That shows us that in future, when we have divergent views, it will be important to dialogue and arrive at a consensus, so that we can move the country forward. We have seen, in this week, that we have begun the process of reforms that every Kenyan has been yearning for. Yesterday, we passed the Constitution of Kenya (Amendment) Bill that will bring in reforms, and today we have just appointed a Select Committee that will begin the process of nominating those who will serve on the reforms institutions that will be coming after the President's assent to the Bill.

It is important for the Select Committee to remember that they have the mandate of the House and, therefore, that of the 35 million Kenyans. They should drive a bipartisan agenda. They are not there to drive partisan agenda for their parties. We have given them the mandate to drive a bipartisan agenda for the country, and it is important for them to realise that the 35 million Kenyans are watching, and that the institutions that we have created will serve the 35 million Kenyans irrespective of where they come from, personality or political party.

Lastly, I hope that in future, we will maintain the consensus spirit. I know that there are so many challenges ahead of us. I know that we have a Grand Coalition now, but it does not mean that we will not have divergent views. Let us sit down and dialogue. If we cannot discuss them here and save ourselves shame in the House, let us discuss them out there informally and when we come here, we come as the representatives of the people and push an agenda that will benefit all Kenyans.

With those few remarks, I support.

Mr. Koech: Mr. Speaker, Sir, thank you for giving me this opportunity to support this very important Motion. As we break for the Christmas recess, we have given Kenyans the hope of what they have kept on yearning for. Kenyans have longed for a new Constitution for a very long time, and they were almost losing hope looking at the happenings outside Parliament. This decision of today will definitely give Kenyans new hope.

I would like to echo what my colleagues have said, especially on the Select Committee. We have selected 24 Members out of the 222 Members of Parliament. It is important for the Members of this Committee to note that they are in this process on our behalf. Therefore, we expect them to do the job that all of us could have done at the same time. We call upon them to ensure that we, as a country, have a new Constitution within the coming year. We also wish to remind them that though their names came from various parties, we, as a House, have adopted those names as a House and not as parties. So, we expect them to work as a team, as Kenyans and leaders of this country and not as people from the parties.

The youth of this country are talking to us. They need jobs, wealth and the resources of this country to be distributed well. Through the Constitution, we hope and believe that, that will be the

new and direction of this country to ensure that every corner of this country is developed equally in future. I would like to echo what my colleagues have mentioned, especially on the process of coming up with the Members of this Select Committee. A lot of consultation was done after our colleague Dr. Khalwale moved an amendment. I would like to sincerely thank him, because without that we would have gone out of this House with a select Committee, which would not have had our endorsement. So, I thank the hon. Members and I wish that the leadership of our parties, and all of us, consult on every matter that is very important and crucial for this country. We shall go home happy that now we have started a very important process that is going to deliver a new Constitution to this country.

With those few words, I beg to support.

The Assistant Minister for Tourism (Ms. Mbarire): Mr. Speaker, Sir, I rise to support this Motion, and I have very few remarks, because I do not want to repeat what other hon. Members have said. First, I want to congratulate the hon. Members for the consensus-building spirit that we have had for the last three or four days. I hope that, that spirit will remain with us all the way until we have a new Constitution, because that is the only way we can have a new constitution.

I also want to tell the hon. Members who are privileged to sit on that Committee that they are going there from their political parties; probably, you were picked on a regional basis. Please, know that the Constitution is not about the political party that picked you or the region that you represent, but is about Kenyans and you should truly ensure that we have a Constitution. I believe that the possibility of us coming up with a new Constitution for Kenya will depend purely on the success of this Committee. I do hope that we who, have been left out, do not think we have a choice this time round as to whether or not to give a new Constitution to Kenyans; we must give Kenyans a new Constitution. Those of us not on this Committee should undertake that should this Committee become an impediment to getting a new Constitution, we will actually replace them. We do not have a choice but to get a new Constitution for Kenyans.

Mr. Speaker, Sir, finally, I am saying this from a very non-partisan view. If you look at the list that has come from the Party of National Unity (PNU) coalition and the one from Orange Democratic Movement (ODM), there is no doubt that ODM takes their women Members of Parliament more seriously than PNU. Therefore, I want to congratulate the ODM Party for showing that women too have a role to play in the constitution-making process. I hope that the PNU coalition will learn something from ODM as far as inclusion of women in decision-making is concerned.

With those few remarks, I support.

The Assistant Minister for Roads (Dr. Machage): Mhe. Spika, ninaunga Hoja hii na ni ruhusu niseme yafuatayo.

Mhe. Spika, kitendo ambacho kimetendwa leo ni cha hekima. Wale walioteuliwa wasijivune bali wajue wao ni watumishi wa Bunge hili. Watutumikie kwa uzuri, wema na hekima. Hii ni kwa sababu kila mmoja hapa alikuwa na uwezo huo wa kutumikia wananchi wa Kenya na Bunge hili kama wangeteuliwa.

Mhe. Spika, tukumbuke ya kwamba jana tulipitisha Mswada ambao umestaafisha wale waliokuwa wakifanya kazi katika Tume ya Uchaguzi. Bunge hili halikutoa amri ya kuwasulubisha wala wengi wao hawakufanya makosa. Wafanyakazi wengi ambao wataenda nyumbani ni vijana ambao waliteuliwa miezi michache sana kabla ya uchaguzi wa Kenya kufanywa. Hawana hatia kwa Wanakenya. Ombi langu kwa wale ambao wamepewa jukumu la kuangalia masilahi ya wafanyikazi wa Serikali ni kwamba kila mtu apewe haki yake akistaafishwa.

Sisi katika Bunge hatukusema kwamba wasije wakapewa marupurupu yao. Hatukusema hivyo! Kwa hivyo, mtu huko nje asije akasema kwamba Bunge lilisema kwamba wale makamishina waliostaafishwa hawatapata haki yao. Huo utakuwa uzembe, ubaradhuli na

kunyanyasa wengine.

Mhe. Spika, tunataka Kamati ambayo imeteuliwa siku ya leo iwe na utu. Isije ikajitapa kwamba ina uwezo zaidi. Tunataka kuona uzuri wao tu. Ni lazima watambue kwamba katika nchi hii, kuna jamii ndogo, jamii za watu wachache, jamii ambazo zimenyanyaswa na kusahaulika katika nchi hii kwa muda mrefu. Historia itadhibitisha mambo hayo. Kwa hivyo, wanapoteua kamati ambazo wamepewa wadhifa wa kuteua, wajue kwamba Wakenya wanawaangalia kwa uadilifu kabisa. Wasije wakaonekana wabaya. Hii ni kwa sababu hata kama watajificha, ni heri waelewe kuwa kizuri kitajiuza na kibaya kitajitembeza tu. Ninasema jambo hilo pia kwa wenzetu humu Bungeni. Wakati mwingi tumepata shida na waandishi wa habari kwa sababu wenzetu wengine hapa wanajifanya watakatifu na wazuri zaidi ya wengine. Wanajitapa kila wanapopata nafasi na kujisifu na kujitukuza.

(Applause)

Kenya inawaangilia wao na wataadhibiwa wakati ukifika wakati mwananchi atasema, huyu ni nani. Siku zote, wanyenyekevu hawana mambo mengi ya kujivunia kuliko wengine ili waonekane juu. Tunajua kwamba wengine ambao wanajiinua hapa ni wazembe ambao wameibia Wakenya mali mingi! Twajua hayo.

(Applause)

Mhe. Spika, ndio watakuwa wakwanza kusema, "sisi ndio wa kwanza tunataka tulipe kodi hata kama sheria haijaandaliwa". Twajua haya. Wasitukere, wasituchokoze wala wasitusonge sisi wanyenyekevu ambao tunakaa kusema kwamba kama wananchi wa Kenya wataka hivyo, kamati teule imeteuliwa na itaamua mambo hayo. Mambo yale ambayo yataamuliwa tutayafuata. Lakini wewe ukija hapa wajifanya hivyo, hata kwa hirisi hautafaulu.

Ninawapongeza wote ambao wameteuliwa siku ya leo. Twawaombea dua, heri na fanaka kwa mwaka mpya mnapotekeleza kazi yenu.

Ahsante.

Eng. Gumbo: Thank you, Mr. Speaker, Sir,---

The Minister for Water and Irrigation (Mrs. Ngilu): On a point of order, Mr. Speaker, Sir. Since we seem to all have agreed and built a consensus around this Motion, would I be in order to move that the Mover be now called upon to reply so that we can get to the Motion of Adjournment?

(Applause)

Mr. Speaker: Hon. Members, judging by the mood of the House and the response that, that point of order has received, I direct that it is an appropriate point at which the mover should reply!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I wish to sincerely thank hon. Members for this wonderful support of this Motion this time round. I think we have learnt. We are all the wiser. Therefore, since I intend to say more when I move the Motion of Adjournment, I beg to move.

(Question put and agreed to)

Next Order!

MOTION FOR ADJOURNMENTADJOURNMENT OF THE
HOUSE *SINE DIE*

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I beg to move:-

THAT, this House do now adjourn *sine die*.

Mr. Speaker, Sir, as I move this Motion, I want to say a big thank you to the Almighty God because he has actually kept this country together. I also want to pay tribute to my colleagues because they have truly shown that the Tenth Parliament will go down in the annals of history as one House. Although occasionally vilified, it is one House which is able to stand up to any challenge that comes. Yesterday was a classic example. The House stood together in solidarity to reclaim the dignity of this House. So far, it has been the case that some sections of this country choose to misunderstand the commitment and singleness of purpose with which this House has undertaken its mandate.

Mr. Speaker, Sir, when you were sworn in as the Speaker of the Tenth Parliament on 15th January, 2008, we had the occasion to congratulate you together with your deputy. You are able to rise to the occasion and I think the country now appreciates that we have a Speaker and a Deputy Speaker, and indeed, Members of the Speaker's Panel who have served this nation so far so wonderfully. I think the House owes you tonnes and tonnes of gratitude.

Mr. Speaker, Sir, about that time, all of us will recall that it was like a nation in a transition. I still think we are still in a transition. However, at that particular time, the crisis facing all of us was staring us in the face. Indeed, it was a case that, eventually, we were all victims and nobody was a victor. But we were able to come together as the Tenth Assembly, since our Independence, and reclaim our country together. I think it is hon. Musyimi who said this morning that many people are saying: "We want our country back." I want to borrow from his contribution. We literally got our country back in a record three months, when history around us proves that when countries go off target, as happened in the case of Somalia in 1991, it can take forever! I want hon. Members to appreciate that, since the overthrow of Siad Barre in 1991, young Somali children who were born so many years ago have not known a thing we call here "a pen or school". Instead, they actually know the AK-47 automatic rifle. As a result of the instability in the neighbourhood, we have also actually suffered as a country.

So, Mr. Speaker, Sir, we were not as unfortunate as Somalia and other countries that have gone through war. You all remember the genocide in Rwanda in 1994, and what it actually meant in terms of loss of human life. The Gracious Lord is merciful to this country and we were able to reclaim our country. That is why I pay tribute to His Excellency the President. I also want to pay tribute to the Right Honourable Prime Minister, because at that critical time again, they showed leadership and we were able to reclaim our country.

Mr. Speaker, Sir, some of us, of course, in our respective roles as Members of Parliament, did the best and, within an absolutely very short time, we were able to come together and work. I appreciate that we have even adopted the culture of a 24-hour economy - a 24-hour working nation. We sat until late last night. That, I think, is also leadership by example!

Mr. Speaker, Sir, as we go on recess for Christmas and beginning of the new year, I hope hon. Members realize that we have done one complete session and that, when we resume, possibly sometimes in March, many things may have happened. We have just put in place a Parliamentary Select Committee which should begin its work and fast track the process of the review of our

Constitution. I want to suggest that, as soon as they are over with their Christmas holiday, they should get down to serious business. We have given them a span of 24 months within which to deliver a new Constitution to this country. We all know that so much depends on the work of that Committee. So much depends on the need to come up with a new Constitution.

Mr. Speaker, Sir, so far, during this Session, a total of 22 Bills were introduced in this House, and 17 Bills were actually passed. That, I think, is a record time! Four Bills were read for the First Time and two Bills were read the Second Time. In the period, a total of 81 Motions were introduced. Out of those, 22 were sponsored by the Government and 52 by private Members. A total of 46 Motions were actually adopted.

Mr. Speaker: Your time is up!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Thank you, Mr. Speaker, Sir. I really sincerely hope that I could have an extra minute, if only to wish each one of us a very merry Christmas and a happy new year, 2009, which is going to be the year for reforms; the year that is going to deliver the new Kenya that we have been looking forward to. I also want to congratulate all hon. Members and wish all of you and your loved ones a very merry Christmas and a prosperous new year.

Mr. Speaker, Sir, I beg to move.

The Minister for Justice, National Cohesion and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I beg to second and observe that this, indeed, has been a very difficult year for the entire country. We started the year in a most unusual manner, fighting ourselves. But within a short period, we were able to come together and we have truly been able to achieve much.

As such, Mr. Speaker, Sir, we need to refresh ourselves to be able to come and push forward the heavy reform agenda. Hon. Members just passed the Constitution of Kenya (Amendment) Bill. The renewal of the electoral body comes along with a heavy legislative agenda. We have to put together a totally new electoral code and many other laws.

Mr. Speaker, Sir, it is fitting that we rest and recharge, so that we come and discharge the duties. It is on a very happy note that we end, having been able to find consensus on matters that had turned very controversial. Like I said yesterday, this shows the way forward in the constitutional review process. Reform is always a difficult issue. As human beings, we voice our thoughts and say we want reforms. But when the reforms touch your comfort zones, we all start to resist reforms.

Mr. Speaker, Sir, I think that we all appreciate how difficult it is to reform ourselves. That is because we need to reform all round, like it was observed in the Kriegler Report. All the sectors of the society contributed to the mayhem that occurred at the beginning of this year. It means that we need to reform ourselves even as an institution and as Parliament. We are only privileged that we are the ones who are making laws to change and remake institutions before the electorate reforms us by giving or denying us our mandates. But before then, we also need to pass laws to enable this Parliament to transform itself. We have already began that process through the Standing Orders.

Mr. Speaker, Sir, may I join the Leader of Government Business in wishing all hon. Members and their families a happy holiday season. I am also hoping that we will burn our midnight oil to ensure that the displaced find their way home so that, indeed, as a nation, we can all have a merry Christmas, and start a fresh new year recharged and ready to move forward.

Mr. Speaker, Sir, I beg to second.

(Question proposed)

Eng. Gumbo: Thank you, Mr. Speaker, Sir. I wish to support the Motion of Adjournment.

In supporting this Motion, I join my fellow colleagues in thanking the Almighty God for having kept this country together. Indeed, at the beginning of this year, most of us being first-time Members of Parliament, the future of Kenya looked very uncertain. We even began to wonder whether it was, indeed, a good thing to join politics. We thank God that we are now one country and I hope that we, as leaders of this country, will do everything possible to ensure that Kenya remains as one country.

Mr. Speaker, Sir, as we adjourn, I think the most important item in the calendar of this House, come next year, will be to give Kenyans a new Constitution. My prayer is that the Constitution that we will give to Kenyans will be one that restores the dignity of Kenyans. It will be one that ensures that Kenya, indeed, becomes a land of plenty. We all know that one of the main problems that we have had to grapple with as a nation is the culture of impunity. Many of us in this country get into problems - problems that, probably, we have created ourselves. When we are cornered, we retreat to that cocoon called "tribe" to try and whip up tribal support. The culture of impunity must be fought at all times!

Mr. Speaker, Sir, I think it is also important that, as a nation, we must turn a new leaf in the chapter of this country. Many times, we hear people, even in this House, who proudly talk of their wealth. In fact, some of us who may not be that wealthy are always derided. But I think that, as a nation, we must now move on and stress--- Mahatma Gandhi said: "Wealth without work must always be classified as a deadly sin."

Mr. Speaker, Sir, as we move to the next year, it is important that Kenyans should from now henceforth, be judged by the content of their character. Every Kenyan born wherever they are should have equal opportunity to lead this country as long as they have what it takes to do so.

Finally, I want to conclude by saying that in my heart, I believe that this country is a land of opportunity, but it is our own actions that have made it impossible for Kenyans to enjoy those opportunities equally. I think it is important for us, as leaders, that as we embark on the process of making a new Constitution, we must ensure that it guarantees equitable resource distribution, so that every Kenyan wherever they are, as they go to bed everyday, they must do so on a full belly. It is, indeed, the fact that we are unable to distribute our resources equitably that has made us the laughing stock of the world. Today, we hear foreigners telling us how to run our country, but I believe that there is no country in the world which is perfect.

We see what is happening in the world, and it is time we, as Kenyans, did everything in a way that tells foreigners: Yes, we, as Kenyans, know we have problems but if we are to get solutions, those solutions must come from us, as Kenyans. Indeed, if there are exemplary countries in the world, and we see what is happening, why would it be possible that when the heads of those so called exemplary countries go to other parts of the world, all we see is them inviting high velocity boots to their heads? That clearly shows that not everybody agrees with what they do!

Mr. Speaker, Sir, with those few remarks, I beg to support and wish everyone of us a merry Christmas and a happy new year.

The Minister for Nairobi Metropolitan Development (Mr. M. Kilonzo): Thank you, Mr. Speaker, Sir. Kenya has again surprised itself and the world. The last four or five days have proven that Kenya will always rise to the occasion, and I would like to support this Motion. I will begin by thanking and congratulating you. You remember the debate that we had during your election but since that time, you have proven that you are not a senior politician and lawyer by accident. It will be recalled that recently, you even hosted us to a wonderful seminar where we learnt the role of this Parliament in peace-making. I think the lessons that we learnt have come to the surface this afternoon.

It will also be recalled that you presided over the first ever National Accord and Reconciliation Act in this country. That Act also created a new office that has proven that this

country can, indeed, reform itself and as a consequence, we created the Office of the Prime Minister and two Deputy Prime Ministers, which Offices have helped this country to transcend enormous difficulties.

Mr. Speaker, Sir, it is in that line that I want to congratulate this House for offering political leadership over the last three, four days and urge the President and the Prime Minister to also rise to the occasion and sign the agreement on the Waki Commission Report. That agreement will enable this country to yet again, come to this House and demonstrate to the world that Kenyans need not go to international tribunals.

We will come here and formulate the necessary laws and regulations, create the necessary tribunals and, again, using the methods we have used over the last three days, prove to the world that Kenya is not a failed state, and that Kenya has the right political leadership at this time. Therefore, I hope that those hon. Gentlemen will borrow a leaf from what Parliament has done, seek consensus between themselves and sign that agreement before the deadline set by that Commission has expired.

I also want to touch on a subject that is very close to my heart; the subject of food for our citizens. This country, over the last few months, has faced a challenge that is phenomenal; that is the challenge of feeding our citizens. For the first time in the history of this country, we have two prices for an essential commodity called "unga". I think time has come to ensure that this country--- The per capita size of arable land for each citizen is sufficient for us to feed ourselves. Therefore, I believe that if we use modern methods of irrigation, as in Israel, methods of damming up our waters, we can produce sufficient food for our country. There are challenges in dry areas, otherwise known as ASAL regions. Right now, they are depending on famine relief, because the food situation in the country is dramatic in the sense that there is not enough food. I want to challenge the Government that during the period that we are going to be on recess, it makes sure that our citizens in those areas get sufficient food in an efficient manner, so their citizenship is protected and they feel that they have a sense of belonging to this country. This is a very important area and I hope that my colleague, Dr. Shaban, when she contributes to this Motion, will tell us what efforts she is going to be making, because we are going to be on recess, to ensure that every one of our citizens, throughout the country, gets sufficient food, particularly during this festive season of Christmas; she should make sure that, that food, for those who can afford it, comes at a reasonable price.

With those few remarks, I beg to support.

Mr. Speaker: Order, hon. Members! Before we take the next contribution, I have an important piece of communication to make.

COMMUNICATION FROM THE CHAIR

MEETING OF PARLIAMENTARY SELECT COMMITTEE ON REVIEW OF THE CONSTITUTION

Mr. Speaker: The Parliamentary Select Committee, which we have had the honour to constitute this afternoon, will have its first meeting on Friday, 19th December, 2008, at 8.30 a.m. at County Hall, to, among other things, elect the Chair and set the programme of work. It is important that all hon. Members who have been chosen to that Committee demonstrate that they are prepared to work by attending the first meeting to the extent of 100 per cent.

Prof. Kamar: Mr. Speaker, Sir, I rise to support this Motion of Adjournment and join those who have thanked God for this year, which started in a very difficult way. It started

acrimoniously and we thank God that we are leaving on a very happy note. This year, however rough it has been, we have been able to pass landmark Bills, among them one of my favourites, the Finance Bill, that is going to give this Parliament the power to do the oversight role that it has always yearned for. So, we have done a lot, despite the difficulties we have had.

Of course, the past two weeks have been our best, because we have had a lot of consensus-building; I would like to congratulate the Select Committee that we only elected this morning. However much we did not change its mix, we are very happy that they are a product of consensus. I want to thank Dr. Khalwale because if he had not brought that amendment, we would not be talking today, and we would sometimes be sending the wrong signals and perceptions to the ground. So, it is good that today, we have a team that we can all talk of as a team that came about as a product of consensus.

While congratulating them, we would like them to look back--- I mentioned yesterday, as I contributed to a Bill, that the process of how we did the Constitution was part of our undoing. In fact, it took the greater toll on us than the content of the Bill. I would like to tell on the Select Committee that they have to be as fair and as neutral as possible, because any wrong perception that is received by the public is going to take us back.

Sometimes, when we see insistence by hon. Members wanting to be in a Committee, you ask yourself: Do they have something up the sleeve that we do not know? We would like them to be as transparent as possible. They are going to deal with the appointment of two very important commissions in this country. The two commissions as we talk of independence, I want to appeal to the Select Committee that we would like to see non-interference as soon as they are selected. We would not like to see competition on who is going to come from where. We do not want to see the competition of regions or tribes when it comes to the appointment of commissioners, because we must get quality people if we are going to have a quality transition period into the new Constitution. So, we are telling this Committee that, because we have entrusted them with a very important task, they must live up to our expectations.

I would like to agree with what hon. Mbarire said; that we are not threatening, but it is very important for us to hold on to the fact that we can actually dismiss them if they do not perform, so that they know that they are on check as far as Parliament is concerned. But we trust that since they are products of our own consensus, they are going to perform. The focus from now is going to be on the Constitution. We know that there are key issues that were contentious in Bomas. I was a Member of Bomas representing women and for the whole period, we had issues that were not resolved. We are going to call on everyone of us that we may be able to be flexible enough to accommodate one another, so that any issue that is dealt with, is dealt with thoroughly. We do not want debate at the point of the referendum. So, it is very important that we take our roles very seriously, as Members of Parliament.

I would like to also dare say that, as a Member representing the women - and I was honoured to have hon. Omingo in the Sub-committee of transition - I know that there was very little participation by most Members of Parliament. I challenge this Parliament that, indeed, we should actually participate and show leadership in preparation for the next Constitution review.

Mr. Speaker, Sir, with those few remarks, I would like to join the rest in wishing all of us in this House, a very merry Christmas and blessed new year and also extend the same to the people of Eldoret East Constituency.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

The Minister for Foreign Affairs (Mr. Wetangula): Thank you very much, Mr. Deputy Speaker, Sir. I also wish to join colleagues who have spoken before me in supporting this Motion of Adjournment; the first long recess that this Parliament is taking.

As we break, it is good that we all look back with a sense of both guilt and pride; guilt with what happened in January and February and pride that we were able to resolve it. As we break, I want to wish all my colleagues a merry Christmas and happy new year and good interaction with their constituents.

Mr. Deputy Speaker, Sir, as we get to the end of the year, it is also the critical farming season for the most high potential areas in this country. I want to urge the Minister for Agriculture to do everything possible to make sure that affordable fertilizer and quality seeds are available to the farmers in this country so that we can produce sufficient food. There is absolutely no justification whatsoever, for the middleman in this country to sell fertilizer at Kshs6,000 per bag to the farmer, when the price of oil, which is the main raw material for fertilizer, has dropped from US\$160 per barrel to US\$44 per barrel.

I would also want to see the Minister requisitioning funds to make a critical intervention to help the farmers by using the Kenya Farmers Association (KFA) and Agricultural Finance Corporation (AFC) and other arms of Government that are involved in agriculture to import fertilizer and distribute to the farmers at affordable rates.

Mr. Deputy Speaker, Sir, we have just passed, in this House, a Select Committee. I congratulate those who are in the Committee. I do hope that with lessons of the past, we are not going to get to this Committee and people start pursuing narrow partisan, ethnic and regional agenda that will derail the process of giving this country a new Constitution. As one colleague said yesterday, we are here as Members of the National Assembly, and if we leave behind partisan interests, we can and, indeed, should give this country a new Constitution. We have walked down this road before. Some of us who were involved in the last process, went through the frustrations of some of our colleagues, turning into incredible hardliners and taking positions that were completely unhelpful to the process of achieving a new Constitution. We hope that the consensus mood displayed here this afternoon, will run through the process to the end of achievement of a new Constitution.

Finally, I want to urge all Members of Parliament, particularly, our brothers and sisters from North Eastern Province, to join the Government in assisting the country, in helping Somalia come to terms with its requirement for peace. What is going on in Somalia is not good at all. I want to urge my colleagues who have access to the brethren across the border, like my brother, hon. Affey, who has been our Ambassador to Somalia, and others, to assist the country and region, in reaching out to our brothers in Somalia and telling them that there is no alternative to peace; that brinkmanship and digging in on unhelpful issues does not help the course of peace in their country and it affects the region very adversely.

With those few remarks, I beg to support.

The Minister for Tourism (Mr. Balala): Thank you, Mr. Deputy Speaker, Sir. I rise to support the Motion of Adjournment, when we are now ending this year, 2008. We began in a bad way. It was a very difficult year. Even the election of Mr. Speaker and yourself was a challenge. But, today, I am happy that we have made history. We agreed and formed a Grand Coalition Government. I applaud the leadership of President Kibaki and Prime Minister, Raila Odinga, for taking the first step, sacrificing and saying that this country is bigger than them. I think that support that this Parliament and the people of Kenya have given the two leaders is enormous.

Mr. Deputy Speaker, Sir, it is important to note that we should never repeat again what happened during last year's General Election. Today's changes at the Electoral Commission of Kenya is a testimony to say: "Yes, we can bring that change. Yes, we can." So, I think that it is the

dignity of this House that guides and gives leadership to the country. This dignity needs to be preserved at all costs and every time. In the last few months, this dignity has been belittled by everyone in the country. I think that it is important for us to rise to the occasion when we are required to be accountable, transparent and modern in our way of thinking and delivery of services and contributions in this House.

I think that it is important for the Parliamentary Select Committee to think about how we can improve the image of this House and Members of Parliament. I think that our Public Relations Department should be able to help to put the good work in the forefront of the eyes and ears of the nation. Yes, we know that we are modernising our operations through the internet or website, but that is not good enough. It needs to be interactive. When we have Bills, they should be posted on the website. When they are amended they should be on the website. People should know what is going on.

Mr. Deputy Speaker, Sir, National parliaments are also areas of visit, where people can come in and learn what the dignity of the nation is. It is important for us to make sure that as a Parliament, nation and leaders, we are able deliver to our people. I think when we campaigned during the 2007 General Election, it was one of the excellent campaigns. It was very modern, competitive, dynamic, creative and innovative. I think that the 2007 General Elections have given hope to this nation and we are moving in the right direction. But, we want to achieve even much more by delivering the promises that we have given the people. I believe that this is the first time we are doing it by creating the road-map for the Constitution-making; changing the Electoral Commission of Kenya and other commissions.

I think that the Constitution is a priority for this Tenth Parliament. We cannot compromise on that. Today, after approving the list of the Parliamentary Select Committee on the Review of the Constitution, I am privileged to be part of that list. We will uphold what is right for this country and not for our party or tribes.

Mr. Deputy Speaker, Sir, the second issue is that of empowerment and devolution. We are undertaking devolution in a stingy way. There is the Constituencies Development Fund (CDF), Special Programmes, Roads Fund, Local Authorities Transfer Fund (LATF) *et cetera*. If all these funds are consolidated and given to the regions, we would see development. I believe that if all these funds are co-ordinated properly, transparently utilised, and the persons entrusted to oversee them are accountable, we can achieve much more.

Finally, I come to the issue of wealth creation and employment of our youth. We will be living with a time bomb if we do not address the wishes and desires of our youth and Kenyans generally. I think we can create hope in 2009 by delivering a new Constitution. This House seems to be very committed. I want to be part of that commitment.

With those remarks, I beg to support.

The Minister of State for Special Programmes (Dr. Shaban): Ahsante sana, mhe. Naibu wa Spika kwa kunipa nafasi hii kuzungumza juu ya Hoja hii. Ni muhimu kwetu kwenda nyumbani na kujiunga na wenzetu kusherehekea sikukuu ya Krismas na watu waliotuchagua kuja hapa Bungeni.

Huu ulikuwa mwaka wa matatizo. Hata hivyo, ningependa kuwaambia waheshimiwa Wabunge wenzangu kwamba matatizo hayo yawe ni funzo kwetu, ili tuweze kuwaunganisha wananchi wetu.

Wiki mbili zilizopita zimenifunza mambo mengi sana. Tumeweza kukaa pamoja kama waheshimiwa Wabunge wa Bunge la Kumi na kuzungumza kama Wakenya na wala si kuzungumza kama watu wa makabila mbali mbali. Kwa hivyo, ningependa kuwapongeza Wabunge wote kwa shughuli hii tuliyoifanya na kuanzisha msafara wa kuiwezesha nchi hii kupata Katiba mpya.

Bw. Naibu wa Spika, jambo ambalo ningependa kusema siku hii ya leo, tukielekea kwenye shughuli za sikukuu ya mwisho wa mwaka, ni kwamba masikilizano yetu yalianzishwa na mhe. Rais Mwai Kibaki na Waziri Mkuu, mhe. Raila Odinga na waakilishi wetu wa Mkahawa wa Serena. Ni kutokana na mkataba wao ndio tumefika pahala tulipo sasa hivi.

Ningependa kuwauliza waheshimiwa Wabunge wenzangu kwamba tunapoelekea nyumbani tujaribu sana kuwaunganisha Wakenya. Kamati ya Bunge tuliyoichagua hapa itakuwa ikikaa kuzungumzia maswala ya barabara tutakayofuata ili tutengeneze Katiba kielelezo. Ni muhimu sisi kama waheshimiwa Wabunge kuendelea kuiunga mkono Kamati hii, ili waweze kutengeneza Katiba kielelezo itakayokubaliwa na wananchi wote kwa kauli moja. Hapa Bungeni tumepitisha sheria nyingi zinazohusu maisha ya Wakenya wote kwa jumla.

Bw. Naibu wa Spika, Katiba ya Kenya ni muhimu sana. Katiba ndiyo inayotupa msingi maalum kama Wakenya. Kwa hiyo, Katiba yetu ni msingi wa nchi hii. Kwa hivyo, tuungane ili tuweze kutengeneza Katiba ambayo itaunganisha nchi yetu. Tujaribu sana tusirudie ule mchezo uliokuwepo kule Bomas of Kenya.

Ninamtakia kila mtu kila la heri tunapokwenda nyumbani. Ninaomba kwamba tuendeleo kuwazungumzia wananchi huko nyumbani, yale yote tuliyojifunza katika wiki hizi mbili. Tukizungumza juu ya maendeleo, pia tuzungumze juu ya umoja wa Wabunge wa Bunge hili la Kumi.

Kwa hayo machache, ninaunga mkono Hoja hii.

Mr. Deputy Speaker: Yes, Hon. David Musila!

*(Mr. Affey stood up
in his place)*

Order! Order, Mr. Affey! All Members of Parliament are equal! Nobody has more rights than the other.

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Thank you, Mr. Deputy Speaker, Sir. I am surprised that a junior Member of Parliament from my party can challenge me. I thank you all the same.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. You have just ruled that all Members of Parliament are equal. However, the beneficiary of that ruling is making reference to a junior Member of Parliament. Is he in order!

Mr. Deputy Speaker: Order, Mr. Musila! There is no junior Member of Parliament! Everybody here is a full Member of Parliament.

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Thank you, Mr. Deputy Speaker, Sir. Mr. Affey knows very well that I did not, really, mean to demean his position. He is my very good friend.

Mr. Deputy Speaker, Sir, I also want to join my colleagues in supporting this very important Motion of adjournment. Indeed, we all deserve to congratulate ourselves for the work we have done over the years. There is no doubt, we started this year, at a very difficult time. God has seen us through. We must not lose sight of the fact that it is through God's grace that we managed to get where we are. We must thank Him for that.

I want to talk about climate change. Global warming is here with us. Climate change is tremendous, and has very serious negative effects in our country. As I speak, rains have failed in Eastern Province, North Eastern Province, Coast Province and in some parts of Rift Valley Province during the last two years. All the parts of Eastern Province, including Ukambani, have not received rain during the last two years.

Mr. Deputy Speaker, Sir, the consequence of this rainfall failure is that people are suffering,

because there is neither water nor food. The prices of food commodities have gone high. So, food commodities are not reachable by the average persons in those areas. Therefore, as we go on this recess, I want the Government to realise that it will be a very difficult time. We are all Members of Parliament going to face a very serious situation of people who are starving.

Therefore, I call upon the Government to do everything possible to ensure that food is easily available, and that the prices of food commodities are stabilised. I want to commend the Minister for Agriculture for introducing the five-kilogramme and 10-kilogramme packets of maize flour, which he launched two weeks ago. However, it looks like this maize flour was only meant for Nairobi. As I speak, the rural areas, where most of the poor people live, has not received this maize flour.

Mr. Deputy Speaker, Sir, if the Minister meant to have this maize flour distributed throughout the country, he should make it easily available throughout the country. Otherwise, he should tell Kenyans the truth; that, this maize flour was not meant for people in the rural areas, but for Nairobi. I say so, because majority of the people out there, are keenly waiting for this maize flour. It is high time that the Government gave this assurance.

Also, we all know that the international price of crude oil has now fallen to as low as US\$45 per barrel. Previously, the fuel pump prices had gone to Kshs140 per litre, but all that the petroleum companies have done is to reduce their fuel pump prices to about Kshs75 per litre. This is not reasonable. We must demand that petroleum companies reduce their pump prices. I believe that the pump price should now be as low as Kshs50 per litre, if not less. It is, therefore, upon the Government to insist to these companies that they must reduce the prices of fuel. Once the prices of fuel is reduced, the prices of other commodities will come down as well.

Mr. Deputy Speaker, Sir, I do not think we have an alternative, but to introduce measures that will make oil companies reduce their pump prices. I propose that when this House re-convenes early next year, and if the Government will not have taken adequate measures to control the prices of fuel, this House takes a measure that will ensure that fuel prices become affordable, so that we can have the prices of other commodities reduced.

During the Jamhuri Day celebrations, His Excellency the President talked about coal exploration in Kitui and Mwingi districts. Most coal in Mwingi District is in my constituency. Sadly, every time the Government talks about exploration. Our people are ready and we know that coal deposits are available. We know that this country requires alternative sources of energy and it is available. I, therefore, would like to call upon the Government to move from the exploration of coal in Mwingi and Kitui districts and get to the actual exploitation of this commodity because with it, the country is going to benefit from alternative sources of energy. That will, at the same time, save this country enormous foreign exchange reserves.

With those few remarks, I beg to support.

Mr. Imanyara: Thank you, Mr. Deputy Speaker, Sir. In supporting this Motion, I would like to echo those who have spoken in support of it. Given the nine months we have had to conduct the business of this House, we have much to be proud of as Members of Parliament. Even as we celebrate the achievements that we have had over the last nine months or so when doing business before us, we must not lose sight of the fact that we have thousands of people living as refugees in their own country as Internally Displaced Persons (IDPs). We cannot forget that there is a food crisis in this country that is affecting millions of Kenyans. We cannot also forget the challenges that face the implementation of the Waki Report in the form of a tribunal to end the culture of impunity.

Mr. Deputy Speaker, Sir, we have been criticised and, probably, rightly so, for not seeing the issues that members of the public want us to see. The problem of taxation is a genuine one, but the manner in which it was introduced in this House and the way hon. Members were ambushed led to the impact you have seen. However, let word go out that we Members of Parliament want to

pay our taxes when they are properly and lawfully due. We do not want people with self-serving motives to ambush the House with legislation that has repercussions that were not anticipated when hon. Members were seeking to get to the House.

The country can be proud of the fact that we have a Government that is truly national in outlook, given the very difficult circumstances when we started the year. We have had an occasion to represent this Parliament out of Kenya as Members of this House. I just came back yesterday morning from Zimbabwe where I had gone to facilitate a workshop on the Standing Orders. Having seen what we can do in this country, and given the problems in Zimbabwe as we talk today, they thought that they could gain something from Kenya. So, even as we acknowledge that we have made mistakes - I know many mistakes have been made - let us also remember that the challenges ahead are much greater than the obstacles that we have faced over the last eight months.

Mr. Deputy Speaker, with regard to the disbandment of the Electoral Commission of Kenya (ECK), we have succeeded in sending these people home. However, we must not lose sight of the fact that they were constitutional office holders. So, even as Mr. Kivuitu and his group now go home, we cannot ignore the fact that they held constitutional offices and they are, therefore, entitled to their retirement benefits. Concerning the staff of the ECK, we refused to pass the Constitution of Kenya (Amendment) Bill, so that we can be assured that the staff of the ECK are not sent home on flimsy grounds. I know that the law we passed yesterday simply says that they are eligible for employment. However, let us now see Amb. Muthaura's circular being given effect in relation to the thousands of staff of the ECK so that they can celebrate Christmas knowing that their salaries will be paid even though they are no longer employees of the ECK.

We have made far-reaching recommendations when amending our Standing Orders, one of which was the creation of an Implementation Committee. I am looking forward to next year when that Committee would have been formed to follow through the resolutions and answers given to this House. Hon. Members, who ask Questions and the answers are given, can now rest assured that the Government will act. The Implementation Committee that has been formed under the new Standing Orders is one of the very key reforms that have taken place and can make a real difference, particularly when it comes to following up on answers to Questions.

The same goes for the Equal Opportunities Committee which we have formed under the new Standing Orders. It will ensure that all legislation and appointments take care of gender balance and geographical distribution of the resources available in this country and that at the end of the day, all Kenyan ethnic communities feel part and parcel of Kenya. I am happy that this morning, we reached a consensus in forming a Select Committee on the Review of the Constitution. In arriving at that decision, we were able to see that those political parties that are properly organised were able to achieve their intentions far quicker than political parties that are not properly organised. In this regard, one must pay tribute to the ODM Party of Kenya because they appeared to have been properly organised from yesterday. In fact, had the other political parties done the same, I am sure we would not have taken as much time.

Mr. Deputy Speaker, Sir, I wish all Members of Parliament a Happy Christmas and look forward to a next year of action in implementing our resolutions. I beg to support.

Mr. Nyammo: Mr. Deputy Speaker, Sir, I would like to thank the Speaker for having taken us from very far. I remember that from the day we first came here to be sworn in and undertook to elect our Speaker, this country saw nothing but pessimism. As soon as we elected the Speaker, he gave optimism to Kenyans. We should, therefore, acknowledge that particular fact. Since then, the Speaker has guided us well.

As far as the media is concerned, I would like to tell Kenyans that Members of Parliament are not demons as they have been painted by the media. We are responsible people. We care for

Kenya and everybody in this country. I would like to ask the media to practise responsible journalism. They should get away from cheque book journalism that the highest bidder is the one to be reported or misreported. Kenya is ours, including the people from the media. Why do they choose to paint Kenya in black all the time and more so, this Kenya National Assembly?

Mr. Deputy Speaker, Sir, we have many problems, but I am proud to say that if we continue with the spirit we displayed during the passing of the Constitution of Kenya (Amendment) Bill, we shall go very far. I am proud to be associated with this process. I request my colleagues to keep up with that spirit.

We have problems with our youth. I have said here before that our youth are a product of our system of education. That system of education has ignored skills and discipline and has opted for numbers. As a result, we have a disconnect between the numbers we churn out of institutions of higher learning and the numbers being absorbed by the economy.

Mr. Deputy Speaker, Sir, it is time this country sat back and asked: What skills do we have in the country? We have the Vision 2030; what skills do we have to drive it? That is the only way we have enough reasons to tell our universities and institutions of higher learning that these are the gaps. Give us more doctors, lawyers and engineers. However, as it is, I think we are asking our institutions of higher learning to grope in the dark by training and producing graduates who are literally unemployable. We are the ones creating the problem. I think we need to look at our educational system with a view to changing everything to look at what we require and not how many graduates we can churn out.

Mr. Deputy Speaker, Sir, the other thing is that as we proudly speak about free primary and secondary education, the country is crying about shortage of teachers. Why do we not make things succeed? If it is free primary education, let us make sure that every school with a given number of children has adequate teachers. Let us stop talking about numbers. Let us get primary and secondary schools staffed adequately with a view to preparing our youth for a better Kenya.

I can go on and talk about even the shame we are undergoing of lack of food. I do not know what it is but we are a country that should be a net exporter of food and not an importer of food. We should be proud of saying that all the food potential areas are served with good road network, water and so on.

Mr. Deputy Speaker, Sir, I understand that I am short of time but I say that I am proud that we are in the National Assembly---

Mr. Deputy Speaker: Hon. Nyammo, you are not short of time but out of time!

Proceed, Mr. Affey!

Mr. Affey: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to also support this very important Motion. I want to join my colleagues in thanking the Almighty God for being good to this country because the mood that prevails in the country today is the exact reverse of the mood that prevailed when the Members of Parliament were sworn in at the beginning of this year. It also means that the leaders of this country are beginning to put Kenya first and personal interests second.

Mr. Deputy Speaker, Sir, the failure of the leadership that we have had in Kenya is what has brought this country almost to its knees. I fear that the same failure might engulf us as we begin to reconstruct this country through a new constitutional dispensation. Today in this country, we have a Government and if this reform process that we are proud of is beginning finally to take shape, if it is going to fail, the only reason for that will be because of the leadership of the Government. It will not be because of Parliament or the people of Kenya.

The Government that we have today is a Government that requires to put its house in order. We need a Cabinet that speaks with one voice and thinks about Kenya. We need a more disciplined Cabinet. The one we have now, I am afraid to say, is likely to derail the peace process because they

all speak in different tongues.

Mr. Deputy Speaker, Sir, I am proud that finally, given the construction of the Parliamentary Select Committee on Review of the Constitution, we shall have a new Interim Independent Electoral Commission (IIEC) that will replace the Electoral Commission of Kenya (ECK) and we will have a new commission that will look at the boundaries of this country.

The country called Kenya is not only about people. The country called Kenya is not about population. The country called Kenya is about land mass and that is why I am very particular with this commission that will be going around the country in order to determine the number of more constituencies that we will have in order to provide sufficient representation to the Kenyan people. There is a mindset that is coming into being and that is why I am glad that the Bill we passed established nine commissioners. We must be very careful how we select them. We must find that these commissioners represent the face of this country.

Mr. Deputy Speaker, Sir, there is no use of establishing a commission that is very narrow in its thinking or that thinks that Kenya is only about the population and forgets that this country is about landmass. That, if one inch of this country is encroached by a neighbouring country, then we now all go back to a constitutional provision and say that the territorial integrity of this country has been violated. However, when we are talking about representation we do not give sufficient attention to the Kenyans who live in those parts of the country who require services. As we reconstruct the country, let us hope that this commission, of course, with the support of Parliament, will determine more constituencies based on landmass and not on population. This is the most frustrating thing that those of us who happen to come from regions where it is said that we represent 3,000 to 10,000 people. We represent the Kenyan land mass. The Kenyan land mass is not about a population but it is about the geography of this country.

As you say one man one vote, we must say one kilometre one vote, so that as we determine the number of votes, we base it on the kilometres and miles we have in the country and not in the figures that we have.

Mr. Deputy Speaker, Sir, therefore, this commission must be careful to unite this country based on the size that we have so that we get people represented here from every single part of this country in a manner that is compatible with the aspirations of the people.

Mr. Deputy Speaker, Sir, I wish the Minister for Foreign Affairs was here to listen to me talk on the issue of Somalia. There can be no way we can have peace in this country if Somalia is in the state in which it is. Our economy is suffering and the communities that live on the border neighbouring Somalia are always in a state of fear. Therefore, we need a comprehensive road-map from the Government of Kenya to address this matter.

Ms. S. Abdallah: Asante sana Bw. Naibu Spika. Nasimama kuunga mkono Hoja ya leo ambayo inatupatia nafasi ya kuenda nyumbani kwa mapumziko kidogo. Jambo la kwanza, ninataka kuchukua nafasi hii kumshukuru Mungu kwa kutuwezesha kufika hapa leo tukiwa kwenye Jumba hili la kifahari.

Bw. Naibu Spika, kitu cha pili ni kuwapongeza wale ambao wamechaguliwa kwa ile kamati ya leo kusimamia maswala ya mambo ya tume ya uchaguzi na Katiba mpya. Ningependa kuwakariria wale ambao tumewapatia hayo majukumu kwamba, tumewapatia majukumu kwa imani kama Wabunge na tumefanya uamuzi huo kwa wajibu wa wananchi wote wa Kenya. Ni wajibu wao watekeleze majukumu yao kwa njia ya haki wakizingatia haki zote za nchi. Wajue kwamba Kenya ina makabila mengi na wazingatie hayo yote.

Pia tunajua kati ya wale ambao tumewachagua ni changamoto kwao. Tunajua kuna wengi ambao wana matarajio yao ya kibinafsi lakini tumewachagua kwa imani. Tunataka waangalie nchi na waache kufikiria matarajio yao ya kibinafsi na wawe pale kwa niaba ya nchi na wananchi, ili Bunge la Kumi lilete mabadiliko ya uongozi kwa nchi hii yetu ya Kenya ambayo wananchi wengi

wanatarajia.

Bw. Naibu Spika, jambo lingine ni kwamba waangalie pia maswala ya mazingira na mambo mengi muhimu, ambayo yataunganisha nchi kufanya kitu kimoja.

Ninataka nitoe shukrani pia kwa Serikali kwa kuamua kutujengea bandari huko Lamu. Ningechukua nafasi hii kusema kwamba hiyo bandari iwe ni jambo ambalo litatufaidi sisi watu wa Lamu, kwa sababu watu wengi wameadhirika na madawa ya kulevya na majanga ya njaa. Kwa hivyo, ni matarajio yetu kwamba hiyo bandari itatutoa kwenye majanga ya njaa na utumiaji wa madawa ya kulevya, kwa sababu hilo ndilo jambo ambalo limeadhiri sana vijana wetu huko Lamu.

Jambo lingine muhimu ambalo ningependa kuongezea ni swala la chakula. Chakula ndio shida kubwa. Ningependa kusema kwamba ule unga ambao umesemekana kwamba ni wa bei ya chini uwafikie watu mashinani, kwa sababu hao ndio wenye shida zaidi kuliko watu wa mijini. Tusiangalie unga pekee yake; tunajua kwamba Wakenya wanatumia vyakula vingi na ni muhimu Serikali iweke taratibu za bei ya chakula, ili Wakenya waweze kufikia chakula kwa njia ya urahisi na kulingana na mapato yao. Kuna wengi wanatumia chakula kama mchele, viazi na kadhalika. Kwa hivyo, tusiangalie unga peke yake, ijapokuwa unga ndio chakula ambacho ni rahisi kwa sasa, lakini bei yake sasa imepita ya mchele. Kwa hivyo, tunaomba Serikali iweke mikakati ya kusimamia bei ya chakula. Hili ni jambo litakalowafaidi wananchi.

Bw. Naibu Spika, jambo lingine ni kwamba tuwe tukiangalia jambo la kuinua makabila bila kuangalia kama ni madogo au makubwa. Tuungane kama Wakenya na tuweke kando ukabila na tuangalie zile shida zinazotukabili, ili tuweze kuzitatua kwa njia mwafaka bila kufikiria hili kabila ama lile linafaa, liko hivi ama vile.

Kwa hayo machache, ninawatakia nyote Krismasi njema na mwaka mpya wenye mafanikio.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Deputy Speaker, Sir, I stand to support this Motion, and want to say that this is one of my proudest days. I am very proud to be a Member of the Tenth Parliament. I think the Tenth Parliament has achieved a lot.

We have been in this House for many years, since 1992 fighting to give Kenyans a new constitution. I can now see light at the end of the tunnel. I do hope that the Members that have been so carefully selected by this House will ensure that they they serve as per expectation, and that they will not be a disgrace.

As we go on recess, we are already experiencing serious challenges in the country. We have an acute shortage of food and that is as a result of lack of our investing in water storage in the country. In the recent past, we have had to ration water both in Nairobi and other parts of the country. I want to say here that, that will continue.

Mr. Deputy Speaker, Sir, I want to challenge the Departmental Committee on Agriculture, Lands and Natural Resources and say to them that Parliament has now assumed its powers, and it must rise to the occasion and to ensure that there are enough resources within the Budget to ensure that there is enough money to buy food and give inputs to ensure that farmers can grow adequate food.

I am surprised that an agricultural country like ours can agree to buy food from a country like Egypt or Libya. I returned from Libya this morning and I was so surprised to see big oranges, tangerines and apples that are grown in Libya. In our country, whenever you see oranges, they are very green, bitter oranges. So, I asked myself; what is our Kenya Agricultural Research Institute (KARI) and other research institutions doing? I think that if we do not give adequate resources to the research institutions, time has come for us to do that. We also have to make very hard decisions.

I believe strongly that the reason why we are not getting enough food in this country is because we lack political will and commitment. We do not seem to care, because the people who

suffer lack of food and serious poverty are those people whom we represent. Those people who make decisions do not suffer acute shortages of food within their homes. It is for that reasons that I say that we have to make very hard decisions. We have to think about the poor people.

I really want to say to this country that we need to just look at examples of those people who have made a difference. In the recent past, as recent as 2005, there was an acute shortage of food in Malawi and the President of that country had to make a very hard decision. He had been told by the donors that he could not subsidise farm inputs or fertilisers. He went to the Exchequer, took money and subsidised those farm inputs and fertilisers. Today, some of the food that we are eating in Kenya has been imported from Malawi. Why is it that we cannot do the same and ensure that we give our people food?

Mr. Deputy Speaker, Sir, there is nothing more demeaning than making people to sit and wait to be given relief food. It is so demeaning; women will walk long distances to get two kilogrammes of food, yet they have to cook and feed a family of nine people.

As we go out for Christmas, I do believe that this House has to think of how we are going to eventually deal with insecurity. As we leave and go for our holidays, we do not know what will happen, but once again, I think we are not dealing with the root causes of insecurity in the country. I believe that the reason why we have so much insecurity is as a result of our not being able to deal with poverty levels. If we deal with that, we will find solutions to security problems.

I want to wish every hon. Member a merry Christmas and a happy new year. I beg to support.

Mr. Deputy Speaker: Mr. ole Ntimama, do you wish to contribute to this Motion? Please, proceed Mr. Ntimama.

The Minister of State for Culture and National Heritage (Mr. ole Ntimama): Let Maj-Gen. Nkaisserry speak on my behalf.

Mr. Deputy Speaker: Order, Mr. ole Ntimama, there is no delegation of chances to make contributions.

The Assistant Minister for Higher Education, Science and Technology (Mr. Kamama): Mr. Deputy Speaker, Sir, first, I want to thank you for granting me the opportunity to contribute on this very important Motion for Adjournment.

Mr. Deputy Speaker, Sir, I want to thank the Tenth Parliament for achieving quite a lot in this country. This House managed to pass 47 Motions and 17 Bills as indicated by the Leader of Government Business. We passed the Bill on Constitution amendment, which is very important. It gives us the road map for the new Constitution. That was very important.

Mr. Deputy Speaker, Sir, we have also passed the Motion on the Select Committee that will come up with names of commissioners who will be in charge of the electoral process in this country.

Mr. Deputy Speaker, Sir, we succeeded in many areas but I must say that we also failed in quite a number. We have not been able to resettle all the Internally Displaced Persons (IDPs). As we go for Christmas, quite a number of families are still wallowing and suffering in those small tents. I hope that come next year, we will be able to resettle these people within the shortest timeframe possible.

Mr. Deputy Speaker, Sir, we have also not been able to do much especially on the issue of food crisis in this country. Food is still expensive. We have had some supplies from the National Cereals and Produce Board (NCPB). However, these supplies have not been distributed to the northern and eastern parts of this country and even some parts of North Rift. We need to do a lot in terms of supplying food to those people.

Mr. Deputy Speaker, Sir, I will talk about this pet subject of one man, one vote, that has obsessed leaders from the big tribes in this country. Politicians will actually favour what is good to

them. I want to say, without fear of contradiction, that those of us who occupy the 78 per cent land mass of this country, are not fully represented. We are not for this idea. We will not oppose the one man, one vote ideology. However, we will give the condition that one square kilometre must also represent a vote. We are not going to relent on this. We will fight for this to the bitter end.

Mr. Deputy Speaker, Sir, God blessed the people from high potential areas with big populations and food. In contrast, where we come from, we are very few but we were blessed with land. This land mass must be a very big factor when drawing up the constituency and district boundaries.

Mr. Deputy Speaker, Sir, I want to say again that we have not done much in terms of fast-tracking the development of infrastructure in this country. I want to commend His Excellency the President who visited Qatar a few weeks ago. We are being told that there is an argument in the offing that will make Lamu one of the best ports in this country. There is also another one near the South Coast called Dongo Kundu. We want Lamu Port to be one of the best ports operating along the line of Dubai because we are being told this will create over one million jobs.

Mr. Speaker, Sir, unemployment amongst the young people is nagging as it is still high. As we go into the coming year, we want to come up with concrete policies that will create employment among the young people. If we do not do that, in the next two or three years, we are going to face a revolution in this country just like the people of Thailand did.

With those few remarks, I wish all hon. Members a Merry Christmas, happy New Year and may God bless you.

The Assistant Minister for Youth Affairs and Sports (Mr. Kabando wa Kabando): Thank you Mr. Deputy Speaker, Sir, for this opportunity to rise and support this Motion for Adjournment.

Mr. Deputy Speaker, Sir, today offers a lot of refreshing mood for many of us, particularly given the history of involvement of many in this country, including the living and the departed, towards the new Constitution that has been sought for two decades. Therefore, the passing of the Motion to constitute the Select Committee and the previous Bills to jumpstart the making of the new Constitution is a very important stage towards national renewal and rebirth.

Mr. Deputy Speaker, Sir, while that has been celebrated and people are very optimistic of what is going to come out of the process that starts immediately upon this Committee being endorsed by this House, there are also important lessons that we have learnt. Among these lessons is the importance of consultations and inclusion. The experience of the last two weeks when parties have been consulting and when His Excellency the President and the Prime Minister have been consulting, have been very important moments. It has been important in asserting the authority of the House and also conceding ground so as to include issues and factors that are important for inclusive process.

Mr. Deputy Speaker, Sir, if we lost inclusiveness, consultations, respect of diversity and legitimacy of the House, externally, there would have been a blemish. That would have affected the process. The legitimacy of the House is important as it shows the representation of the public.

Mr. Speaker, Sir, the passing of the Motion to affirm the process of constitution making has also enabled us to re-focus the agenda of this country. A lot of resources have been lost in this country in pursuit of a new Constitution. I am happy because sitting in that Chair, I recall the days you have gone through yourself, the nights we have spent together with many other people composing a model Constitution and so many documentations that have been put in place in a bid to cause Kenya to refresh its governance structures.

Mr. Speaker, Sir, we have lost a lot of resources and particularly if you recall the referendum; the energy, the public funds committed, the personnel, the exposure as to enable the public to harmoniously constitute the supreme law that will bring it to a stronger sovereignty and

give devolution and strengthen other instruments that will enable the people of the Republic of Kenya to realise their fullest potential.

Mr. Deputy Speaker, Sir, given the abundance of the capital; intellectual and professionalism, in this country, the very fact that we have been struggling for nearly two decades to review our Constitution has cost quite some pain and loss. We have also lost a lot of lives. This cannot be forgotten. Many Kenyans, particularly young Kenyans in the countdown to the reintroduction of multiparty politics and beyond that is the struggle to get a new Constitution--- We remember even when the Budget Speech was stopped momentarily in this House. Having this process completed and giving Kenyans a new Constitution will also be honouring and respecting the spirit of those who have given their lives for this struggle.

Mr. Deputy Speaker, Sir, it is also the hope of many of us that the Parliamentary Select Committee will involve external consultations. We have confidence that it will, so that it can harvest from the very rich archives of the works that have been done externally in the civil society and in other professional groupings to enrich the work that will be produced.

Finally, Mr. Deputy Speaker, Sir, as we go on holiday, and while I wish all hon. Members a Merry Christmas and a happy New Year, I just want to urge that we do involve our constituents in the process. That will enable them to have a greater confidence in us, as leaders.

Thank you, Mr. Deputy Speaker, Sir.

The Minister for Labour (Mr. Munyes): Thank you, Mr. Deputy Speaker, Sir. First of all, I want to take this opportunity to appreciate the role of the Chair and the Panel in this Parliament. I support the Motion for Adjournment because there is a lot to be done by hon. Members for their constituencies. For those of us who are Ministers, we need to get there and ensure that we succeed in our tasks.

Mr. Deputy Speaker, Sir, the challenge we got this year was very enormous. We have come through all those challenges as a country, but the last few days have shown that this Parliament is a Parliament that wants to take Kenyans forward. I am very optimistic that the new Constitution will be achieved because we have a Grand Coalition Government. Even the Grand Opposition is going to support us this time, so that we can get a new Constitution. This country is enlightened now. There is a big voice from those who elected us. There are demands from wananchi and we must listen to them! I want to say that because of what is happening. High food prices, high fuel prices and many other issues are affecting the citizens of this country.

Mr. Deputy Speaker, Sir, I want to say that, for the first time, the Government is responding and even in the Cabinet, the matter of food was discussed and we tried to get the way forward. The fuel prices are coming down. But there is something that compares differently from the way I see Parliament operate. That is how the Executive of this country operates. I am in charge of the Ministry of Labour. I have been in two Ministries before. This is my third Ministry now. For the first time, you undertake reforms in this country and they are not being appreciated because we have lost billions of shillings in this country! In an attempt to clean up that place, we find ourselves in problems; people going to court and those who have been entrenched in this country would not allow us to achieve what we want to achieve. It is a very sorry thing for this country. We are going to lose billions. In fact, we stand to lose a total of Kshs130 billion. Already, Kshs9.6 billion is lost. We stand to lose Kshs19 billion at the National Social Security Fund (NSSF). We are all trying to help, but I think a lot is required in this country for all of us to stand up and say no. There are very clever Kenyans who will go to those courts. I do not know what they do to the Judiciary of this country. They will make sure that they have their way.

But, Mr. Deputy Speaker, Sir, I still want to take this opportunity to tell Kenyans that the clean up process and the reforms in the NSSF are going on. I want to comply with the Retirement Benefits Authority (RBA) Act to ensure that we transfer the Kshs100 billion to a Fund Manager, so

that the people who want to take or steal that money do not get that opportunity.

Mr. Deputy Speaker, Sir, I also want to say that the money that is there now is safe. For the purpose of confidence in this country, I want to say that the funds that are there will not be misappropriated again.

(Applause)

Mr. Deputy Speaker, Sir, when it comes to insecurity, which is a subject that you know very well, as we go for Christmas, parts of our country - and I want to talk of the northern Kenya areas - in my constituency alone this year, I have lost so many lives and property. The Kitale-Lodwar Road, for God's sake--- *Wakati umekwisha?*

With those few remarks, Mr. Deputy Speaker, Sir, I beg to support. Thank you very much, Mr. Deputy Speaker, Sir.

Mr. Konchellah: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity. As I contribute to this Motion for Adjournment, first, I want to congratulate this House and you, the Deputy Speaker, for what has been going on for the last one year. The legal reforms that we have been able to push through this House have made this Parliament different. For the first time, we have been able to push the agenda for this country into the forefront, so that our people can get the services that they deserve.

Mr. Deputy Speaker, Sir, as the Electoral Commission of Kenya (ECK) goes home and the new Parliamentary Select Committee selects those who are going to undertake those roles, we would like men of integrity and who are blameless to lead the process of electoral reforms in this country to the future.

Mr. Deputy Speaker, Sir, out of the problems that we went through, particularly in the Rift Valley--- Last week, I had a meeting of all the churches in the South Rift. We want to change the name of "Rift Valley" to "Peace Valley". Indeed, that is the name we have given it. That is because for us to see our people destroying themselves and we are their leaders, I think it is something that God will not forgive us for! We should change the name of "Rift Valley" to "Peace Valley". I am speaking for the people of "South Peace Valley" and we have resolved to live in peace together. That is the only way. None of us brought ourselves there, but God made us to be there. It is time we lived in peace and moved forward with development! Numbers are not an issue. In fact, numbers are a blessing if they are used for economic advantage. When you have numbers, then you are able to multiply your resources and investments, so long as everybody has something to eat.

Mr. Deputy Speaker, Sir, the issue of food is crucial to our people. It will be a pity if we, as Kenyans today, continue importing food and yet, we can grow food. Let us prioritise our development. I want the Grand Coalition Government to prioritise development so that our priority in terms of budgeting and allocation of resources should provide enough food for the people, build the infrastructure, take care of the needs of Kenyans and support education.

Mr. Deputy Speaker, Sir, cattle rustling is a problem which is bothering people. It is causing poverty. We have a community next to my constituency which transcends the Kenyan border up to Tanzania and, unfortunately, that community has something on its own in terms of human existence. That is because it is destroying the livelihood of other people and killing them. It is stealing cattle from my constituency. Even the police are not able to hunt them because they come with very powerful weaponry. We want the Government to deal with this, because it is able to deal with banditry and cattle rustling.

Mr. Deputy Speaker, Sir, I will not leave the issue of the Mau and Transmara Forests, because it is the life line. If we allow people to live in the Mau and Transmara and destroy the forests as they are doing now, we will be destroying the future of our children. I am asking this

Government to rise up to the occasion and look at the whole issue of the environment and forests, and control the cutting down of trees. The Government should take over all forested land and protect it for the future of our children. This is something serious! It is something this House must legislate on.

Another thing that we must do, is that while I thanked the House when it passed the Kenya Communications (Amendment) Bill, because I was not here but I support what it did, we have to be conscious of the lives of our people. Our brothers of the Fourth Estate must know that this is the only country we have and we cannot afford to destroy it. Let us check ourselves. You check me and let me also check you, so that, as brothers, we can live in this country and secure for our people the future that all of us need, because all our families and children live in the same country. We will never sit here to gag the Press or deny information to our people. No! Not through here, but let us not show blood, or our people dying on the streets just, so that people get worried and think that there is no law and order in the country.

With those few remarks, I beg to support.

Mr. Koech: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Motion for Adjournment. Today is a wonderful day for us, because we recall the first time we entered this Parliament, one year ago; we came in as strangers. I am very glad to note that as we adjourn, we have made several friends in the name of hon. Members. My appeal to my colleagues is that we strengthen this relationship and togetherness, because in unity we shall achieve a lot for this country. I would like to urge my colleagues that during this time of recess, it is important that we pay visits to one another in order for us to greet the various constituents who voted us to be in this House.

We came to Parliament with a promise to the Kenyan people that we were going to provide leadership, and show the direction that was needed. I am glad that as we speak today, we, as a Parliament, have seen a very vibrant House. We have seen many Bills being passed, and I think we have broken a record as a Parliament that has passed several Bills. In order for us to achieve this, the contributions of hon. Members, especially those of Committees, needed to be applauded. I recall that in the course of the this Session, my Committee went round the country to find out the causes of school strikes and provide the best way forward for our schools, especially after the strikes and unrests. I saw total commitment from hon. Members of my Committee. I would like to use this opportunity to sincerely thank them for their contribution to what is now before the House. I believe it will go a long way in helping our nation. So, I would like to sincerely thank the Committees for ensuring that many Bills went through the House.

Mr. Deputy Speaker, Sir, in the course of this year, we were also able to have some of us in the Cabinet. I would like to applaud the work that they have done for this country, and believe that there is still a lot in store that they need to do so that this country can move forward. I would like to applaud the Ministers, those who have been able to criss-cross this country and show the rest of the Ministers that they are Kenyan Ministers and not Ministers for certain regions. Kenyans want to see them in every corner of this country. I would like to encourage them, as Ministers, to travel around the country, so that they can have the actual feelings and hear the views of Kenyans with regard to what they require as far as development is concerned. I say this because in my own constituency, it has been my prayer and wish that the Ministry of Roads, seriously and sincerely, looks at the problems that we face with the aim of ensuring that the people of Mosop are able to move during dry and rainy seasons without many problems. I would like to encourage the Minister to think about that seriously as we move ahead.

We promised a lot of reforms and we are grateful - I am grateful - to be part and parcel of this Parliament that is going to deliver the new Constitution to Kenyans. My special appeal to our colleagues who have been nominated today to the Select Committee is to be fair, transparent and to

ensure that in all the assignments, every region of this country is represented. I even propose that before they look at the list of those to be nominated, they should be seen to be open and transparent to Kenyans. Could we have them advertising those positions through Press so that all Kenyans who qualify apply for the same?

Mr. Deputy Speaker, Sir, there are many challenges in this country that must be addressed. One of them is job opportunities for Kenyans and the youth. It is important for the Government to seriously think of job creation for the youth. It is sad that we are going home when we still have some Internally Displaced Persons (IDPs) in camps. I think we need to move and ensure that we help them to move out of camps.

I take this opportunity to wish all my colleagues a Merry Christmas and a Happy New Year.

With those few remarks, I beg to support.

The Minister of State for Immigration and Registration of Persons (Mr. Kajwang'): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity. Today, and especially yesterday, is a good day for this country, because since 1964 when hon. Members, [**The Minister of State for Immigration and Registration of Persons**] especially under the tutelage of the Executive, started to dismantle our Independence Constitution, Kenyans have been asking for a new Constitution. If you ask Kenyans who caused all those amendments, except the amendment of yesterday, they will tell you that they were Executive-driven because the Executive has always wanted to amass power and, of course, use it to the detriment of the majority of Kenyans.

So, yesterday, we changed history! For the first time Kenyans, through their representatives, said: "We need a new Constitution and Parliament will take charge for the first time!" I was happy that hon. Members said: "We do not want a sub-committee of the Cabinet in this thing!" I wish they went full hog and removed the entire Cabinet from the Committee. Kenyans have given us a job to do somewhere else and we should let Parliament do its work somewhere else.

[Mr. Deputy Speaker left the Chair]

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

The serious problems in this country that need to be solved are many, but there are four major ones. One is disease! Of course, hon. Namwamba and I come from a place where there is one disease called Malaria which kills a big number of our children aged between one and five years. Because of that, our women give birth to many children as a way of insurance; hoping that, at least, some will survive so that they do not lose all of them. But as they continue to insure against death from Malaria, they spend very little time to create wealth, because they have to look after those children. So, disease is one cause of poverty. I think that we can deal with Malaria at a very little cost to this country. We do not have to buy nets when people do not even have beds. That one is a World Bank project which is supporting certain businesses. We can spray our houses and eliminate Malaria like it is done in other countries. We have not done that.

The other issue is waterborne diseases. We just need clean water. We promised sometime back when I was young that the year 1980 is when there will be clean water in every household. I am getting old and we are still drinking very dirty water. It is a shame that we cannot provide clean water for our people. The way I see it is that, even 2030 will reach before we get any clean water. These are things we can do very cheaply.

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

[Mr. Deputy Speaker resumed the Chair]

Mr. Deputy Speaker, Sir, the other thing that hurts us is hunger, because we cannot produce enough food, not only because we rely on rain, which is also important, but it is also because we cannot afford fertilizer. This country spends billions of shillings every year to import fertilizer.

I think only half of that money is enough to build a factory so that we can have our own fertilizers. We will employ our young people in that factory and make our own fertilizer which will be cheaper. Imagine that we are importing fertilizers now from Ukraine! It comes from Ukraine up to here and it is still affordable.

This country started something called a fertilizer company somewhere in 1970s when I was in high school, but *walikula yote*. I am sorry for changing the language, but they "ate" it. Up to now, we have not thought of another fertilizer factory. We need it for our country.

Mr. Deputy Speaker, Sir, lastly, we are trying to develop our capital City by hon. M. Kilonzo looking for Kshs33 trillion. I do not know where he will get that money. But even if we developed this City to the tune of Kshs33 trillion, people will still keep on coming to the City, because it is the only place with hope. If we do not develop the other parts of this country, people will walk away from those parts of the country and come to Nairobi. That will not develop this country. So, we must spread our development. In fact, we must start with a new Constitution and devolution.

Thank you and have a merry Christmas.

Mr. Ruteere: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion for Adjournment. From the outset, I wish to say that I support the Motion. As has been said by many of my colleagues, we are here to look back with pride that we have overcome all the challenges that have been on our way. We have done much of the work that Kenyans sent us here to do. If we audited ourselves, without being very proud, we would say that we have measured up to the tasks that were bestowed upon us by the people who elected us. The last few days, especially this week, have proven that consensus building can take us very far and make issues that are very difficult to agree on, to be very easy.

By passing the Motion on the Parliamentary Select Committee this morning, it shows that we are a serious lot and are determined to give Kenyans a Constitution for which we were all voted in and given the mandate to come to this House.

Mr. Deputy Speaker, Sir, I have a few remarks to make because we will be on recess until March, as I understood earlier from the Leader of Government Business. Schools will open when we will be on recess. There is a threat by the Kenya National Union of Teachers (KNUT), that unless the teachers have a deal, they may not open schools. I would urge the Ministry of Education to seriously take the threat of teachers and handle the negotiations with a view to finding a lasting solution, so that when schools open, parents are not faced with a situation where schools are without teachers because KNUT may be going out.

We are also faced with the challenge of the fees structure, where the Ministry pledged that there will be no increase in fees, but the schools are saying that there will a fees increase, because of the escalating costs of food prices. May I also request that we get clear guidelines, signals and policies from the Ministry of Education, indicating what the fees will be lowered come January, which is only a few weeks to come. It is vital that parents know what they will be paying if they will have to pay. If they do not have to pay, they should know it.

Mr. Deputy Speaker, Sir, we have heard of the hiring of interns who will assist to alleviate

the shortage of teachers in secondary and primary schools. Let the policy come out now, so that when January comes, it will not be a crash programme. This is the time for planning. Head teachers should know how they will open schools. It is not necessary that they are threatened by the Teachers Service Commission, that if they reject the interns, they will face the music. The culture of intimidating the administrators does not help the schools. Rather, it makes teachers to work under fear and, therefore, do not deliver their best.

We have the challenge of the youth. Our youth, especially at this time when there is a high turnout of the youth in villages and streets, should be well taken care of. This is because we have the challenge of drugs and substance abuse. We should empower National Agency for the Campaign Against Drug Abuse (NACADA) seriously, so that it addresses the challenges that are there. They should address the youth in various fora and sensitize them on the dangers of drugs and substance abuse. The parents should also be used.

Mr. Deputy Speaker, Sir, coming to the weather patterns, I must say that we are talking of farming, but if the rains do not come in the next two weeks, some parts that receive the short rains-

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Mr. Deputy Speaker: Your time is up!

Mr. Ruteere: Mr. Deputy Speaker, Sir, I beg to support.

Mr. Yakub: Asante sana, Bw. Naibu Spika, kwa kunipa nafasi hii ili nchangie Hoja hii. Ningependa kuchukua fursa hii kumshukuru Mwenyezi Mungu kwa kutujalia sote kufika Mwezi huu wa Desemba kwa afya njema. Pia ningependa kuchukua nafasi hii kumshukuru Bw. Spika na wewe Bw. Naibu Spika kwa kazi njema mliotufanyia mpaka sasa.

Jambo muhimu ambalo tungetaka Wakenya watambue ni kwamba, baada ya Mswada wa kurekebisha Katiba wa mwaka 2008, kwa mpangilio uliopitishwa na kuona kwamba tulikuwa na vikao vya Wabunge vya *Kamukunji* kwa siku, imeonyesha dalili ya kwamba kuna Wabunge katika Bunge la Kumi ambao wameamua kwenda kwa mpangilio wa kuangalia haki na sio kwa mipangilio kama Bunge za hapo awali.

Bw. Naibu wa Spika, kuhusu Mswada huu ambao ulipita, ningependa kuchukua nafasi hii kuwafahamisha waheshimiwa Wabunge wenzangu na ile Kamati iliyochaguliwa kwamba wale wafanyikazi wa Tume ya Uchaguzi 600 ni Wakenya. Wengi wao hawakuwa na makosa yoyote yaliyosababisha kuingia kwao kwenye wimbi la kufutwa kazi. Kwa hivyo, twataraji kwamba watafikiriwa kwa njia za haki, kukizingatiwa kwamba wao pia ni Wakenya walio na familia. Itakuwa ni shida kwao kuangalia familia zao kwenye maswala ya elimu na afya zao, na maswala mengine ya nyumba zao bila kazi. Kwa hivyo, ningependa kuwepo na mpangilio mwafaka. Tusiwe na mpangilio wa mazungumza tu. Baadhi yao wanaweze kuajiriwa na Serikali au tume mpya ya uchaguzi itakayoundwa. Wale ambao hawatapata nafasi ya Serikalini, wapewe marupurupu yao kuambatana na sheria zetu.

Jambo lingine ambalo ningependa kulichangia ni kifungu kinachosema kutakuwa na tume ya kuangalia maeneo ya uwakilishi Bungeni. Ninawaunga mkono Wabunge wenzangu waliokuja na fikira ya kwamba tusingalie idadi ya watu peke yake. Kuna umuhimu sana wa kuangalia ukubwa wa maeneo pia. Kuna maeneo ambayo ni makubwa mno, lakini watu ni wachache.

Hiyo haimaanishi kwamba mhe. Mbunge kutoka eneo kama hilo kazi zake zimekuwa chache. Mbunge kutoka eneo kubwa lenye watu wachache huwa ana kazi nyingi zaidi kuliko Mbunge ambaye ana eneo ndogo lenye watu wengi. Nataraji kwamba fikira hiyo itazingatiwa. Idadi ya ziada wa Wabunge wapya itaenda kwa mfumo wa kila mkoa kupewa nafasi kulingana na ukubwa wa maeneo yao.

Bw. Naibu wa Spika, ninaishukuru Serikali kwa mipango ya maendeleo ya mwaka ujao. Mmoja wapo ukiwa mpango wa kujengwa kwa bandari mpya kule Lamu. Hilo ni jambo zuri sana. Wale ambao ni wajuzi katika maswala ya bandari wamesima kwamba bandari itakayojengwa

Lamu itakuwa kubwa zaidi, na yenye uwezo wa kupokea meli kubwa kuliko meli ambazo zinaingia kwenye Bandari ya Mombasa. Hata hivyo, ningependa kuileza Serikali kwamba watu wa Lamu hawajaweza kuisherehekea fikira hiyo. Sababu kubwa ni kwamba wakazi katika sehemu hiyo mpaka sasa hawana vyeti vya umiliki wa ardhi. Watu ambao si wakazi wa Lamu wanafurahia mpango huo wa kujengwa kwa bandari mpya.

Hata hivyo, wenyeji wa Lamu hawajafurahia fikira hiyo ingawaje hiyo ni fikira itakayoleta maendeleo makubwa katika Lamu na nchi yote kwa jumla. Itapunguza ukosefu wa ajira na kuondosha umaskini katika Wilaya ya Lamu. Wenyeji wa Lamu hawajaona kwamba maendeleo hayo yakifanyika yatawafaa wao watu wa Lamu. Kwa hivyo, tunaomba Wizara ya Ardhi iwafikirie kwa haraka wakazi wa Lamu kuhusu suala la haki ya umiliki wa ardhi.

Kwa hayo machache, ninaunga Mkono Hoja hii.

The Assistant Minister, Ministry of State for Defence (Maj-Gen. Nkaisserry): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to support this very important Motion.

First of all, I would like to send a very peaceful Merry Christmas message to Kajiado Central constituents and to Members of Parliament of this House. This is a very important recess for us Members of Parliament. We have several issues which need to be addressed during the recess. The Government also has a lot to do during this recess.

Mr. Deputy Speaker, Sir, Members of Parliament are law makers, implementors of the laws they make as well as the people's representatives. Therefore, as we proceed on recess, we will be carrying out these three very heavy responsibilities.

The issue of constitutional review is paramount to this country. Since 2003, we have been talking about making a new Constitution for Kenya. What befell this country at the beginning of this year is as a result of failure by leaders to provide a new Constitution. I am grateful to hon. Members of this House for nominating me to be a Member of the Constitution of Kenya Review Select Committee.

Mr. Deputy Speaker, Sir, I believe that the Committee will do everything within its powers to ensure equity, and that the best Constitution is given to Kenyans by ensuring that when it comes to appointing commissioners, the issue of equity is taken into consideration.

In the previous attempt, only the big communities were represented in the commission. This time round, we will ensure that people of integrity push the agenda for constitutional reforms.

It is because of Mr. Speaker's good leadership that this House was able to approve the new Standing Orders, which will enable this House to process all the laws in the most appropriate and efficient manner. When we go on recess, we should be preaching peace and stability of our country. We should be preaching patriotism and unity of the country. We, as a country, are one people.

Mr. Deputy Speaker, Sir, as Members of Parliament, it will be important for us to create a peace caravan and take it through the constituencies which are prone to cattle rustling. It will be important that the Chair facilitates the Amani Forum to carry on with this very important mission.

Another issue I would like to touch on very quickly is that of development. We had created the Youth Enterprise Development Fund (YEDF) and the Women Enterprise Development Fund (WEDF). It is very unfortunate that Government money is being channelled to these groups of people through commercial banks, which are charging between 8 per cent and 15 per cent interest. We should channel that money through the district accountants and cashiers, so that no interest will be charged. It is very important to do so.

Mr. Deputy Speaker, Sir, another issue I would like to talk about is food security. We have a looming famine. The Government should take appropriate actions immediately to ensure that the famine, which is almost at this country's doorstep, is taken care of. We must be proactive. We have a problem of waiting until the real famine takes its toll to respond. That will not be anything of

importance.

The other issue I would like to mention is the Waki Report. I read it. I have three concerns: One, on page five of that Report, the Commissioners admit that they relied on information given to it by the civil society only. We should be very careful to ensure that this country is not driven by civil society. My other concern is on page 17, which says that there is no evidence adduced. So, how do we implement this Report?

With those few remarks, I beg to support.

Mr. Waititu: Thank you, Mr. Deputy Speaker, Sir. First, I would like to thank the Almighty God for having seen us through the whole of this year. The reconciliation spirit in the country has increased so much. It is my sincere hope that Members of Parliament who are going to their constituencies will encourage their people to be more accommodating.

I would like to take this opportunity to thank the Speaker, the Deputy Speaker and Members of the Chairman's Panel for the way they have served this House in a non-partisan way. I appreciate the fact that even though I am a new Member, I have been able to contribute to some business in this House. The path to a new Constitution which we have just laid is a very positive thing to this country. This is a chance for the Members of Parliament to enhance their integrity. The way we handle the appointment of commissioners will either lower or enhance our integrity before Kenyans. Someone mentioned that some of the vacancies in the Commission should be advertised so that Kenyans can see transparency in the handling of the whole process.

With regard to review of boundaries, there must be great consultations. Whatever conclusion that they come up with must be as a result of views given by constituents in a given constituency. We know that bursary money and CDF money is distributed to constituencies to benefit individuals. In whichever way we review the boundaries of our constituencies, we must consider the population. This is because money will go to individuals.

Mr. Deputy Speaker, Sir, it is true that we are going for a long recess. We are also approaching Christmas. Since last week, there has been a spate of demolitions going on in Eastlands which is spearheaded by the Nairobi City Council. I urge the Office of the Deputy Prime Minister and Ministry of Local Government to stop those demolitions immediately. It is the poor people who are affected. At this time during the Christmas festivities, we need to give them hope instead of moving bulldozers early in the morning to demolish whatever they have in life.

Security has been greatly increased in Eastlands and I commend the police for what they are doing. I hope that the same will continue during this Christmas holiday. Water has been a major problem and I hope the Minister in charge will do something so that the people will enjoy Christmas without having to walk long distances to look for water. We are going to be in recess at the time schools will be opening in the new year. Most people expect us to give them bursaries. It is my sincere hope that the Minister for Finance will release bursary money immediately so that we can give it to our people. The CDF money for 2008/2009 for some of the constituencies has not been dispatched yet. It is my sincere hope that it will be dispatched immediately so that we can go out there to continue with the development projects that we started.

Mr. Deputy Speaker, Sir, some Ministries have started projects in our constituencies without consulting the local people. We hope that all Ministries that intend to start projects in Embakasi will consult me. I am present and I am in charge. They should come and consult me, the councillors and other local leaders there so that we can go all together without any confrontation.

I beg to support.

Mr. Lagat: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. All along, we have been talking about food security, especially the rising food prices. We need to address the rising food prices. I would like to request this House to address the issue of increasing prices of farm inputs such as fertilizer. Farmers spend a lot of money in

planting crops. We know that the price of fuel and fertilizer rose and that is the reason why the prices of farm outputs shot up.

In Kenya, we should think about improving our agriculture courses in learning institutions. Most farmers are not qualified. They do not have the required skills for farming. In our education curriculum, agriculture should be made a compulsory subject. That way, we will improve farming in Kenya.

We have been talking about increased levels of poverty. Because of the ever increasing population because when we compare our population with that of countries in Europe, for example, Denmark which had a population of four million in 1900 while Kenya had a population of 2.5 million--- Currently, Kenya has a population of 36 million while Denmark's is 5 million. So, in Denmark, there has been only an increase of one million people in a Century. This means that Denmark can easily plan for its people unlike here in Kenya where the population is rising very fast. This is affecting us because it creates poverty.

Mr. Deputy Speaker, Sir, I would like to thank my colleagues for passing the Kenya Constitution (Amendment) Bill yesterday. It is because of the co-operation we had that we worked in solidarity. It showed Kenyans the unity we have as parliamentarians. I would also like to thank the Minister for Youth Affairs and Sports because of the Kshs1 million that was allocated to the Ministry to take care of our youth.

Currently, our athletes are preparing for the World Cross Country which will take place next year. They need support, especially in my area where there are many athletes. They have given us a good name as Kenyans. We are proud of them for the good work they have been doing out there. I thank the Minister for Youth Affairs and Sports for the good work she is doing.

I had just submitted a Question about the Kapsabet-Eldoret Road which is in a bad state. My people were planning to protest because the road is impassable. I did not have a chance to ask a Question because it is in the pipeline and we are going on Recess. My people are so worried because the road is impassable. It causes a lot of damage to road users.

Mr. Deputy Speaker, Sir, before I conclude, I wish the people of Emgwen and the entire House a merry Christmas and prosperous new year.

With those few remarks, I beg to support.

Mr. Namwamba: Thank you, Mr. Deputy Speaker, Sir. I support the Motion of adjournment.

Mr. Deputy Speaker, Sir, reflecting on the events of earlier this year; events that have to a large extent shaped a year that has been momentous in a great way, it reminds me of an African saying that if you want to go fast, you walk alone. But if you want to go far, you walk with others. The beginning of this year started on fire. Each one of us was in a hurry to get to some unknown destination; walking alone. We walked alone as political parties. We walked alone as regions and tribes. But, today, we end this year a lot wiser; wiser in the knowledge that it takes trees to make a forest. Indeed, there is no man that is an island.

Mr. Deputy Speaker, Sir, we can look back at this year and celebrate some momentous successes. We managed to put in place a National Accord that anchored the Grand Coalition Government, whose benefits we have witnessed. We have managed to reform the institution of Parliament by adopting new Standing Orders. This year also brought great sporting success to this country, when our national olympic team scored, perhaps, the greatest performance in the history of the olympic games this year. So, we have had highlights that we can look back at and celebrate.

But there are challenges that remain and which we must face, and challenges that we must reflect on as we head to the recess. They remain gigantic.

I want to challenge hon. Members that, as we go on this recess, we should take time to reflect and reconnect with the people of this country. The only way to reconnect with this country is

to address the high cost of living that has seen many Kenyans go from day to day with great difficulties. We can reconnect with our conscience by looking into the causes that almost brought this country to the brink, and finding a lasting solution to the history of impunity that has defined this country for 45 years. We can reconnect with the future by granting this country a new constitutional dispensation; a dispensation that will, for the first time, replace the rule of man with the rule of law where, what is just and right will pass in the place of what is might. We can reconnect with the civil libertarian principles that informed the bulk of this country by guaranteeing free press, where the media can exercise their role freely, but also responsibly. That is because there are no rights in any society that are not accompanied by responsibilities.

I want to say that we should also reflect on some of the decisions that we have taken during this Session. One of those decisions affect the Electoral Commission of Kenya (ECK). I want to urge the Government to implement Section 2 of the Constitution of Kenya(Amendment) Bill, 2008, which we passed a couple of days ago, that requires the Government to put in place administrative measures that would see the redeployment and absorption of the ECK secretariat staff within the Public Service. I hope that the Government did not make that commitment merely for purposes of winning a concession from hon. Members, but there is a real commitment to take care of the interest of the ECK secretariat staff.

Mr. Deputy Speaker, Sir, let me take this opportunity to thank the Government and many Kenyans who came to the aid of my constituency in Budalangi during the floods that hit the constituency six weeks ago. I want to thank the Government for the humanitarian support. I also want to thank individual Members of Parliament, like Mheshimiwa Muthama here, who have been in the forefront of reaching out to the people of Budalangi. I want to thank everybody for that support.

I want to say that in the spirit of reform that is informing the end of this session, when we reconvene the next session in March, may we grab the opportunity that has been opened by the new Standing Orders to have an official Opposition outfit in this House in the form of an Opposition caucus.

Finally, let me take this opportunity to wish hon. Members, people of Budalangi and all Kenyans a merry Christmas and exceptional 2009.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Njuguna: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion.

As I support the Motion, I wish to remark on one or two items. The first item concerns the vehicles that were impounded at the Port of Mombasa. I think a directive was issued to crush all those vehicles which are about 2,000. I think that, instead of destroying those vehicles, why can we not, as a nation, make a firm decision to give some of those vehicles to our Police Force, hospitals and even our schools? Why should we look like a nation that is very wasteful and uncaring on that very important issue?

Secondly, I wish to direct my contribution to the issue of shortage of teachers in our schools. That is a very great concern to all our primary and secondary schools. Now that the schools will be opening in January, the Ministry of Education should put in place very strong measures to make sure that the process of recruiting teachers is put in place. We noted during the second term that our schools went on strike because we did not have enough teachers. To contain that situation, the Ministry should wake up and release the required number of teachers in good time. It has been indicated that the Ministry is in the process of recruiting about 16,000 teachers. The Ministry should fast track that process.

Regarding the release of funds to our schools, this is an area that has caused our schools not to be run properly. That is because the principals and boards of governors in our schools are unable

to finance the day to day programmes in our schools. It is, therefore, prudent and imperative that the Ministry releases those funds in good time so that, when schools reopen in January, they get those funds in their accounts to meet their basic requirements.

Regarding the resettlement of IDPs, that is a thorny issue that we have talked about frequently. It is an issue that is not moving anywhere. I think that during this time, our Government should make concerted efforts to resettle the IDPs and other people who are staying in the churches with their families. That will make that cluster of people feel happy in this nation.

Regarding the security in our nation, we are now going back to our homes. Security must be improved in our homes, towns and particularly during the Christmas period. We should also increase security in the sea where we have seen some people interfering with ships transporting crude oil and other important cargo. We should also improve security at our borders. We should also increase security in Lake Victoria where we hear that some soldiers from one of our neighbouring countries are interfering with fishermen. We also need to support the fishermen, so that they can continue earning their daily bread.

Mr. Deputy Speaker, Sir, regarding food, we have talked about it for quite some time. There are areas that deserve food but there is a shortage of it. We note that there is an intention of importing 5 million bags of maize. This consignment must be brought into the country immediately and be sent to those areas that are really deserving. We are almost confident that some areas in this nation will not spend Christmas holidays happily due to food shortage. They must be given the necessary attention by our Government.

We are now approaching Christmas holiday and our people are likely to travel to spend this time with their families. There is the problem of shortage of fuel. This must be addressed so that the movement of our people is not limited.

Mr. Deputy Speaker, Sir, regarding security on the roads, it must be improved because time and again we have had buses and even *matatus* being hijacked. It is important that families travel safely upcountry.

With those few remarks, I beg to support.

Mr. Muthama: Asante Bw. Naibu Spika. Nasimama kutoa shukrani kwa Mwenyezi Mungu kwa wakati alionipa kuona mwaka huu ukiisha, kuwa hapa Bungeni na kuwa na marafiki wengi na kuweza kuchangia Hoja nyingi, na kwamba yote haya yameenda sambamba.

Bw. Naibu Spika, nataka kuzungumzia masaibu ya wananchi tukifunga mwaka. Nataka kusema kwamba hivi sasa tukifunga mwaka kuna wananchi waliofurushwa kutoka makwao na bado wanakaa viwanjani. Wanazalia viwanjani na kuumwa na mbu, ilhali sisi tuko hapa. Tunapofunga mwaka na kusema tunaenda likizo, tunawaacha watu wale wakiteseka. Sisi tunaenda Krismasi na hata tunatuma salamu, lakini tunasahau kwamba kuna wananchi ambao ni wakimbizi wa kisiasa katika nchi yao. Nataka kusema kwa kweli kwamba hata tunapoenda Krismasi, hakuna usawa kamwe. Hakuna jambo hata moja tunaweza kusema tunajivunia kama watu zaidi ya 30,000 bado wanateseka baada ya kupata uhuru miaka 45 iliyopita.

Bw. Naibu Spika, nataka kuzungumzia masaibu ya chakula. Tunapozungumza, hivi sasa, wale wananchi ambao tulipigania sana hapa, ili bei ya chakula ipungue, bei bado ingali iko juu. Ukienda sokoni hakuna chakula. Tunazidi kusema kwamba kuna chakula, ilhali kwa maduka hakuna. Wananchi bado wanateseka huku tukienda likizoni. Ni juu yetu kuhakikisha kwamba shida hii imetatuliwa.

Jambo la tatu ni kwamba wananchi wanaudhika na Wabunge wao na Serikali. Wananchi wanalalamika juu ya masaibu yao. Wakipita hapa na wakiona magari ya kifahari tulioweka hapa nje yakiwa yamejaa uwanja huu, wanaona kwamba hawa ni wale watu wanaokula pesa tulizowapa. Nataka kusema kwamba, jambo lilofanyika mwakani lilikuwa nzuri kwa sababu nchi ilikuwa katika mutaharuko na msukosuko mkubwa wa taabu. Lakini mbali na hayo, tuliweza kusukuma

Serikali yetu na kuunda Serikali ya Mawaziri 40. Ni aibu kwamba, hivi sasa, kuna magari ya kifahari 40 katika kila Wizara na mengine ya kuwafuata nyuma, huku wananchi wetu wakiwa bado wanateseka kule nje. Hili jambo linataka lifikiriwe. Kama nchi hii ni masikini na haijitoshelezi, inafaa wote tuishi kama watu ambao tunajua tunakoenda.

Bw. Naibu Spika, jambo la nne ni kwamba tunahitaji tutambue ni watu gani tunaongoza kwa uwezo wao, au nguvu zao ni zipi. Tunatakikana hata kuzungumzia mambo ya katiba na kuwaeleza juu ya sheria. Mambo ambayo tunazungumzia kwamba tutaleta katiba mpya ni kizingizio tu cha kutafutia watu kazi kwa kuunda tume kadhaa na mwananchi bado anateseka.

Bw. Naibu Spika, nataka kuzungumzia mambo ya kodi. Hivi sasa Wabunge wanaonekana kama ni watu ambao ni wahuni na hawasikii sauti ya wananchi. Kulipa kodi ni kawaida, na tumeleza kwamba kifungu ambacho kinasema uwe mwaminifu kwa nchi yako kiko, na kinakulekeza kwenda kulipa kodi. Kipengele kilichowekwa Bungeni kinasema kwamba mtoza ushuru asimfuata mtu kama si mwaminifu kwa nchi yake. Mpaka wakati ambapo tutaanza kulipa kodi, hatuna sura katika nchi yetu. Mimi nimeanza na nitaendelea kulipa na ninataka wenzangu walipe. Pesa hizi tutawacha hapa duniani, hata uwe na ngapi. Pale utakapoenda katika chumba chako cha kuzikwa, utakuwa mfuko mtupu, na hata senti moja ikilia ukipelekwa kaburini itatolewa na kuwekwa kando. Pesa hizi ni za kusaidiana. Inatoka mkono huu, inaingia mkono mwingine, na tusipendeleo zaidi.

Jambo la mwisho ni kwamba waalimu wetu wana shida na hivi sasa wanatishia kwamba watagoma kwa sababu wanataka mshahara uongezewe; kwa hivyo wanalia. Kwa wazazi nao karo imeongezwa shuleni. Nataka kutoa mwito kwa Bunge hili kwamba tukirudi hapa, mambo yetu tuache kando na tuingilie mambo ya wananchi ili tukirudi nyumbani tuonekane kwamba sisi ni vyongozi na tunaongoza watu ambao tunawafahamu. Ningependa kusema kwamba ikiwa mtu ana familia yake, na mke wake ana vidonda vya tumbo na watoto wana maradhi ya kuendesha, na huku anaenda dukani kununua chakula ambacho kimewekwa pilipili, basi analisha jamii yake chakula ambacho hakiwafai. Ninatoa mwito kwa Wabunge wote kwamba tuwe waaminifu kwa nchi yetu.

Mr. Magerer: Mr. Deputy Speaker, Sir, thank you very much for this opportunity; I rise to support this Motion for adjournment. As we adjourn, I would wish that we remember the predicament that were were in early this year, that is in January and February. I come from one of the areas that really suffered during the post-election violence. As we break for recess, I want to join my colleagues who have requested a firm action for the people who are still living as Internally Displaced Persons (IDPs). I want to thank the Government because it has really tried to resettle some of them, but it is true that some people are still living in those conditions. I would wish that our brief stay at home should be utilised to preach peace, as Maj-Gen. Nkaiserry said. I want to thank my people and Kenyans for the role that they have played in restoring peace in this country. You will recall that without the support and participation of all of us, as hon. Members, our citizens would not have salvaged the situation that we had got ourselves into.

Mr. Deputy Speaker, Sir, there are various attempts that have been made to streamline policies and strategies that have been directed towards assisting our people to move from the problems that we have like poverty, disease and lack of food, which is now the biggest debate in our country. I also want to highlight the plight of farmers. When farmers were planting earlier during the year, the situation was very difficult, because the cost of inputs was very high. While we thank the Government for stepping in to subsidise the cost of food; I would like to urge the same Government to think of subsidising the cost of inputs used by farmers. This holiday will find us at home. For most of the farms that we have, the holiday period is going to usher in the planting season of the coming year. I would like to ask the Government to deal with the issue of the rising cost of fertiliser and seeds. I want to ask the Government to specifically deal with the issue of the rising cost of fertilizer, seeds and ploughing as a result of cost of diesel.

Mr. Deputy Speaker, Sir, I come from a place with enormous deposits of limestone. As we talk about industrialization, Kuyat area has deposits to the tune of 68 million tonnes. This is enough to sustain a cement factory.

Mr. Deputy Speaker, Sir, according to the study conducted by the Department of Mines and Geology in the area, there are deposits of limestone in parts of Kipkelion and Muhoroni Constituency also has deposits of phosphorus. I would like to urge the Government to identify partners who will help us exploit some of these deposits that we have within our constituencies.

Mr. Deputy Speaker, Sir, it is possible for us to have a cement factory some where in Kipkelion. When we produce cement, the extracts which include phosphorus will give us an opportunity to have phosphatic fertilizers. That will go a long way to help farmers get affordable fertilizer instead of importing fertilizer.

Mr. Deputy Speaker, Sir, I want to thank the youth because they have participated very seriously and wholly in terms of charting their own course. The Government has tried its best to channel funds in the name of Youth Enterprise Development Fund.

Mr. Deputy Speaker, Sir, when you look at the funds the Government is devolving to, say, groups of women, youth and the Constituencies Development Fund (CDF) in which I sit, it is in excess of Kshs100 billion. I would like to say that it is in order for us, as the Government, to create an opportunity---

Mr. Deputy Speaker, Sir, I can see my time is over. I beg to support.

Mr. Nyambati: Thank you, Mr. Deputy Speaker, Sir, for giving this opportunity to contribute. I rise to support this Motion.

Mr. Deputy Speaker, Sir, I want to thank the Almighty God for having saved this country. We started on a very wrong note at the beginning. However, we thank him because we are ending this year on a wonderful note.

Mr. Deputy Speaker, Sir, many things have happened in this Tenth Parliament. I have a feeling that the Tenth Parliament will go down in the annals of history as one which did a great deal for this country.

Mr. Deputy Speaker, Sir, for starters, I want to congratulate you and our Speaker for the way you have so far handled this House with dignity and wisdom. Right from the first day, there was a great test which you passed as the Chair of this House. We are all very proud of you.

Mr. Deputy Speaker, Sir, the past few days have demonstrated that as a House, we can rise and do great things. We have been able, through consensus, to work and agree. That shows that with consultations and respect, this House can achieve a great deal for this nation.

Mr. Deputy Speaker, Sir, with your permission, I want to urge the Fourth Estate to look at this House with dignity. They should know that this is their Parliament. They should never demean their Parliament. Together, we must build this House. It is through this this House that great things can be done. This is the engine of the nation. As the engine of the nation, much respect must be given by the citizenry and people of all walks in this country.

Mr. Deputy Speaker, Sir, we have just formed a Parliamentary Select Committee on the Review of the Constitution. I want to urge this Committee to ensure that the people who are going to run the Interim Independent Electoral Commission (IIEC) are people of integrity. We do not want to go back to where we were, when we had so many problems with the former Electoral Commission of Kenya. We want them to ensure that we have Kenyans of integrity; Kenyans who have their country at heart; Kenyans who will ensure that this country does not go to the dogs. At the same time, this Committee will be charged with the responsibility of nominating people who are going to be in the Boundaries Review Commission. That is a very important factor!

So, Mr. Deputy Speaker, Sir, we support them as a Committee of the House. We have selected them ourselves. We urge the Government to ensure that they have enough resources to do

their work. I am convinced that this House, in the final analysis, will give this country the Constitution that it so badly needs. A good Constitution will guarantee this nation safety and many good things. It will be the foundation on which this country will be laid upon.

Mr. Deputy Speaker, Sir, we want a Constitution that will give our young people equal opportunities; a Constitution which will protect everybody in this country; a Constitution which will ensure that every person in this country enjoys freedom, liberty and protection. That is the kind of Constitution that we want. I believe that we are going to achieve that Constitution. That way, the Tenth Parliament will go down in history as one of the greatest.

Mr. Deputy Speaker, Sir, allow me to talk a little bit about the taxation of hon. Members. It is a wrong notion that hon. Members have refused to pay taxes. Hon. Members are ready and willing to pay taxes!

(Applause)

We want to follow the right process. The Parliamentary Service Commission is putting in place a tribunal that will review all that, so that we can start paying tax.

Mr. Deputy Speaker, Sir, so, we do not want hon. Members to go out there and say that we are refusing to pay taxes! I urge hon. Muthama, my good friend, not to go out there and say that we do not want to pay taxes. That is because we are ready to pay taxes!

Mr. Deputy Speaker: Your time is up!

Mr. Nyambati: With those few remarks, Mr. Deputy Speaker, Sir, I want to say thank you very much for giving me a chance to contribute. I wish all hon. Members a merry Christmas and a prosperous new year.

I beg to support.

Mr. Deputy Speaker: Your time is up! If you will be a little generous and take as little time as possible, there will be enough time for most of you to say something!

Proceed, Mr. Abdirahman!

Mr. Abdirahman: Thank you, Mr. Deputy Speaker, Sir. I stand to support this Motion of Adjournment. Like my colleagues, I will start by recognising the role that Parliament has taken in the last few days with regard to the issues that relate to Constitution-making.

Mr. Deputy Speaker, Sir, I appreciate that, as part of Parliament today, we are able to develop a common understanding on issues that affect Kenyans. Parliament as an institution has, time and again, been villified for failing to address the plight of Kenyans. I think what has been demonstrated in the last few days will definitely reflect a good image on our part, as people who form the leadership in this country. But it is also important that we develop a common vision as the leadership of this country, so that we can set a clear road map, not only for the Constitution-making process but for also overall development.

Mr. Deputy Speaker, Sir, on development, many of us have a lot of feelings that there has not been adequate resources allocated to areas as there is disparity, particularly in certain regions, in terms of resource distribution. This is why a number of us still feel today that successive governments have failed to address core issues of development in some parts of this country, particularly in northern Kenya. Key sectors like education and health have lots of gaps as we speak.

Just today, I got a message from one of my constituents that the main district hospital--- We now have four districts from the greater Wajir District. But our original district headquarters, the Wajir District Hospital, does not have one single medical doctor. That particular constituent described the situation as catastrophic. That was the statement I got on my phone. You will imagine that although we have a shortage of doctors in this country, if this Government can prioritise these areas as areas that are really desperately in need of help, I am sure that we will

develop Kenya equally.

On infrastructural development, time and again, I thought that under the wise leadership of President Kibaki, the road between Garissa and Mandera would have been done by now. I know other roads were prioritised, but only a 20-kilometre stretch had allocation of funds during the 2007/2008 Financial Year. To date, we do not have a clear source of funding, whether it is from a donor or the Government itself to address the problem of that road. What we need to develop that region, and other disadvantaged parts of this country, is the political goodwill, which is not there today.

Mr. Deputy Speaker, Sir, I will leave that bit on development and talk a little on the Constitution-making process. As much as we have today established the Parliamentary Select Committee, we will expect to see as we progress an all inclusive process. In the past people said that Wanjiku had spoken. But as much as she had spoken, the people who stole the mantle were the political elite.

I think the political class should allow Wanjiku now to talk. She has already talked and I hope that all that she told us in relation to land, power, responsibilities and development is going to appear in certain constitutions. Even within East Africa, the marginalised groups are clearly advocated for in some constitutions. We would like to see that addressed in the new Constitution.

(Applause)

I know there is a Government but when we listen to Ministers, it is as if there are two Governments, and I cannot personally understand what it means, because you ask a Question and Minister says: "This is the bit I can address!" These are Ministers in one Government. There is collective responsibility; if the Ministry of State for National Development, Planning and Vision 2030 and the Ministry of Finance can harmoniously work together, I am sure that a number of problems in this country in terms of development can be addressed. I personally have no problem with Ministers or individual Parliamentarians developing their own parties. Develop your party! We know people have ambitions for 2012 and beyond, but let us leave room for development.

Finally, if you will allow me---

Mr. Deputy Speaker: Your time is up!

Ms. Chepchumba: Mr. Deputy Speaker, Sir, thank you, for giving me this chance to also contribute to this Motion.

I have a few issues to raise and one is on food security. Kenya is an agricultural country that relies entirely on this sector to sustain her economy. I feel that issues touching on food are crucial, and the Government should consider allocating more resources to this sector, because it is not an issue of the Minister to push issues. However, if the policy is changed and there is more allocation to this sector, it will deal with the issue of food insecurity.

Mr. Deputy Speaker, Sir, we know that the majority of Kenyans cannot afford a meal a day. Our role, as legislators and representatives of the people, is to ensure that people have food, because this is a basic need. Each one of us requires food on the table. So, I think that this is a sector that the Government should put more emphasis on, by allocating more resources.

Mr. Deputy Speaker, Sir, when we talk of Vision 2030, sometimes it does not make sense to the common *mwananchi*, because they are not getting the basic needs that they require. Yes, it is good for the country to plan up to the year 2030, but even now as I speak, there are people who do not have food to eat this evening. As legislators, we need to focus on the issues affecting *wananchi*.

On insecurity, why do we have cattle rustling? Does it mean that people in those areas love cattle rustling as an activity? No! It is because of poverty. If we could address the issue of poverty by allocating resources to these areas, insecurity will be a thing of the past.

Today, I am happy because we passed the Constitution of Kenya (Amendment) Bill. I equate the Constitution to an organ like the heart. Without this organ, there is no life. I think that Kenyans have been yearning for a new Constitution for a long time. By passing this Bill, it is a way forward. Kenyans need a new Constitution and it is up to us, as legislators, to fast-track the process, so that we give it to them within the shortest time possible.

Mr. Deputy Speaker, Sir, I would like to highlight the issue of teachers. Why should we wait until teachers plan to go on strike in this 21st Century? Teachers are doing their work. They have the obligation to perform their work, but should they always ask for a pay rise? I think the Ministry should look at this as a serious issue. Parents do not want their children to miss classes because teachers have not been listened to. I think that teachers should not be let to go on strike. Their issues should be addressed within the shortest time possible. Even as we go for Christmas, the Ministry should give them a pay rise as a Christmas gift so that they can concentrate on their work.

This also applies to other Ministries. We have nurses and other Government employees. They should never go to the streets again. If we stopped this and listened to them--- They are not asking for much. They are asking for improvement of their terms of service.

We also have retirees. The Ministry concerned with retirement benefits should ensure there are proper plans to pay teachers, doctors, nurses or officers at whatever level, all their dues so that they can also live happily after retirement, like everyone of us would want. But cases of having retirees go back to their offices knocking and seeking services are taking us to the old age. This issue should be addressed.

Mr. Deputy Speaker, Sir, before I end, there is only one issue---

Mr. Deputy Speaker: Order, hon. Chepchumba! Your time is up!

Ms. Chepchumba: Mr. Deputy Speaker, Sir, I want to end by wishing my constituents of Eldoret South a happy Christmas. I also wish the President, the Prime Minister and all Kenyans a merry Christmas.

Prof. Kaloki: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I will be very brief.

First of all, I would like to thank Parliament for passing the Constitution of Kenya (Amendment) Bill. It took a week for Members of Parliament to dialogue and come up with a negotiated document. I appreciate the spirit of this Parliament.

While I support the Motion to adjourn this particular Session, I find a major problem facing our country. This is unemployment and lack of training opportunities among the youth. As I go to Kibwezi Constituency and other constituencies, I know many of our youth are unemployed. Many of them, especially in the rural areas, do not have support of any kind. Also, many of our students graduating from high school and universities are joining this particular group of our citizens who are not employed. We do not seem to have a way out of this problem. We have to sit down in this House and come up with a solution to unemployment in this country. We have to come up with programmes which are likely to generate income and help the youth.

Mr. Deputy Speaker, Sir, in terms of education, we have to increase our capacity to enable more students to acquire university education and increase teacher education programmes.

I now want to talk about the water catchment areas, especially in Ukambani areas. In my constituency, we still have difficulties because water catchment areas are not protected. So, I urge the Ministry of Water and Irrigation to look into these areas, because our rivers are drying up. I know that it would be of some help for the Ministry to go there and plant trees.

On the issue of---

(Several hon. Members stood

up in their places)

Mr. Deputy Speaker, Sir, I need protection, because I am still within my time. It is only that I was nice, but Eng. Maina and others are wasting my time.

I would like to bring the attention of the Government to the fact that there is insufficient food in many areas of this country. However, this issue has not been adequately addressed. I hope the Government will take appropriate measures to address the food situation in various parts of this country. The little money that people had was spent on farming, but the rains failed. Now, they have no money to support themselves. So, we need to help them. This Government is capable of assisting our people.

Mr. Deputy Speaker, Sir, I support Press freedom, but we are also asking for responsibility from the Press to be able to work together with them.

With those remarks, I beg to support.

Mr. Deputy Speaker: Mr. Midiwo! If you can be generous and finish quickly, we can have one more person.

Mr. Midiwo: Mr. Deputy Speaker, Sir, I will just take a minute.

Mr. Deputy Speaker: Okay! Thank you!

Mr. Midiwo: Mr. Deputy Speaker, Sir, I want to support this Motion of adjournment. This has been a very difficult year for Members of Parliament and all other Kenyans. It is now time to take a break. We, as leaders, must reflect where we came from earlier in the year and make sure that we do not go that way again.

Due to the food shortages in this country, I want to appeal to the Government, particularly the President, to allow Members of Parliament to use a section of the Constituencies Development Fund (CDF) kitty to subsidise fertilizers, so that we can, once and for all, conquer the problem of lack of farm inputs. I know we can do it. If we are allowed to use a portion of the CDF money to buy fertilizer for our farmers in the next planting season, we will never be in this situation again.

There is an issue which has been talked about so much and I want to clarify it. The Members of Parliament that I know here have never refused to pay taxes. The Constitution is very clear that you can never change the remuneration of a constitutional office holder in a way that affects them negatively. It is true that some of our colleagues are trying to do charity. However, they need to be honest with Kenyans and state all their income. Some of these people are very rich and the source of their wealth is questionable. What KRA needs to do is to change the tax code so that people do not pretend. Every tax season, all Kenyans should report their income so that they are taxed accordingly. We do not want the cosmetic ones getting cheap publicity. That is very cheap and I think it is meant to injure the reputation and the integrity of this House.

I beg to support.

Mr. Deputy Speaker: Mr. Ephraim Maina, if you use two minutes, we will be on time!

Eng. Maina: Mr. Deputy Speaker, Sir, I would like to thank every Member of Parliament for the time they have taken in this House. We are living in this country and we are supposed to listen to our people. We are supposed to listen even to the silent majority.

Parliament has worked hard, but this country is faced with various issues that require us to relook at our policies.

There is the issue of IDPs in this country. Kenya went through a very sad moment. However, what is more sad is that we seem to have forgotten.

Today, as we sit here, there are about 1.5 million Kenyans who are not living satisfactorily yet they contribute to the economy of this country. As leaders, we cannot and should not feel comfortable when such a situation persists. We are creating a society which is going to harbour

even revolutionary thinking. Where are the children of the IDPs? These are issues that we must not forget.

Mr. Deputy Speaker, Sir, I am proud of my country, but the recent events where Kenyans spoke openly that they go hungry without food actually raises a lot of concern. Ours is an agricultural country. It takes little or nothing to feed Kenyans. We only lack courage and policies. With regard to the youth---

Mr. Deputy Speaker: Order, Mr. Maina! We have reached time to adjourn the House!

Eng. Maina: Okay, Mr. Deputy Speaker, Sir. Let me wish everybody a happy Christmas, including my constituents. We are not going for recess to rest; rather, we are going to work even harder with our constituents.

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, we have come to the end of today's sitting. This House, therefore, stands adjourned *sine die*.

The House rose at 6.25 p.m.