

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 25th March, 2008

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

PROVISION OF BASIC NEEDS TO IDPS

(Mr. Kiunjuri) to ask the Minister of State, Office of the President:-

(a) How many people are internally displaced as a result of the post-election violence in the country?

(b) In the face of imminent long rains, what measures has the Government taken to provide habitable dwellings for the Internally Displaced Persons (IDPs) and ensure that they are not exposed to communicable diseases like typhoid, malaria and cholera?

(c) Would the Minister assure the House that the Government will provide sufficient and adequate food for the IDPs?

Mr. Speaker: Hon. Members, Question No.1 by Private Notice is deferred to tomorrow morning. Hon. Kiunjuri has given intimation to the Office of the Speaker.

(Question deferred)

MEASURES TO CONTROL HIGH PRICES OF FARM INPUTS

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

(a) Is the Minister aware that as a result of the recent political turmoil in the country, the prices of farm inputs, especially fertilizer have shot up astronomically and farmers are unable to prepare for the current planting season?

(b) What rescue package has the Government put in place to assist farmers and to avoid imminent famine and food shortage?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, we do not have a Minister for Agriculture. Would I be in order to suggest that the hon. Member for Kimilili bears with us for a little while, and possibly have the Question deferred? I notice that in the Supplementary Order, we have other business. We are unable to deal with the Question at the moment.

Dr. Eseli: Mr. Speaker, Sir, this is a Question by Private Notice and it is very important. If we wait until next week, it will be too late and we will have famine next year. We should have had a solution two weeks ago. I do not think we have time to wait any longer. For how long does he want us to wait?

Maj-Gen. Nkaisserry: Mr. Speaker, Sir, in this country, there is something called "collective responsibility". For example, in Tanzania, the Leader of Government Business must, first of all, see the Questions, make sure they are addressed to the right Ministries and answer them if the Ministers are not available. So, we expect the Leader of Government Business to go ahead and answer the Question.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I now have the answer to this Question.

Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the prices of farm inputs, and more so fertilizer, have shot up and that this poses a challenge to farmers in the current planting season.

(b) To assist the farmers and to avoid imminent famine and food shortage, the Government has set aside Kshs294 million from the 2KR Japanese Grant Counterpart Fund to assist farmers, who were adversely affected, with fertilizer and seed maize.

The Government has given the National Cereals and Produce Board (NCPB) a credit line of Kshs850 million to purchase fertilizer in order to stabilise the prices. It has also started to implement the National Accelerated inputs Access Programme, which aims to issue small-scale farmers with fertilizer and seed maize.

Dr. Eseli: Mr. Speaker, Sir, I would like to thank the Leader of Government Business for giving me that answer, which is quite useful. However, how do the farmers access these inputs? These are farmers who were not displaced and they need this assistance. How will they access it? This is very critical at the moment.

Mr. Musyoka: Mr. Speaker, Sir, the Government has taken this matter with all the seriousness it deserves. This has to do with the post-election violence. To answer Dr. Eseli's question as to how the farmers will access this assistance, we will give instructions to the Permanent Secretary, and the entire Ministry of Agriculture, as presently constituted, to make sure that farmers access this facility as soon as it is practicable. The rains have now started.

Mr. Chepkitony: Mr. Speaker, Sir, the Vice-President and Minister for Home Affairs said that the NCPB is importing fertilizer. This is going to take time and the rains have already started. Why can the Government not subsidise the fertilizer which is already in the market, so that the prices can come down immediately?

Mr. Musyoka: Mr. Speaker, Sir, I actually did not say that the NCPB will import any fertilizer. I said that the Government has given the NCPB a credit line of Kshs850 million to purchase fertilizer. Of course, that could mean that if the fertilizer is not available in the local market, it can be imported, as hon. Chepkitony has said. Whatever it is, it is all systems go, so that we can take advantage of the setting on of the long rains.

Ms. Mbarire: Mr. Speaker, Sir, could the Leader of Government Business assure the farmers of Runyenjes Constituency that they will benefit from this credit line to get fertilizer?

Mr. Musyoka: Mr. Speaker, Sir, I can assure hon. Mbarire that all the farmers in Runyenjes Constituency will benefit from this credit line. The Government cannot afford to discriminate between its citizens. Therefore, we want to urge farmers in the whole country to take advantage of this credit line. We will make sure that there is no discrimination of any type.

However, due consideration has to be given to the food basket of this country, which is clearly the Rift Valley Province. This is why we are stressing that people should return to their farms and take advantage of this assistance. We should return to normalcy as soon as it is practicable.

Mr. Samoei: Mr. Speaker, Sir, the farming community around the country want to have a firm statement from the Government. As we speak, farmers are ready to go to their farms. Fertilizer is retailing at Kshs4,000 for a bag of 50 kilogrammes up from Kshs1,800 a year ago. When will the

fertilizer be available? Could the Vice-President and Minister for Home Affairs tell the farming community in this country whether fertilizer will be available tomorrow, next week or which date? How much will that fertilizer be retailing at, so that farmers can decide whether they want to do farming or to engage in other businesses?

This is very important because some statements were made to the farming community that the Government would intervene to mitigate against the prices of fertilizer that have gone up. We want to have a clear statement from the Leader of Government Business that fertilizer is going to be available from such and such a date, and it will cost so much. Could he give that statement?

Mr. Musyoka: Mr. Speaker, Sir, while appreciating the eloquence of my friend, the hon. Member for Eldoret North, I want him to appreciate that in the course of this week, His Excellency the President, together with the Prime Minister-designate, will meet the people of the Rift Valley Province. I hope all of us can move to the Rift Valley to join these two leaders and assure the IDPs that they can now go back to their farms. These are the number one farmers.

Mr. Sirma: On a point of order, Mr. Speaker, Sir. There is no relevance between the tour of His Excellency the President and the problem of fertilizer which we have in this country.

Mr. Speaker: Your Excellency the Vice-President and Minister for Home Affairs, you are being asked to assure Kenyan farmers, and not just farmers in the Rift Valley Province, that the issue will be addressed. Can you, please, address the question in its full context?

Mr. Musyoka: Mr. Speaker, Sir, I thought the Chair was going to be kind to me and rule the "governor" of the Rift Valley out of order! That was clearly not a point of order! He could have had the time to argue all that. This has a direct relevance. This is the time for the country to act together. As we speak, the rains have set in and the IDPs have no place to go to. They need to go back to their farms.

Therefore, the proposed visit by His Excellency the President and hon. Raila is absolutely relevant. I am sure when they meet the leaders in Nakuru or wherever, the matter of fertilizer prices will be addressed and dealt with. Hon. Samoei wants to be given a specific answer. I am sure the whole Government system is going to move to ensure that a bag of fertilizer is retailing at an affordable price. We know the price has shot up to Kshs4,000 for bag of 50 kilogrammes. This has a lot to do with what this country has gone through in the recent past.

I want to give an assurance that farmers in this country, regardless of where they are, will receive full support. Since most of them are already IDPs, we need to assure them that they can return to their farms and receive the fertilizer.

Mr. Khaniri: On a point of order, Mr. Speaker, Sir. With due respect to my good friend, Mr. Kalonzo Musyoka, I think he will do this House a lot of good to admit that he does not have answers to the specific questions we are asking him and he may seek more time to answer them. Is he in order to evade questions?

Mr. Speaker: He would definitely be out of order if he evaded to answer questions. However, as far as we have come, he has responded to the questions as best as he could.

Mr. Githae: Mr. Speaker, Sir, we import fertiliser every year. Could the Vice-President and Minister for Home Affairs inform the House what plans the Government has to establish a fertiliser factory in this country locally?

Mr. Musyoka: Mr. Speaker, Sir, that is a completely different Question. The hon. Member for Ndia would agree with me that we need to work very hard in that direction. I hope we can discover the huge deposits of phosphates that are, probably, in Ndia. There is a lot of this stuff. We do not have to rely on importation of fertiliser, year in, year out. However, we must really thank the Japanese because last week, when the Japanese Vice-Minister for Foreign Affairs came here, he was able to empathise with the situation in this country, including the Internally Displaced Persons (IDPs). We really have to accept that the IDPs are our people.

Right now, these farmers would be tilling their land. So, let us not, in any way, assume that this is a small challenge. The Government is fully seized of this matter. We are, indeed, very serious about it.

Mr. C. Kilonzo: Mr. Speaker, Sir, the practice before is that fertiliser and other farm inputs, including seeds, are given in very small quantities. Seeds, for example, are given out as if they are drugs such as panadol. Could the Vice-President and Minister for Home Affairs assure this House that this time round, the right amount of seeds will be given to farmers? Could he also give the time frame within which the farmers will get the seeds and at what cost?

Mr. Speaker: Mr. C. Kilonzo, could you, please, repeat your question?

Mr. C. Kilonzo: Mr. Speaker, Sir, as I said, the practice before is that farm inputs are given in very small quantities to farmers. These quantities are of no use to them. Could the Vice-President and Minister for Home Affairs ensure that the right amount of farm inputs are given to farmers?

Mr. Speaker, Sir, secondly, could he also inform the House the time frame within which the farmers will get these inputs and at what cost?

Mr. Musyoka: Mr. Speaker, Sir, the Member for Yatta will appreciate what I earlier said that we are putting the whole Government machinery in place. Indeed, if there is one crucial matter that is before us, as a House and a nation, is making sure that our people go back to their farms. We also need to create the necessary and enabling environment for them to go back to their farms. So, the matter of fertiliser is immediate. By the time the President will be in the Rift Valley Province by the end of this week, I am sure, fertiliser will be on the ground.

Mr. Shitanda: Mr. Speaker, Sir, while appreciating the Government's efforts in trying to address this problem, what is happening with the farm inputs is sheer exploitation by profiteers. Could the Vice-President and Minister for Home Affairs tell us what the Government will do to ensure that the people who import fertiliser do not take advantage of the farmers, especially during this planting season, to charge any price they wish?

Mr. Musyoka: Mr. Speaker, Sir, we are able to give all that assurance, including my prayers that the hon. Member for Malava Constituency becomes the next Minister for Agriculture, so that he could deal with it.

(Laughter)

Mr. Kosgey: Mr. Speaker, Sir, this is a very serious matter. As I speak, the rains have set in. Farmers want to cultivate their farms. They also want to know the price of fertiliser, so that they can plan. Mr. Musyoka, you are being asked about the price of fertiliser. We know that the price of a 50-kilogramme bag of fertiliser in the market is Kshs4,000. Could he inform the House when this fertiliser will arrive in the country and, at what price it will retail? Mr. Speaker, Sir, farming is a business; it is not a question of telling people to go to the farms. They can practise subsistence farming. We want to know specifically the price of a 50-kilogramme DAP bag of fertiliser. Let him answer that question! If he does not have an answer, let him ask for more time, so that he could go and do research! It is not a crime not to have an answer!

Mr. Speaker: Order, Mr. Kosgey! You have asked your question! Let him answer!

Mr. Musyoka: Mr. Speaker, Sir, my good friend, hon. Kosgey, knows clearly that I cannot tell him right now that this is the price. However, by the end of this week, when the President will be in the Rift Valley Province, we shall have dealt with this matter. I said we are putting into top gear the whole matter of mobilising the entire Ministry of Agriculture. We also have to appreciate the problem as hon. C. Kilonzo and hon. Shitanda said---

Mr. Omingo: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Could you, please, allow the Vice-President and Minister for Home Affairs to continue?

Mr. Musyoka: Thank you, Mr. Speaker, Sir. I was saying that the problem of middlemen is a real problem. To that extent, I agree with hon. C. Kilonzo and hon. Shitanda. We need to get to the bottom of this problem, so that farmers will be able to get fertiliser at affordable prices. In the past, the problem has been that when people get some donation from a friendly country like Japan, we find middlemen creeping in and really making huge profits when they know that, in the first place, it is illegal. We need to get rid of them. These are times of great change and farmers will see it.

Mr. Mureithi: Mr. Speaker, Sir, as an agriculturalist, I would like to ask the Vice-President and Minister for Home Affairs one question. All the fertilisers and farm inputs are imported in dollar denominated currency. At the moment, the dollar is at its lowest and the shilling has been gaining in value. Could he inform the House who makes the decision that farmers pay Kshs4,000 per every 50-kilogramme bag of fertiliser? Something must be done about this problem because all the factors within agriculture do not reflect increase in farm inputs.

Mr. Musyoka: Mr. Speaker, Sir, I can only agree that there has been great fluctuation of the Kenya Shilling against the dollar. For instance, we all know that in January, the exchange rate of shilling to a dollar jumped to Kshs72. Now, it is at about Kshs62. We can all imagine its effect on importation. I think the good news is that since this fertiliser is a donation from the Japanese Government, one can only hope that it is free of these exchange fluctuations. However, the most important thing is to be able to get farmers' fertiliser at affordable prices. Had it been that there was no violence in this country, first of all, the price would not have shot up to Kshs4,000 per 50-kilogramme bag. We would only be dealing with the middlemen who have been very bad to the farmers. Be that as it may, this Government is committed to ensuring that the farmer is given the support he, obviously, deserves.

Dr. Eseli: Mr. Speaker, Sir, while I sympathise with the Internally Displaced Persons (IDPs), I would say that the majority of farmers were not displaced. They are unable to plant their crops. Why are we playing Russian-roulette with the future of this country? Are we waiting for food riots next year before we wake up? I am asking these questions because this is a very important issue. Could the Leader of Government Business, therefore, liaise with the Ministry of State for Special Programmes so that they treat this matter as one of the branches of disaster management? This is because, indeed, we are facing a disaster here!

Thank you, Mr. Speaker, Sir.

Mr. Musyoka: Mr. Speaker, Sir, much as I agree that all the farmers were not IDPs, but let us also appreciate that we are dealing with about 300,000 people, and mainly farmers who are unable to plant their crops. So, we cannot really ignore that segment, if we are serious. I agree with the Member for Kimilili that the Minister of State for Special Programmes and, indeed, the Minister for Agriculture and all of us have to move to the salvation of our farmers. If we do not do that, we will have great famine, thanks to the kind of politics we all got involved in.

Mr. Speaker: Next Question by Mr. Oparanya!

Mr. Kosgey: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: That Question is already over, Mr. Kosgey, unless you are referring to a different matter all together. But the time allocated to that Question was in excess of 20 minutes because of its importance at this time and that time has lapsed.

Proceed, Mr. Oparanya!

ORAL ANSWERS TO QUESTIONS

*Question No.001*NON-DISBURSEMENT OF FREE
SECONDARY EDUCATION FUNDS

Mr. Oparanya asked the Minister for Education:-

(a) whether he is aware that Shiraha, Manyala, Bumamu and Shinamwenyuli secondary schools in Butere did not get Government funds for free secondary education; and,

(b) what he is doing to ensure that the schools are not left out of the free secondary education scheme.

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

(a) I am aware that the schools in question did not receive Government funds for free secondary education in the first disbursement.

(b) The Ministry of Education will see to it that all deserving children benefit from the free secondary education programme by working with its field officers towards ensuring that all the necessary information is availed. The most critical information to facilitate disbursement is availability of enrolment figures and bank accounts. The four schools have now met all the conditions to receive the funds. The schools will receive the funds before the end of this week.

Mr. Oparanya: Mr. Speaker, Sir, I thank the Minister for that answer. But this money was supposed to reach these schools early this year when secondary schools opened. These schools have been operating without money. They were forced to use money meant for registration of examinations. I want the Minister to inform this House what other conditions are involved in the free secondary education fund so that there will be no further delay in the disbursement of funds.

Prof. Ongeri: Mr. Speaker, Sir, one such condition is that there must be a properly registered school in accordance with the Education Act. Otherwise, we will allow so many mushrooming schools from the periphery wanting to compete for free secondary education support. Two, it must open a tuition account far away from the normal school account that runs other services. Three, it must open an operation account that will operationalise its activities in that respect. Fourth, it must have an up to date enrolment figures. The schools were pre-warned that, come January, 2008, one of the criteria that will be used in assessing whether the school is growing is the number of students. In view of the scarcity of the number of teachers that are to be allocated to various secondary schools; it was important to maximise the services of teachers hence the need to have adequate number of children who are able to enjoy the resources that the Government has put at their disposal. Fifth, it must be viable as indicated above.

Mr. Speaker, Sir, I want to confirm that all the four schools; Bumamu, Manyala, Shinamwenyuli and Shiraha have fulfilled the conditions. For example, the enrolment for Bumamu Secondary School was 92 in December last year. It now stands at 162 which is a very commendable effort by that school. Manyala Secondary School had 126 students and it has now 189 students.

Shinamwenyuli had 121 students and it has now 150 students and Shiraha has now 180 students. For the sake of security, I cannot quote their bank accounts but they have now been availed to me. They are available with me. I want to assure the hon. Member, that by the time I left my office this afternoon, the money had been sent through telegraphic money transfer. So, after 48 hours or, at least, by tomorrow, the money will be in their bank accounts.

Mr. Musila: Thank you, Mr. Speaker, Sir. I want to confirm that it is not only the four schools in Butere that have not received tuition funds. In fact, over six schools in my constituency have not, up to now, received these funds. As you are aware, there have been conflicting statements

from the Ministry of Education to the effect that classes which do not have 45 pupils enrolled will not qualify for tuition funds. We have also heard denials from the Minister that, in fact, this is not true. Could the Minister, once and for all, clarify this matter? This is because it does not matter whether they are ten students in a class or not. They are students and they deserve to be educated.

Prof. Ogeri: Yes, Mr. Speaker, Sir, I am aware that there was a circular which was sent to all the schools in the country requesting them to have a minimum of 40 and a maximum of 45 students in their classrooms. This circular was sent out on 9th January, 2008, while I was appointed the Minister for Education on the 8th January, 2008. The circular went out a day later and I had not even known about it. I have since then, on several occasions, reassured hon. Members that no single child will suffer on account of enrolment figures. What it means is that we want to maximise the use of this free secondary education facility. Where possible, the community, teachers and parents should do the campaign to bring children to the nearest schools so that they can access these funds. I am acutely aware that this kind of rule cannot apply in arid and semi-arid areas and in places where people move from one place to another. Therefore, we cannot create rules which are cast on stone. I, therefore, want to reassure hon. Members that depending on the criteria we have set, minus the one of 40 and 45 enrolment per class, we shall attend to each and every child from Form One to Form Four. This programme has worked well in the primary sector. There is no reason why it should not work well in the secondary sector.

Mr. Farah: Mr. Speaker, Sir, while I appreciate the concern of the Minister on the Arid and Semi-Arid Lands (ASALs), in the same breath, is he aware that schools in North Eastern Province like a school in Daadab, which is supposed to have 18 teachers, has only nine teachers? The only way we can have as many students in secondary schools as possible is for us to create special boarding schools for the nomadic communities, because that is their catchment area. As a result of the fact that we do to have these schools, enrolment in secondary schools is low, yet you come up with this other criteria. We are now in a situation in which we do not have sufficient teachers for primary schools, numbers of special boarding schools for the children and our secondary schools are thoroughly under-staffed. Consequently, the province is unable to send more than three students to the university every year. What is the Minister going to do about this situation?

Prof. Ogeri: Mr. Speaker, Sir, the hon. Deputy Speaker knows very well that there are special programmes for infrastructure development in the ASALs, which started last year. Admittedly, you cannot create infrastructure instantly. It is a process but they are favoured people. You will be the recipients of the ultra-modern infrastructural facilities in the form of schools and boarding facilities. We realise how difficult it is to educate our children in those areas under those circumstances.

Secondly, yes, indeed, there is a shortage of teachers, both at the secondary and primary school levels. I have done an assessment, but we cannot access resources from the Treasury until the next financial year. At the moment, we are running a deficit of 13,000 teachers in the secondary education sector. That is why we said it would be prudent that, in order to maximize the use of the available resources, we will try as much as possible to put our children in classes that can have full complement of teachers, so that we meet this requirement. However, as I said, this is a highly dynamic situation. We shall attend to each case as it stands today. I have asked for an entire review of the situation by the field officers who give me the current status before the next disbursement, which will be made in April.

Mr. Speaker, Sir, this time round, no one should suffer. We will have taken into account those areas that have not been accommodated in the first tranche. It is, therefore, important for hon. Members to take a very keen interest in their institutions without, of course, interfering, so that they can update us through this august House of what should happen. What might be available

from my field officers may be different from what hon. Members observe. Let us all be complementary to one another.

Mr. Farah: On a point of order, Mr. Speaker, Sir. We are starting the Tenth Parliament with the same old games. I am talking about specifics. I told the Minister that we cannot get sufficient students into secondary schools, because of the nature of the lifestyle of the people. They are not farmers; there are no industries and there is no employment. These are nomadic people. You do not have to reinvent the wheel. You have to have sufficient boarding schools for it to become---

Mr. Speaker: What is your question?

Mr. Farah: Mr. Speaker, Sir, he has evaded my question!

Mr. Speaker: Ask your question!

Mr. Farah: Mr. Speaker, Sir, how soon is the Minister going to establish the boarding schools in North Eastern Province and other ASALs? We wanted them yesterday!

Prof. Ongeri: Mr. Speaker, Sir, if Mr. Farah wants me to surprise him in this august House, I will do so by providing the exact statistics of what has been done by the previous nine Parliaments in North Eastern Province.

However, I do not have the statistics right now, because I did not anticipate a question of that nature. I will give them to him.

Secondly, I have looked at the current line of Budget. I am fully briefed, and have seen with my own eyes that these areas stand to be favoured by a special Budget line, which will cater for the very issues that he is now raising.

Mr. Onyancha: Mr. Speaker, Sir, I have had occasion to acquaint myself with the guidelines that the Minister is talking about and has extensively quoted. However, knowing how the school system works, could the Minister undertake to write another circular to clarify the issues as he has put them here, so that headteachers can rest assured that no child will be denied free secondary education as instructed by the earlier circular issued a day after he was appointed the Minister?

Prof. Ongeri: Mr. Speaker, Sir, not only have I taken action but have also--- Last week, I had a meeting with all the Provincial Directors of Education. They are under firm instructions to visit each and every school through their District Education Officers (DEOs) and Assistant Education Officers (AEOs) and provide, to my office, any schools that might have missed out in the disbursement of these funds, and to give me reasons for this. Therefore, that situation is under control. We do not have to issue a second circular.

Secondly, unfortunately, some unscrupulous people sent us private bank account numbers. We were able to detect this because we have an in-built security mechanism. The banks are able to detect that the funds are not going to the correct account. There are serialised numbers but I do not want to give them here. It is not necessary. However, we have been able to detect the anomaly. That was why some of the funds were returned, and not delivered to the schools which had attained the criteria. Nonetheless, this issue should be laid to rest.

Prof. Olweny: Mr. Speaker, Sir, could the Minister tell this House whether students registering for the Form Four examination can use this Fund for registration because, after all, examinations are still part of tuition?

Prof. Ongeri: Mr. Speaker, Sir, the framework under which the free tuition and infrastructure arrangements were done did not factor in the question of examination fees. The examination fees is the responsibility of the parent. That is part of the responsibility that they must shoulder. The Government has relieved the heavier burden from parents, so that they can attend to some other things. Whereas before parents used to pay substantial sums of money towards tuition and provision of equipment and other facilities to schools, now they are relieved of that

responsibility. What, probably, you could be asking is whether there could be a way in which we could assist those who are internally displaced; who may be locked in a very awkward situation. They may not be able to get the money to pay for registration at this moment. I am prepared to consider extending the examination registration time, so that they are not caught up by the deadline. I am prepared to extend that deadline when the time comes.

Mr. Githae: Mr. Speaker, Sir, I would like to commend the Government for provision of free secondary education. However, a very large proportion of our population is missing out. These are students in private and missionary schools. Could the Minister instruct the Ministry that up to a certain amount of money be provided for students in private and missionary schools? These are also Kenyans and they pay taxes!

(Applause)

Prof. Ongeri: Mr. Speaker, Sir, I have no experience in providing free tuition to private sector schools because they are based on a free enterprise basis. I am not quite sure how I can bring that proposal to this House, when it is well known that the money would go to the free enterprise situation. Admittedly, they help to educate some of our children. There is no doubt about that. The only parallel I can draw relating to this matter was when I was the Minister for Health sometime ago. We realised that there was a good amount of contribution by hospitals and dispensaries supported by missionaries and were able to extend the medical facilities and especially ambulances to these hospitals. Depending on how these programmes develop and how we are able to bring on board some of our partners, it is definitely a point to look at and consider.

Mr. Oparanya: Mr. Speaker, Sir, while I appreciate the assurance that the funds will have reached the affected schools at the end of the term, could the Minister tell this House how much money the Government has set aside to expand infrastructure in the various schools, in view of the increased enrolment?

Prof. Ongeri: Mr. Speaker, Sir, Mr. Oparanya will appreciate that, that is an entirely different Question; in a different casting and it requires a bit of mathematical calculations. It also requires that I look at the Budget and see how much money is available. I request him, and solicit for his support, that when the Supplementary Budget comes here, he should be the first one to support it.

Mr. Speaker: Prof. Ongeri, the point is made!

Question No.003

DELAYED IMPLEMENTATION OF
FRENCH PHASE II PROGRAMME

Mr. Omingo asked the Minister for Energy:-

(a) whether he could confirm that more than ten projects under the French Phase II Programme have commenced in South Mugirango;

(b) whether he could confirm that most of the projects in the area were to commence early 2007 with completion scheduled for April, 2008; and,

(c) if he could table a list indicating the status of the French Phase II programme, countrywide, stating why there is a delay in implementation of most of the projects.

The Minister for Energy (Mr. Murungi): Mr. Speaker, Sir, I think it is Mr. Kosgey who said that it is not a crime to ask for more time. This Question was received in my Ministry this morning. Therefore, we did not have adequate time to prepare an answer for the hon. Member. Therefore, I plead for more time to prepare an answer. We will be ready with an answer on

Tuesday next week.

Mr. Speaker: Let us now move on to Ministerial Statements! That Question is deferred to Tuesday next week.

(Question deferred)

Question No.005

MOTIVE FOR RAID ON KTN PREMISES

Mr. Speaker: Hon. Members, Question No.005 is deferred to Thursday next week. Both the hon. Member, Mr. Ojode as well as the Minister, have asked that I do so.

(Question deferred)

MINISTERIAL STATEMENTS

BAN ON *MATATUS* FROM ACCESSING THE NAIROBI CBD

The Minister for Local Government (Mr. Kenyatta): Thank, you, Mr. Speaker, Sir. The hon. Member for Malava, Mr. Shitanda, had asked for a Ministerial Statement from my Ministry regarding the Ministry's decision to ban matatus from accessing the Central Business District (CBD).

According to the hon. Member, the decision has left many commuters inconvenienced, with some having to walk over five kilometres to their places of work. I beg to give the following Ministerial Statement:-

As hon. Members are aware, the City of Nairobi has been experiencing severe vehicular congestion as well as an increase in the number of hawkers operating within the CBD. This has frustrated urban governance with negative impacts on business and investment. In an effort to address these problems, my Ministry took the following steps:-

(i) Develop the Muthurwa Hawkers Market with a capacity of over 8,000 small-scale traders. Hawkers who were previously operating within the CBD have successfully been relocated to this market.

(ii) The development of Muthurwa Public Service Vehicles Terminus with a parking capacity of approximately 400 vehicles. To date, all Public Service Vehicles (PSVs) plying the Jogoo Road corridor terminate and start their journey at the terminus.

The action taken on PSVs using the Jogoo Road corridor is part of the recommendation of the Nairobi Transport master-plan to decongest the City.

Indeed, the Thika Road corridor was the first to be implemented. PSVs plying that corridor terminate and start their journeys at the Globe Cinema roundabout. Three of the remaining five main identified corridors with heavy traffic to and from the CBD include Mombasa Road, Waiyaki Way, Ngong and Lang'ata Road corridors. The Ministry is in the process of identifying suitable sites for the development of similar facilities for these three corridors.

In implementing these actions, there have been certain inconveniences that have arisen. These include commuters walking long distances as well as in the initial stages, heavy traffic jams especially around the Jogoo Road Roundabout.

I wish to apologise to commuters for the inconvenience caused by the commencement of

this new transport arrangement. Since then, I have taken further measures geared towards decongesting the city as well as alleviating problems faced by commuters who have had to trek long distances. Some of these measures include:-

(i) Advising the City Council of Nairobi to consider increasing parking charges in a bid to discourage private motorists from using their vehicles and encouraging them to use public service vehicles which will also ease congestion.

(ii) The establishment of the Nairobi CBD Shuttle Service which will operate from Muthurwa through Haile Selassie Avenue to Community to Globe Cinema Roundabout and back again to Muthurwa in a bid to alleviate the challenge faced by commuters who use the Muthurwa terminus, Globe Cinema Roundabout terminus and future terminii that are yet to be established.

(iii) The formation of an inter-Ministerial Committee which is to be known as the Nairobi City Traffic Management Committee which has been tasked with the responsibility of monitoring the shuttle service as well as other efforts to decongest the city.

Hon. Members, if we have to decongest the city and make Nairobi a city that we can all be proud of devoid of congestion and geared towards pedestrianisation like most other international cities the world over, there will have to be sacrifices made. Indeed, the focus is to realise the envisaged 24-hour city economy where there is no difference between day and night, with an efficient Bus Rapid Transit System serving the city of Nairobi.

The decision taken by my Ministry followed consultative meetings with stakeholders in the PSV sector in Nairobi. During these consultative meetings, it was agreed that all the PSVs plying the Jogoo Road corridor would comply and my directive was given in that same spirit. However, it has come to my knowledge and my Ministry's knowledge that some operators who wish to be treated differently have not fully complied with the directive.

As we enforce these directives, further consultations are on-going with all stakeholders and I am, therefore, appealing to all leaders, Nairobi residents and visitors to the city, to support my Ministry's efforts to decongest the city and create employment opportunities for thousands of our people.

Mr. Speaker: For supplementary questions, we will have Messrs. Shitanda, Midiwo, Omingo and then finish with Mr. Githae.

Mr. Shitanda: Thank you, Mr. Speaker, Sir. I would like to seek clarification on two issues. A decongested Central Business District (CBD) means that the *matatus* will be consuming less fuel.

Mr. Speaker, Sir, the introduction of a shuttle transport system within the CBD means that commuters who alight at Muthurwa have to board other *matatus* to get to their places of work. I would like to know from the Minister what he is going to do to cushion the commuters against the added cost in terms of fare.

Secondly, Mr. Speaker, Sir, the Minister has talked about a move that he is going to take in trying to discourage private motorists from accessing the CBD. That move is intended to encourage private motorists to leave their vehicles at the outskirts of the city and board *matatus*. Before that move is undertaken, I would like to know from the Minister what he is going to do to ensure that private motorists who will be using public means are comfortable. That is because the indiscipline that exists in the *matatu* industry is at such high levels that there is no private motorist who will leave his car and walk into a *matatu* knowing very well that he will leave it without his purse, mobile phone or even shoes!

(Laughter)

What is the Minister going to do before he implements that move to ensure that there is discipline

in the transport system operating within the CBD?

Mr. Omingo: Thank you, Mr. Speaker, Sir. While I appreciate the Minister's revolutionary mind in terms of decongesting Nairobi, could I seek his indulgence to also try and think outside the box? We should not be living within the kind of prejudices that we have today of decongesting the city using the same means.

Mr. Speaker, Sir, in 2003, if I remember, there was a master plan to decongest the city using by-passes. What is the Minister doing, as opposed to forming inter-Ministerial committees to come together and take home some allowances, to implement the By-passes Programme?

Secondly, Mr. Speaker, Sir, how did the honourable Minister arrive at the shuttle service? Was there any tendering or it was a special selection of a few?

(Applause)

Mr. Midiwo: Thank you, Mr. Speaker, Sir. The main point of my clarification has been alluded to by hon. Omingo. But I want to say that the plan which Mr. Kenyatta is trying to implement may be a good one for this city, if it is well thought-out.

The worry of every Kenyan today is that the hon. Minister's move is intended to create a market for the chosen few. How is it that no tendering has been done to choose the commuter service company? Why is it that Kenya wants to be different? Everywhere on earth where there is a city service, the government owns that kind of service to cushion the commuters from arbitrary fare increases. Could the Minister assure this country that what he is doing is not meant to enable a few people to make quick money while Kenyans are really suffering in the streets?

Mr. Githae: Thank you, Mr. Speaker, Sir. Whereas we commend the Minister for Local Government for trying to decongest the City of Nairobi, but if you look at other countries, it is the taxis and the public service vehicles that are actually allowed into the city centre. It is the private vehicles that pay a congestion charge for accessing the city centre. But here, we are doing it the other way round.

Mr. Speaker, Sir, the other issue which I would like him to clarify is: One public service vehicle, for example, a Nissan *matatu*, carries, at least, 14 passengers, while one private vehicle carries, at most, five passengers. Could the Minister order all private vehicles to be carrying, at least, five passengers as they come into the city? So that---

(Loud consultations)

Yes! It happens! It has happened in the State of California---

Mr. Speaker: Order! Order, Mr. Githae! Restrict yourself to the clarification!

Mr. Githae: Yes, Mr. Speaker, Sir. Could the Minister consider ordering private car owners to be carrying a few passengers to town?

Secondly, Mr. Speaker, Sir, could the Minister also consider having one-way streets? For example, I know that there was a suggestion that Moi Avenue, Tom Mboya Street, Ngong Road and Langata Road be made one-way.

Mr. Speaker: Order! Order, Mr. Githae! Restrict yourself to the clarification! Please!

Mr. Githae: Yes, Mr. Speaker, Sir. Could he consider that also?

The Minister for Local Government (Mr. Kenyatta): Thank you, Mr. Speaker, Sir. To answer hon. Shitanda, the idea was, indeed, to decongest the city and, ultimately, that means that the *matatus* will be using less fuel because of travelling shorter distances. However, I would just like to remind hon. Shitanda that the transport sector in this country is largely dominated by the private sector and, hence, my Ministry has really no authority to dictate the prices. That is why I

actually referred to the Bus Rapid Transport (BRT) system that is part of the long-term transport solutions for this city where, indeed, the Government itself, would be involved at that stage. That is what happens in many developed cities.

I do agree that there is need for the Government or the City Council of Nairobi to be involved in that provision so that it can control the prices that commuters pay. But, as we stand now, all we can do is try and dialogue with our colleagues in the *matatu* industry to, at least, reduce their fares in accordance to the reduced cost that they, themselves, are now benefitting from.

Mr. Speaker, Sir, a question has also been asked as to what we will do once we start increasing the fees for private motorists to park in the city centre. Ultimately, there is a plan which is under way. The City Council has been instructed to identify various locations throughout the outskirts of Nairobi where, in conjunction with the private sector through the Public/Private Sector Partnership (PPP), we intend to develop parking bays in the outskirts of the city where private motorists will find adequate parking and, ultimately then, join the shuttle system or the BRT I was referring to earlier.

Mr. Speaker, Sir, the issue of discipline within the *matatu* sector is under the docket of the Ministry of Transport, but we are trying to co-operate and work together to ensure that the rules that were popularly known as "Michuki Rules" are re-implemented and a sense of discipline and order is restored into that sector.

Mr. Speaker, Sir, there was the issue of by-passes and that, again, is a docket of the Ministry of Roads and Public Works. But while we have been having those sessions with stakeholders and representatives of the other Ministries, it was made quite clear to us by the Ministry of Roads and Public Works - and I will leave it to them to elaborate on the issue - that there is an intention to develop urban road authorities that will take into account all the road systems within the City of Nairobi. Under that plan, the by-passes that they are building, the roads that are managed by the City Council, the roads that are managed through the District Roads Committees and so on, will all be amalgamated. I would prefer if the Ministry of Roads and Public Works, itself, would give a more elaborate plan as to how it intends to develop that particular system.

There is a question that was asked about the tendering of the shuttle service. We had a stakeholders' meeting last Thursday, where there were representatives of the *matatus* and all the bus companies that operate in Nairobi, and we agreed that we need those shuttles in order to alleviate the problems that commuters are facing. It was agreed that we would, first and foremost, identify the routes. We did that and, ultimately, the Ministry is developing a tender, based on the requirements that were put forward at the stakeholders' meeting. We did agree that, given the fact that the crisis was on, there was need to have an immediate solution. So, we requested the stakeholders to identify one company that could be used in the short-term until a tender was completed. This was done to alleviate the suffering of the commuters. All stakeholders agreed by consensus among themselves that the "Double M" operator would be the one to be given the authority to operate that shuttle for a two-week period, pending a further review, and while criteria is being developed on an ideal bus system for the Central Business District (CBD), which would then be put out for bidding. We felt that it was important that we did something in the short-term to alleviate the problems that were faced by the commuters.

Mr. Speaker, Sir, there was also the issue of private vehicles being used to carry a maximum of five, or a minimum of three. If Parliament was to pass a law that says that every vehicle that comes into the city will have to carry five passengers, I will have no problem implementing it. As of now, I do not think we have the capacity to instruct citizens who to carry or not carry in their own private vehicles.

Lastly, is the issue of one-way streets. I can say plans are well under way. First and

foremost we will be making certain streets in Nairobi pedestrian only, starting with Lusaka Road and the one behind New Stanley Hotel. We intend to make them pedestrian only. Part of Mama Ngina Street has already been done. In order to make traffic flow much easier, there are also plans under way to make Moi Avenue and Tom Mboya Street one-way streets. In fact, the new shuttle service that is operating now is doing so on a two-way system, where one bus is going down along Tom Mboya Street while the return one goes along Moi Avenue. So, this is part and parcel of an efficient transport system in our city, aimed at decongesting the city. We are not penalising anybody, but trying to make Nairobi a City that will be beneficial to all pedestrians like it happens in developed countries.

FORMATION OF COMMITTEE TO
INVESTIGATE 2007 KCSE
EXAMINATION RESULTS

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, I wish to respond to Mr. ole Metito's point of order of Thursday 28th March, 2008 in which he asked for a Ministerial Statement from my Ministry on the 2007 Kenya Certificate of Secondary Education (KCSE) results in order to clarify the correct position with respect to the results. Before I make my Statement with respect to the error in the calculation of the mean grade that occurred in the 2007 KCSE results, allow me to shed some light on the examination marking process in order to provide background information to hon. Members.

Mr. Speaker, Sir, in the 2007 KSCE examination 57 examination papers from 22 subjects were offered and taken by 276,239 candidates in 4,883 schools, depending on each candidate's choice of subjects at the time. Each candidate took a minimum of seven subjects, unless they were repeating the KCSE examination. As in previous years, the question papers were marked by trained examiners, who are teachers with long experience in teaching and marking of the KCSE examination, drawn from secondary schools across the country. The number of examiners used to mark the 2007 KCSE examination was 7,980, and the exercise was undertaken between 3rd and 30th December, 2007 in 24 marking centres located in Central, Eastern, Nairobi, Rift Valley, Western and Nyanza Provinces.

The marking of each of the papers was conducted by closely coordinated teams, each one led by a chief examiner, assistant chief examiner and team leaders. In spite of their experience, each year, these examiners are re-trained through continuous marking co-ordination, using dummies before they start the actual marking in order to ensure both quality and reliability. That close co-ordination is required to ensure that each candidate is awarded the marks he or she deserves, and that no examiner deviates from the marking scheme.

Mr. Rutto: On a point of order, Mr. Speaker, Sir. With due respect to the grey-haired professor, is he in order to continue meandering and giving us lengthy statements without going direct to the issue? We are quite aware that there are chief examiners, assistant chief examiners, professors and so on in the Ministry of Education, but the issue is, what did they do with the examination? Could the Professor tell us? He is in the Ministry and he is a professor. The Permanent Secretary is also a professor and there are so many others. Could he tell us what he has done? Could he go to the point?

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, I will appreciate if the hon. Member is patient, because the question is whether we will repeat the examination. I want to lay the basis upon which I will answer that question.

Mr. Speaker: Professor continue, but bear in mind that precision is a necessary quality.

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, this is a very sensational

issue, and I seek the indulgence of the Chair that I be able to deal with this situation firmly and correctly.

Mr. Speaker, Sir, it is important for me to point out to hon. Members that candidates do not use their school names or codes when writing their answers. Instead, they use security codes allocated by the council each year. The purpose for this security code is to ensure that no examiner is able to identify the candidate or school they are marking to enhance security and credibility of the marking of process.

After marking, there is checking and counter-checking by assistant chief examiners and team leaders guided by the chief examiner for each paper to ensure accuracy in marking and allocation of marks. Once the accuracy is ascertained, subject marks are entered into mark sheets and submitted to the council for further processing. Subject grades are determined - that is where the issue is - at the marking centres by examiners and supervisors. That means that nobody else can assign subject grades to a candidate. The chief examiner then presents that to the awards committee in the council, who include the Kenya Institute of Education (KIE), the Director of Quality Assurance and Standards and, sometimes, representatives from examination bodies in the region for bench-marking purposes.

It is also important for hon. Members to know that all papers are marked independently by decent examiners housed in different marking centres across the country.

Mr. Speaker, Sir, given what I have explained, the calculation of the mean grades does not affect any of the candidate's marks or subject grades.

Having clarified the issue of marking and subject grades, I wish now to refer to the 2007 Kenya Certificate of Secondary Education (KCSE) examination results released on Thursday 28th February, 2008, which included the candidates' subject grades and mean grades, as well as orders of merit of candidates and schools. After the release, a mean grade computation error was detected by the Kenya National Examinations Council (KNEC) staff as they were validating the results, immediately after the release. The following day Kabarak High School and Lenana High School informed KNEC that they had detected that the mean grades for some of their candidates had been erroneously upgraded. The schools noted that error because candidates and schools are able to compute the mean grades from the subject grades.

Mr. Speaker, Sir, the mean grade is computed by converting the subject letter grades to numerical points that are assigned from grade E to A, with grade E being assigned one numerical point and A being assigned 12 numerical points. Thus, the 12-letter grades are converted into numerical points for each subject from which the mean grade is calculated.

Mr. Speaker, Sir, I wish to inform hon. Members that the computer calculates the mean score based on the best-performed seven subjects for each candidate that meets the awards criteria as specified in the KCSE awards regulations. A candidate who scores seven As in seven subjects earns 84 marks or points which, when divided by seven, works out to be 12 points or a mean grade of A.

Mr. Speaker, Sir, arising from this information that I have given above, the mean grade is calculated on the best of the seven performed subjects done by the candidate. In this case, when calculating the mean score, decimal points arise. It is common practice that decimal points between 0.1 to 0.44 are rounded down to the lower figure, while decimal points above five are rounded up to the next higher figure.

Mr. Speaker, Sir, allow me to use an example to illustrate that. In Moi Girls High School, Eldoret, Candidate 004 had a total aggregate score of 79 points, based on her seven subjects which, when divided by seven, gives 11.29 points. That was wrongly rounded up to 12 points and the candidate wrongly awarded a mean grade of A plain. That was supposed to have been rounded down to 11, translating to a mean grade of A minus. In the same school, Candidate 034 had the

same total aggregate numerical score of 79 points and the rounding was accurately done from 11.29 to 11, and the candidate awarded the correct mean grade of A minus.

Mr. Speaker, Sir, it is important for me to point out to hon. Members that it is incumbent upon KNEC, the schools and candidates to uphold the principles of integrity, honesty and credibility of examinations. In this case, it is quite clear that the computer produced an error which required the correct rounding up to be done. That error, unfortunately, reduced the mean grade of candidates to the correct level. That has created anxiety, anger and disappointment among the candidates, parents and schools. I regret that, that error occurred. Otherwise, the matter would not have arisen. Indeed, that being the situation, I want to take the earliest opportunity to thank those schools that realised the error and, immediately, contacted KNEC. That has contributed immensely in sustaining the element of honesty and integrity---

Mr. ole Ntimama: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, hon. ole Ntimama! Could you, please, hold your horse? The Minister is just about to finish his Ministerial Statement. You will have an opportunity to seek clarification. Please, hold your horse!

Proceed!

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, that has contributed immensely in sustaining the element of honesty and integrity among school administrations and the candidates themselves.

Mr. Speaker, Sir, given the sensitivity of that matter, I have directed that a full investigation be carried out to establish how that error occurred. Consequently, a high-powered committee of computer experts and education professionals, including the representatives of Kenya Secondary Schools Heads Association and Kenya National Union of Teachers has been formed to investigate the matter and advise me accordingly. That Committee has been instructed to carry out the following:

- (a) Review the process of working out the mean score for the 2007 KCSE results.
- (b) Validate all the mean grade calculations for all the 276,239 candidates registered for the 2007 KCSE examination.
- (c) Validate the mean grades of the corrected results for each of the affected candidates.
- (d) Establish the cause of the mean grade computer error.
- (e) Advise on any further action that may be necessary, based on the results of their investigations.

Mr. Speaker, Sir, the Committee has already started its work. I, therefore, appeal to hon. Members to give us time to investigate that matter to its logical conclusion.

I have had the opportunity to look at the results that presented some difficulties, and which are the subject of national controversy. Out of all the affected candidates, I wish to assure hon. Members that, in as far as the subject grades on the marksheets which were presented by the examiners were concerned, those have not been affected. Indeed, when individual candidates do their own calculations based on the formula that I have stated above, they will come up with the correct mean grade that they are entitled to. In the meantime, I wish to assure Kenyans that no child will suffer due to that unfortunate error. Whoever will be found to have contributed to that error whether by design or default, will be held individually responsible and dealt with accordingly.

Finally, there is the issue of ranking of schools and candidates. Hon. Members will appreciate that, in the process of correcting the mean grade, the ranking will be affected for some of the candidates and schools. The appointed Committee will also be looking at that matter and advise accordingly. It is important to note that the results released by KNEC are always subject to queries and that, candidates and schools are usually allowed up to 30th April each year to submit any queries. That is done in order to ensure that our education system and examination procedures

remain credible and reliable.

Thank you.

Mr. Speaker: Hon. Members, I will now allow a few clarifications. But I would like hon. Members to note that precision is a worthy attribute. Could we get clarifications from Messrs. ole Metito, ole Ntimama, Lesrima, Duale, Musila and Bifwoli?

Mr. ole Metito: Mr. Speaker, Sir, I want to seek two clarifications from the Minister.

First, the Kenya National Examinations Council (KNEC) cancelled results of some students based on allegations of examination cheating. The integrity of the KNEC is now in question since they also cheated students by giving them false results. Can the Minister consider waiving the cancellation of those results? Whether the students cheated in the examinations or not is no longer a valid point.

Secondly, some students sat for the examinations and they did not receive any results. They were recorded as being absent. Others never sat for the examinations at that particular time, but received good results. In fact, they got "As". What is this Minister doing about this situation?

Mr. Musila: Mr. Speaker, Sir, I sympathise with the good professor, because by appointing this committee he is doing too little too late. The credibility of the KNEC is now rated at zero.

The Minister has not even addressed the issue of examinations leakage, which occurs before students sit for examinations. It is high time he addressed all the issues connected to the KNEC, so that the credibility of that institution is restored. The KNEC is a great shame to this nation!

Mr. ole Ntimama: Mr. Speaker, Sir, the Minister was very grateful when you gave him protection to read out a whole story book, when we were just sitting and listening to him! But the most important point is that this is a fiasco that has really hit this country. It comes second to the other debilitating affair that hit this country just a few months ago. I want to know: Why is the KNEC still intact? Why has the Minister not disbanded it?

Secondly, the Minister has said he has already appointed a high-powered committee of education professionals. Why can he not wait until we have a report? This does not mean anything; it is just hot air for all over!

Mr. Duale: Mr. Speaker, Sir, I concur with my colleagues that the credibility of the KNEC and the students who sat for the exam is at stake. We are talking of a situation where universities everywhere in the world are going to cast aspersions on this year's results. I want to ask the Minister not to read to us what the rules should be. The rules were there. The method of working out the mean grade was also available. But there was an error. In the last three years---

Mr. Speaker: Order, Mr. Duale! Can you come to your clarification?

Mr. Duale: Mr. Speaker, Sir, in the last three years, there has been examination leakage in this country. Despite this, the CEO of the KNEC is still in office. As the Minister sets up a committee to look into this matter, what is he doing about the management of the KNEC?

Mr. Speaker, Sir, secondly, the Minister has set up a committee that is missing a credible section of the education sector in this country. This is the private sector education system. None of the private sector education practitioners is a member of the committee. We do not want a situation where a committee is formed when the damage has already been done. Can we have a situation where the Ministry is taking action against the CEO of the KNEC?

Mr. Lesrima: Mr. Speaker, Sir, I want the Minister to clarify on the type of computer that was used in the marking process. Who was operating this computer in terms of "garbage in" and "garbage out"? What type of computer was used in the marking? How did the computer enter marks for students who never sat the examination? Why was it necessary to release the examination results before validation? My understanding of validation is that it confirms that a test measures what it was meant to measure. Why release and validate later?

Mr. Bifwoli: Mr. Speaker, Sir, I would like to seek clarification from the Minister concerning a student who never sat certain subjects, but he was given grade "A". How is it that somebody never sat an examination and he got an "A"? Why is the Minister calling this a computer error? How was this information fed into the computer?

Mr. Speaker, Sir, it looks like this is some sort of sabotage of schools that were excelling in Western and Nyanza provinces. They were merely targeted, because the names of principals were being printed on the envelopes instead of the code numbers, as he said. Can he deny that the names of the principals were being written on envelopes when they were returning answer scripts?

Secondly, the Minister has said that he has appointed a committee to investigate this fiasco. When we look through the list, these are computer experts. How relevant are they to the education system?

Mr. Speaker: Mr. Midiwo, did I notice you?

Mr. Midiwo: Yes, Mr. Speaker, Sir!

The Minister is aware that we have been talking about this issue for about two weeks. It is only fair to the parents and students that we treat this issue with a lot of caution. The integrity of the KNEC is in question. This is not the first time Kenyans have complained that examinations are doctored. In Nyanza, Rift Valley and Western provinces district schools, which normally perform very well, have all performed very poorly. I was in my home area two days ago, and about five headmasters said that when they try to complain they are threatened with a sack. The Minister has not been in this docket for a long time. Something may have happened in his absence. I urge him to listen to the cries of Kenyans. As he conducts his investigations, he should halt the process. While he is at it, if a certain student sat his or her examination in Kakamega, for example, this time round he should make a policy that we get back examination papers, so that the public can audit the KNEC.

The Minister for Education (Prof. Ongeri): Mr. Speaker, Sir, I want to deal with the last problem that has been raised by Mr. Midiwo. Indeed, the people who have been making the loudest noise from that part of the world--- I have checked the performance records of those schools in the last five years and I have testimony here that unless that noise is being made for some other reason, if anything else, those schools have improved in the previous five years. Their current status or rating is much better than that of last year and the year before. Since the record is available, I do not need to be very wordy about this matter. It is important that before you complain, you make sure that you have facts in your hands so that we can read from the same script.

Mr. Midiwo: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: What is it, Mr. Midiwo?

Mr. Midiwo: Mr. Speaker, Sir, the Minister is neither fair to me nor to the people I represent. I have several examples to give of secondary schools. For instance, Nyabondo Secondary School has been one of the best district schools in this country. This time round, it is nowhere on the list! There is no reason to explain why a school that has consistently been on the list of the top 100 schools over the last ten years is nowhere on that list and yet we are not expected to question! If you have evidence, Mr. Minister, table that evidence here because this is the House of the representatives of the people.

The Minister for Education (Prof. Ongeri): Mr. Speaker, Sir, it is only fair for Mr. Midiwo to know that he should not be asking me, "Why?" He should find out from the school why it went down. That happens! Some schools that are down eventually come up because of the effort they put in. You and I know very well, and especially those of you who were in the last Parliament, that we joined hands together to find out why schools in Nyanza Province were doing badly. Prof. Olweny knows very well that, that has been one of our major problems; why schools in Nyanza Province have been doing very badly.

Comparing the last performance and the present one, I see some definite improvements. I am not saying that I am satisfied. I would like your school to be number five or one. However, the point is that you should find out why your school performed the way it did. That is why heads of schools and students have 60 days to raise queries.

Mr. Mung'aro: On a point of order, Mr. Speaker, Sir.

The Minister for Education (Prof. Onger): Mr. Speaker, Sir, I think I should be allowed to answer!

Mr. Speaker: Let us hear the Minister! Please, proceed to the finish line, Mr. Minister!

The Minister for Education (Prof. Onger): Mr. Speaker, Sir, as far as the queries are concerned, we are still within the time limit and they can raise those questions. I am prepared to sit down with the hon. Member, the head of the school and everybody else in order to find out why the school performed poorly. That is a legitimate question, but it has no relevance to the mean grades that we are talking about now. So, that is all about the first question I wanted to dispose of.

The question by Mr. ole Metito was that there was a lot of cheating and leakage in the examination. In fairness to me, he raised the question of grading, but he did not raise the question of cheating. However, I have, as a matter of course, included that as one of the subsequent issues that I have got to address. I am aware that last year, through Press cuttings, a lot of noise was made about leakages that were never verified. The examination was done and nobody came up to say, "We are making a complaint because school A or B had these papers and here are the leakages". In the absence of that, the results were announced albeit I will go and look at some of the leakages that have been said to be rampant in the KCSE Examination. I will also look at the origin of those leakages. Could they be connected to the error that we are now experiencing and which is now creating so much anxiety and pain?

Mr. ole Metito also raised the question of some students who sat for the KCSE Examination not having obtained their results like their colleagues. Yes, that error occurs all the time. This is not the first time. Even in the previous year, I have checked, the error occurred. In fact, to be honest with this House, I have checked and confirmed that in one of the schools, there was an error with grading. They are now repeating the marking of those papers. In that school, they judged the students on the basis of one paper as opposed to two papers. This is because they forgot the results in some place. They were, however, retrieved immediately after that. That has been done and the error is being rectified.

That is why, in my statement, earlier on, I said that no child will suffer any consequences of anybody, officer or non-officer, who may have mishandled the processing of these results. That is why I went to great pains to inform you the process through which examination papers go, so that I can pinpoint where the problem is and deal with the cancer.

As a surgeon, you remove the cancer effectively. You do not just cut tissues all over the place without any plan, programme or assessment. This is a preliminary report I have given you and I intend to come back to this august House to give you a full report of what I would have found out.

Mr. Musila talked about the credibility of this House and the need for me to address the issue of examination leakages. I have already responded to that very easily.

Mr. ole Ntimama talked about the fiasco that hit the country and yet members of the KNEC are still intact. I believe that we are in this House to make laws. We say that somebody is only guilty when it has been truly proven that he is guilty. At this stage, we are just building up an alibi. Give us room to do so. Do not condemn somebody unheard.

Let us get the evidence on the table. Let us not operate--- If we want to impute lack of integrity on the KCSE Examination, then our processes in investigating any malpractices in the examination must be equally above board. You cannot demand integrity on that side and at the

same time expect me to organise and carry out a process which is faulty. It has to be above board. It has to be a process that everybody understands and one which is clear.

Mr. Speaker, Sir, for your information, I did not only include a member from one religious organisation as has been alluded to here by one hon. Member. Yes, there is Bishop Nzimbi and the Muslim Professor El Busaidy. He is a scholar in his own right apart from being the Chairman of Supreme Council of Kenya Muslims (SUPKEM). Besides those, there are professional and educational experts; that is, professors of education who will be able to give me informed decisions. Because it has been believed that the computer is the source of the error, I have included the directors of Computer Studies at Kenyatta University, the University of Nairobi, National Bureau of Statistics and the Institute of Certified Public Accountants of Kenya (ICPAK) so that they can go into the details and elaborate how the computer mistake occurred.

There are several questions I ask myself. There are two servers. They only used one server. Why did they not use the second server? I cannot answer that question. I will need an expert opinion to answer that question. That is where we are.

The hon. Member for Dujis asked the same question. I think everyone is baying for the blood of the KNEC. How do you know whether there is no sabotage within the KNEC itself? Who is responsible for the sabotage within the KNEC? Do not lay blame at a blanket level that somebody has done it!

I just want to know: Is the computer expert, the man responsible for all these mistakes? Is the person who generates the examination papers responsible for the leakages? Or, are the moderators, who are from the Kenya Institute of Education (KIE), the source of the leakages of the KCSE Examination? Is it the person responsible for the dissemination of the results on the green papers to the KNEC the source of the error? Is it possible that the papers reached the centres two weeks before the KCSE Examination? Could this be one of the possible sources of leakages that you are referring to? Indeed, I have no answers.

However, I just want to look and find out the correct position so that when I come back to this august House, I will be able to tell you, "Yes, the leakages arose because of A, B, C and D or the error occurred because either the computer was too old or it simply was the cause of the error."

Mr. Lesrima asked what type of computers are in use. I think I have answered him. With regard to Mr. Bifwoli's question, there is no excuse for some students getting low marks. We have reviewed those cases. I just want to understand this computer error. My understanding of computers is very basic. Is it as a result of human introduced error? Is it a true computer error? Is it a virus that caused the error? Is it a generated error? These are questions which must be answered. I think all of us here understand that the computer experts will be able to give those answers to us.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Thank your, Mr. Minister.

Hon. Members, I have a number of hon. Members who want to seek Ministerial Statements, beginning with Mr. Keter.

POINTS OF ORDER

CCK GUARANTEE TO EAMS SUB-MARINE CABLE PROJECT

Mr. Keter: Mr. Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister for Information and Communications with regard to the laying of the sub-marine cable from Dubai to Mombasa, which will create a revolutionary development in the telecommunications industry.

I would like the Minister to tell us why the regulatory body, the Communications

Commission of Kenya (CCK), guaranteed a private company, namely, the East African Marine Systems Limited. They gave a guarantee to the tune of Kshs2 billion and yet, it is not one of the regulatory functions of the CCK. I would also like the Minister to tell the House why the Government, through the Treasury, could not have given this guarantee if, indeed, the project is viable.

Thirdly, I would like the Minister to assure us that the said company has not failed to remit the money, because the CCK has already paid some money which, in essence, is against the Government's financial regulations, which require that any surplus funds must be remitted to the Treasury for this House to approve and appropriate accordingly.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Leader of Government Business, do you have any response to Mr. Keter's request?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I have taken serious note of the demand for that Ministerial Statement. Mr. Poghisio will be informed accordingly.

Mr. Speaker: Mr. Ndambuki!

UPSURGE OF ROAD ACCIDENTS

Mr. Ndambuki: Mr. Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for Transport. If you look at newspapers today, you will see that from Friday to yesterday, we lost 83 people through road accidents. Many more people were left maimed. Between the years 2003 and 2005, this country reduced road accidents to about nil. I would like the Minister to tell us what happened such that we are now losing 20 people daily.

As he responds to this request, I would like him to tell us whether vehicles on our roads are no longer fitted with safety belts and speed governors. What are traffic police officers doing on the roads, given that they are all over? Why are vehicles being overloaded? We need to act. Otherwise, we will lose even more lives than we did at the beginning of this year.

Mr. Speaker: Thank you! That sounds very urgent, Minister!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, it is a great tragedy that over the Easter Holidays, we have had to lose so many of our people through road accidents. The Minister responsible will, indeed, respond as soon as possible. The Order Paper seems to suggest that we have to adjourn. Many of these things are urgent. Perhaps, the Minister could even act even before we re-convene.

Mr. Speaker: It will be pleasing if the Minister can take some action before the Ministerial Statement comes to the House.

Prof. Olweny!

RE-APPOINTMENT OF JKUAT VICE-CHANCELLOR

Prof. Olweny: Thank you, Mr. Speaker, Sir. I rise on a point of order to seek for two Ministerial Statements. First, I would like the Minister for Education to issue a Ministerial Statement regarding the position of the Vice-Chancellor of Jomo Kenyatta University of Agriculture and Technology (JKUAT), whose contract ended some time last year. However, he is still in the office. The position was advertised. The deadline for those interested to submit their applications was last Thursday. So far, no short-listing or interviews have been conducted. Yet today, the outgoing Vice-Chancellor is supposed to have been re-appointed; without interviews or

short-listing. So, I want the Minister to give us a clarification on that appointment.

ROLE OF POLICE IN NATIONAL HEALING
AND RECONCILIATION PROCESS

Mr. Speaker, Sir, my second Ministerial Statement is in connection with national healing and reconciliation, following what happened in this country since late December, 2007. I want the Minister of State for Provincial Administration and National Security to tell us how he is preparing the police to help us in the national healing and reconciliation process. As we know, several police officers were partisan when we had this crisis. So many of them shot and injured citizens of this country.

Mr. Speaker, Sir, I am seeking clarification because some of them are still treating Kenyans awkwardly. They are treating Kenyans with a lot of suspicion. Some of them are still mishandling and torturing Kenyans. So, how is the Minister preparing police officers to help us in the process? A lot lies with them. If, for instance---

Mr. Speaker: Prof. Olweny, can you, please, stick to the rules? You want a Ministerial Statement. Just indicate the issues that you want covered, and the clarifications that you wish covered. Let us not debate at this stage.

Prof. Olweny: Thank you, Mr. Speaker, Sir. I am raising the issue because of what is happening in my constituency today. Some police officers, who shot and killed people early this year, are still harassing my constituents. That is why I am seeking that clarification. Police officers will help us a lot in the healing and reconciliation process.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Yes, Mr. Oparanya. You will be the last one!

COLLAPSE OF NYAGA STOCK BROKERS

Mr. Oparanya: Mr. Speaker, Sir, I rise on a point of order to seek a Ministerial Statement from the Minister for Finance regarding the decision by the Capital Markets Authority (CMA) to place Nyaga Stock Brokers under receivership on 3rd March, 2008.

Mr. Speaker, Sir, placing Nyaga Stock Brokers under receivership, and the collapse of another stock broker last year - Francis Thuo and Partners -has discouraged *wananchi* from participating in the activities of the Nairobi Stock Exchange (NSE). This means that poor investors lose their investments. Obviously, this will affect those who intend to participate in the Safaricom IPO, which starts next Friday.

Mr. Speaker, Sir, it is alleged that the Managing Director of Nyaga Stock Brokers is also a director of the NSE. He used his position to convince the Nairobi Stock Exchange to advance Kshs100 million to Nyaga Stock Brokers as a rescue package. This is corruption of the first order. When Francis Thuo and Partners collapsed last year, it emerged that Nyaga Stock Brokers were not doing well. It is the same CMA and NSE which came out in defence Nyaga Stock Brokers.

Mr. Speaker, Sir, I would like the Minister to clarify the following:-

First, why was the stockbroker put under receivership? Secondly, why did the Capital Markets Authority (CMA), as the regulatory body, not detect the problem and take corrective action at the earliest stage? Thirdly, why did the Minister allow the Managing Director of Nyaga Stockbrokers to also serve as a Board Member of the Nairobi Stock Exchange, which is a direct conflict of interest?

Mr. Speaker, Sir, lastly, what measures has the Minister put in place to ensure that the capital markets are stabilised and that poor *wananchi* do not lose their investment through

fraudulent stockbrokers in future?

Thank you.

COMMUNICATION FROM THE CHAIR

CIRCULATION OF SUPPLEMENTARY ORDER PAPER

Mr. Speaker: Thank you. For the information of hon. Members who are here for the first time in this Tenth Parliament, if you require a Ministerial Statement, procedurally, you are obligated to alert the Speaker. That way, you will be given an opportunity to do so in the House.

May I bring it to the notice of hon. Members that there is a Supplementary Order Paper which will now guide our proceedings, henceforth.

Next Order!

Mr. Lesrima: On a point of order, Mr. Speaker, Sir. I would like to know from Prof. Ongeru when he will respond to the issue about the Jomo Kenyatta University of Agriculture and Technology (JKUAT) Vice-Chancellor.

The Minister for Education (Prof. Ongeru): Mr. Speaker, Sir, I will provide a written Statement but, suffice it to say, that the University operates under its own Act.

There is an established University Council of Jomo Kenyatta University of Agriculture and Technology (JKUAT). They have a Chancellor, a Council and a Senate. For the appointment of Vice-Chancellors, it is usually the function of the Council. It carries out the interviews and after the---

Mr. Speaker: Mr. Minister, are you, by any chance, reading the Statement now?

The Minister for Education (Prof. Ongeru): No, Mr. Speaker, Sir. I just wanted to tell him so that---

Mr. Speaker: Could you still indicate when you will be able to give the Statement?

The Minister for Education (Prof. Ongeru): When the House meets again! Mr. Speaker, Sir, it will be the earliest opportunity when the House meets again.

Mr. Speaker: Are you anticipating debate?

The Minister for Education (Prof. Ongeru): No, Mr. Speaker, Sir. I am not anticipating!

Mr. Speaker: Shall we say next week on Thursday?

The Minister for Education (Prof. Ongeru): Yes, Mr. Speaker, Sir.

Mr. Speaker: The Leader of Government Business, how about the Statement with respect to the stock exchange?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I have noted the concerns by Mr. Oparanya and we will communicate the matter of Nyaga Stockbrokers and their relationship with the CMA to the Minister for Finance. I am sure he will be able to do the needful.

However, with regard to Prof. Olweny's request, I am just wondering whether it may not be a matter that should await debate and even the jurisdiction of the Truth, Justice and Reconciliation Commission.

Mr. Speaker: Next Order!

PROCEDURAL MOTION EXTENSION OF SITTING TIME

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

THAT, notwithstanding the provision of Standing Order No.17(2), this House orders that the Sitting time be extended from 6.30 p.m. till the business appearing on the Order Paper is concluded.

As you have rightly pointed out, we have, in our possession, a Supplementary Order Paper. You will notice that you will, at some stage, be calling on the Leader of Government Business to move a Motion of Adjournment.

Mr. Speaker, Sir, looking at the timings right now, there are still hon. Members who would wish to contribute, during this Seventh Day, to the debate touching on the Address by His Excellency the President, which was delivered from where you are sitting. So, this is the Seventh Allotted Day. It is now 4.30 p.m. and I know that there are hon. Members who might wish to contribute. Therefore, if we are going, indeed, to follow the Order Paper, the possibility, at this stage, of us over-shooting, is real and, therefore, there is need for this Procedural Motion. It is important that we conclude business appearing on the Order Paper.

With those few remarks, I beg to move.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I beg to second.

(Question proposed)

(Question put and agreed to)

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

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

*(The Vice-President and Minister
for Home Affairs on 11.3.2008)*

*(Resumption of Debate interrupted
on 20.3.2008)*

Mr. Speaker: Who was on the Floor?

(Mr. Chepkitony stood up in his place)

Mr. Chepkitony, you had three minutes left!

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Chepkitony: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this time to continue and conclude my speech.

As I conclude, I would like to congratulate His Excellency the President as well the Prime Minister-designate, Mr. Raila, for agreeing to work together under the agreement signed through the intervention of Dr. Kofi Annan, the former United Nations (UN) Secretary-General. I would also like to thank and congratulate those who participated in the negotiations from both sides, as well as members of the international community. I have in mind the European Union (EU), the African Union (AU) and, in particular, the former President of Tanzania, His Excellency Hon. Mkapa, the wife of former President of South Africa, Mrs. Graca Mandela and the current President of Ghana for intervening in the peace negotiations and ensuring that Kenyans agree. Indeed, we required their intervention so that we could re-instate peace and normalcy.

The post-election violence took everybody by surprise! It was spontaneous. There was a lot of chaos and property losses to this country. Some have said that it was planned. Some have said that it was not planned. For me, I know that it was not planned. The violence was so spontaneous and fast! It surprised me! I got shocked!

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

Mr. Chepkitony: Thank you very much, Mr. Deputy Speaker, Sir.

The time was short, but I beg to support.

The Member for Kinango (Mr. Rai): Asante sana, Bw. Naibu Spika. Ninakupongeza kwa kunipa nafasi hii ili nitoe mchango wangu juu ya Hotuba ya mhe. Rais. Kwanza nataka kuwashukuru watu wa Kinango kwa kunichagua tena kwa kipindi cha tatu. Hii ni heshima kubwa kwangu. Nataka niwaahidi hapa kwamba nitafanya kila niwezalo ili kuona kwamba nitawatumikia vilivyo.

Bw. Naibu Spika, nawapongeza waheshimiwa Wabunge wenzangu waliochaguliwa kujiunga na Bunge hili la Kumi. Nataka nichukue nafasi hii pia nikupongeze wewe kwa kuchaguliwa kuwa Naibu wa Spika.

Hotuba ya Mheshimiwa Rais ilitupa kielelezo mwafaka katika hali ya kuweza kuliongoza taifa hili.

Mr. Kajembe: On a point of order, Mr. Deputy Speaker, Sir. Mr. Ngozi Rai is a senior Member of this House. Is he in order to read a statement while contributing to the Presidential Speech?

Mr. Deputy Speaker: Order, Mr. Kajembe! He is not reading a statement! You are out of order!

Proceed, Mr. Rai!

The Member for Kinango (Mr. Rai): Bw. Naibu Spika, sitaki kumjibu Bw. Kajembe kwa sababu ana sababu nyingi za kufanya hivyo.

Bw. Naibu Spika, nataka nimshukuru Mheshimiwa Rais kwa kutupa sisi kielelezo katika Hotuba yake. Jambo ambalo ningependa kulisisitiza ni kwamba kwa muda wa miaka 44 ya Uhuru, sisi Wakenya tunaweza kujilaumu kwa hali mbaya hapa nchini. Kwa muda huu wote tumekuwa na Serikali na Mawaziri. Hata hivyo, ubinafsi umefanya kazi kwa muda mrefu kiasi cha kwamba ni vigumu kuweza kuyaona matokeo ya kazi nzuri ya kuwa na Serikali kwa muda huu wote. Hii ni kwa sababu kila anayechaguliwa kuwa na mamlaka hufikiria njia za kujinufaisha mwenyewe.

Bw. Naibu Spika, kuna wakati Mawaziri wengi hapa nchini hawakufanya kazi zao vilivyo. Kazi yao kubwa ilikuwa ni kuandamana na mhe. Rais pahala pote alikozuru. Walikuwa wakifanya hivyo, ili kuthibitisha imani yao kwake na kuwaacha wananchi wetu wakiteseka. Jambo hilo liliwaumiza Wakenya kwa muda mrefu.

Ningependa kutoa shukrani kwa sababu kila baa lina heri lake. Shida iliyotupata juzi baada ya uchaguzi ilikuwa na heri yake. Ni mara ya kwanza katika taifa hii kuwa na Waziri Mkuu ambaye atakuwa na jukumu la kuhakikisha kwamba kazi ya Mawaziri inafanyika. Mawaziri hawa bila mnyapara hawawezi kufanya kazi. Nina imani kwamba tukiwa na mnyapara ambaye atakuwa

akiangalia kazi yao, kazi itafanyika vizuri. Ikiwa hawatafanya kazi vizuri, basi wataonyeshwa njia ya kurudi nyumbani. Tutaona tofauti kubwa sana.

Mr. K. Kilonzo: Jambo la nidhamu, Bw. Naibu Spika. Ni haki kweli rafiki yangu, mhe. Gonzi Rai, kusema kwamba ni mara ya kwanza Mawaziri kuwekewa mnyapara na ilhali tunajua yule anayechaguliwa ni Waziri Mkuu na si mnyapara? Kama Bw. Rai hajui maana ya mnyapara yafaa aseme ili aelezwe!

The Member for Kinango (Mr. Rai): Bw. Naibu Spika, sitaki kumjibu kwa sababu hayo ni maoni yake. Ninataka afahamu kwamba kumewekwa mtu ambaye atakuwa anasimamia kazi ya watu fulani na basi huyu ni mnyapara. Yeye anaangalia kazi za watu wengine na kuhakikisha kwamba zinafanywa vizuri. Kama mhe. Mbunge hajui Lugha ya Kiswahili, basi atajifundisha muda atakapokuwa katika Bunge hili.

Bw. Naibu Spika, wakati Waziri Mkuu mtarajiwa atakapoanza kazi yake, mhesimiwa Mbunge atajua kazi yake ni ipi. Kuna tofauti kati ya mawaziri na Waziri Mkuu ambaye atakuwa akifanya kazi katika Bunge hili. Mawaziri watakuwa wanajua kwamba wanafanya kazi zao lakini kuna mtu ambaye baadaye anaangalia kazi hizo zinafanyika kwa njia gani. Pia wananchi watakuwa na njia ya kutoa malalamishi yao kama kazi haitakuwa imefanyika vizuri. Wananchi na viongozi wakipewa nafasi kama hii, basi ninaamini kwamba kazi itafanyika na matokeo yatapatikana. Tunahitaji maendeleo.

Bw. Naibu Spika, ninawakilisha sehemu ya Kinango. Uhuru ulipatikana siku moja; bendera ikapandishwa na ikaeleweka kwamba Kenya imejipatia Uhuru. Jambo la kushangaza ni kwamba katika pembe mbali mbali za Jamhuri hii kuna tofauti fulani za kimaendeleo. Hadi kufikia hivi sasa, kuna baadhi ya watu fulani ambao wanaishi katika maisha ya umaskini zaidi kuliko wengine. Hili ni jambo la kusikitisha. Ni lazima tufahamu kwamba kama ni jambo la kugawanya raslimali, itakuwaje sehemu fulani kuwa na barabara kumi za lami na kwingine hata barabara moja hakuna? Ni jambo la kusikitisha. Tunaomba Serikali iangazie sehemu za mashambani na kuona kwamba kuna mawasiliano mazuri.

Ninakumbuka mwaka jana, mwezi wa nane, Rais wa Jamhuri alizuru sehemu yangu na akatoa amri kwamba barabara ya kutoka Kwale kuelekea Kinango itiwelami. Mpaka sasa, sijasikia wala kuona lolote likifanyika. Alitoa pia amri kwamba walimu 50 waajiriwe, lakini Waziri mhusika wakati huo ni kama aliyaweka masikio yake pamba. Mpaka sasa, hao walimu hawajawahi kuajiriwa. Kinachohitajika ilikuwa ni yeye kuandika barua ya kusema waajiriwe. Jambo hilo pekee lilimshinda.

Bw. Naibu Spika, hospitali ya Kinango ilipandishwa cheo na kuwa hospitali ya wilaya. Jambo la kusikitisha ni kwamba baadhi ya vifaa havifanyi kazi. Hata chumba cha kuhifadhia maiti hakina maji ya kutosha. Wiki tatu zinaweza kupita bila maji kupatikana huko Kinango. Chumba cha kuhifadhia maiti kinahitaji maji ya kutosha ili kipate kujiendeleza. Mambo kama haya ni lazima yatiliwe maanani. Ikiwa mtu atafariki akiwa Kinango, basi atahitajika kuchukuliwa hadi Msambweni. Tunajua kuipeleka maiti kutoka Kinango hadi Msambweni ni kama kumwaadhibu. Jambo kama hili ni lazima liangaliwe kwa makini. Tunahitaji pipa la maji ambalo litatosheleza mahitaji yetu. Tunataka kuona hospitali yetu ikiendesha mipango yake.

Bw. Naibu Spika, tuliahidiwa umeme kutoka Mariakani kupitia Samburu, Taru hadi Mackinon. Tuliambiwa ya kwamba Serikali ya Ufaransa ingesambaza umeme kwa gharama ya Kshs95 milioni. Hadi kufikia hivi sasa ni zaidi ya karibu mwaka moja na nusu na umeme huo hatujauona. Watu wetu wamejiandikisha na wengi wamelipa pesa ili wapate umeme huo. Hawajui wataupata umeme huo lini. Hili ni jambo ambalo linatusikitisha. Kwa hivyo, tunaomba tufunguliwe barabara yetu. Pia tunaomba maslahi yetu ya maji yaangaliwe kwa sababu kufikia hivi sasa tuna mfreji unaopeleka maji sehemu za Vigurungani. Kwa sababu ya umaskini, tunaomba Serikali iwapatie tu vyakula wananchi ambao wanachimba mtaro wa kuweka mifereji ya maji.

Kwa sababu ya hali ya njaa, ni vigumu mwananchi kushinda akichimba mtaro na hatimaye jioni hana chakula. Hilo ni tatizo ngumu.

Bwana Naibu Spika, sisi, kama wananchi wengine, tunahitaji huduma za Serikali. Tuliomba kifaa cha kutuwezesha kupiga simu za STD lakini hadi kufikia hivi sasa Kinango haina kifaa kama hicho. Tunaomba tupatiwe kifaa hicho ili tuweze kuingia katika mtandao, yaani, *internet* ili mambo mengine yaweze kunawiri katika mji wa Kinango. Tumepewa wilaya, lakini hatuwezi kuistawisha wilaya ile hadi tupate vifaa vingine ili tupate kuona tofauti kati ya tarafa na wilaya. Pia, ninaomba tupewe mbegu ili tuboreshe kilimo ili tujikomoe kutokana na hali ya kutegemea kupewa chakula kila wakati.

Kwa hayo machache, niniaunga mkono Hotuba ya Mheshimiwa Rais.

Asante sana.

The Member for Chepalungu (Mr. Rutto): Thank you very much, Mr. Deputy Speaker, Sir. Today, I stand to contribute to the debate on the Presidential Address. From the outset, I want to indicate that I stand to support the spirit and the intentions of His Excellency the President. It was, indeed, an all-round Speech which encompassed what this House expected him to say at that stage.

In his Speech, the President acknowledged the need for peace. He also acknowledged the need for constitutional and legal reforms. Issues of constitutional and legal reforms have continued to become difficult to achieve. Those issues have eluded this House for more than ten years. It is great that, as we speak, this year, we are committed to constitutional changes that will ensure that we maintain peace that will guide this country. A lot to do with this issue is now history since the two Bills which the President mentioned in his Speech have already been passed by this House.

Mr. Deputy Speaker, Sir, I want to laud the President's concern that we have got to upgrade the slums. Indeed, slums are an eyesore. It is degrading to live in the slums. The people who live in the slums within the city lack proper sanitation and privacy. They also lack basic amenities which are required for a decent living. It is a right for every citizen to enjoy a good life. The people who live in the slums should feel the growth of the economy even in those areas. However, even as we talk about grand ideas and very good intentions, this country continues to have Internally Displaced Persons (IDPs) who are not being taken care of.

Mr. Deputy Speaker, Sir, it is unfortunate that the Government seems to be going back to its bad habits. In the past week, certain arms of Government have gone ahead to create even more IDPs by destroying human dwellings purportedly with intention of protecting the environment.

We all know that if we wish to conserve our environment, we must not incite people to hate the very essence of conservation. Around the vast conservation area of the Mau Forest, it is, indeed, true that no forest is under threat. The Mau Forest is not under threat from the locals. It has been under threat from the very Government which is supposed to protect it. Instead of the Government owning up to the mistakes it has committed in the past, it has gone ahead to punish very innocent people by evicting them from their homes. Eviction of people will mean destroying somebody's house. It means throwing people out into the cold. When you destroy people's houses, it will cause suffering. It is very difficult to understand how children, who are evicted, will feel when their only nest is destroyed. That way, those children and their parents are left in the cold without food, respect and everything else.

Mr. Deputy Speaker, Sir, it is shocking to see that certain arms of the Government evicting people from the Mau Forest. We have got enough IDPs. It is shocking that certain departments of Government choose to create even more IDPs. It is for this reason that I feel greatly embarrassed, and even As I support the Presidential Address and his very good intentions, our people are being harassed. These people have title deeds to those parcels of land. We have got no reason, as leaders, to protect anybody who lives in the forest. But somebody who lives on land which he has bought

from someone else and has a genuine title deed issued to him by the Kenyan Government is being evicted. It is very difficult to understand this matter. The courts have ruled that title deeds are sacrosanct and inviolable. The case relating to this matter was in court and the Government lost. They later appealed in the Court of Appeal. In the past two weeks, they have been at it again. This is bad manners. It is a bad habit and we want this to come to an end.

It is for this reason that I ask whoever is responsible for this to stop it. It is unfortunate that the Government is still incomplete but whoever ordered this decision should rescind it. We, as the leaders from that region together with the local communities, are willing to identify the correct boundary. We do not want arbitrary decisions which are made by people who are seated on armchairs on the 16th-floor offices complete with air conditioning. Such decisions are callous. In 2005/2006, we saw these evictions. The Kenyan Government promised the United Nations that it would not go back to these evictions and that it would have an approach that is rights-based. It is possible to have human co-existence with our bio-diversity. It is, indeed, possible to conserve the environment. It is possible to do re-afforestation even in our own land. But for poor people to be chased away from their land, I think, even this House should condemn it. It is unfortunate that we will go on recess without addressing this issue. I do not want to anticipate debate as I would run counter to the rules. I wish this House could continue tomorrow so that we can discuss this particular issue, as a matter of national importance.

Mr. Deputy Speaker, Sir, the President also talked about security and the need for forgiveness. But it is shocking to see that even with all the good intentions we saw from his speeches and actions, certain arms of Government continue to harass people. When we talk about forgiveness, we do not understand why our people are being arrested at night on trumped up charges. Last weekend, we witnessed people who were arrested all over Nakuru and Sotik. The officers who arrested those people were not from the local police stations. They just arrived and rounded up people. We were told that the suspects were involved in acts of arson. What are these acts of arson which cannot be handled by the local police? There was even an attempt to recruit NYS graduates into police force. We want the police force to remain respected although it has a bad image at the moment. We want the police force to reclaim its lost glory like other forces in the country. We expect the recruitment into the police force to be done according to the procedures that are currently in force under the Police Act. We do not expect backdoor employment into the police force. Secondly, we do not expect certain communities to be purged from senior positions. We understand that there may have been some actions which were either deliberate or inadvertent that have led to the perception that officers from certain communities, at some stage, were not being seen to be amenable to the powers that be.

Mr. Deputy Speaker, Sir, I want to say that this is our country, and we have to treat ourselves equally and fairly if we expect to have lasting peace. I expect that within the 12 months that we have committed ourselves to, this country will see the realisation of a parliamentary system of governance. This will ensure that at no other stage shall there be abuse of office. It will also ensure that patronage comes to an end. It will ensure that everything is dispensed according to the rightful dues to every citizen of this country.

Mr. Deputy Speaker, Sir, I expect that by the end of the year, we shall have a devolved Government, and we will not have to operate according to the whims of mandarins, who operate on the 20th floor of various Government buildings.

Mr. Deputy Speaker, Sir, if we can distribute funds fairly and equitably, this country will truly develop. We have been given statistics, these past few years, about economic growth. However, growth is useless if it cannot be felt. We cannot be given only the issue of buildings, cement and tourism and then we are told that the economy is growing. This growth must be felt by the greatest number of citizens of this country.

With those few remarks, I beg to support.

The Member for Dagoretti (Mrs. Mugo): Mr. Deputy Speaker, Sir, thank you for the opportunity to contribute to the Motion before the House. I would like to congratulate the President for his Address to this House exposing the public policy and our legislative programme.

Mr. Deputy Speaker, Sir, let me begin by thanking the people of Dagoretti for giving me a third chance to serve them. This is my third term in this House.

Mr. Deputy Speaker, Sir, it is sad that the people of Dagoretti never had the chance to celebrate. After giving me an overwhelming vote of 38,000, and defeating my closest rival by more than 14,000 votes, some hired goons came to the hall in Dagoretti and never allowed me in there, or even to be declared the winner in the hall. Indeed, the result was never announced in the hall. It had to be announced by the Returning Officer, under tight security, at the Kenyatta International Conference Centre (KICC). Already some media houses had broadcast that I had lost the election long before the tallying was done. That is what I experienced, and that is why I feel sad. The whole world was deceived to believe that elections were stolen.

Mr. Deputy Speaker, Sir, in actual fact, what we experienced in Dagoretti was a situation where my vote was reduced and later on put back by 11,000, and other people being announced as having won. In the process the President's votes in Dagoretti alone were reduced by 18,000. So, it is my hope that the truth will finally come out. I would like to urge the committee that is looking into what really went wrong in the presidential vote to even look at what went wrong in the whole exercise. They should not follow blindly the reports of the international media, which was geared to labelling Kenya and her leadership, as thieves. They should not be misled, because for the first time the Fourth Estate, which I used to belong to, certainly did not live up to its name. They were partisan. The pictures which were shown of Kenyans as savages cutting one another, in the international media and here, are never shown anywhere else by the media in the world. Even when the attack in New York happened, we all watched televisions but did not see bloody scenes.

Mr. Deputy Speaker, Sir, those foreigners wanted to show us as lesser beings, and we played into their hands. I hope it will never happen again. It did not leave any of us proud. Whenever you travel out there, you will still be a Kenyan. They will not say you are on this side or that side. We must, at all costs, protect our image.

Mr. Deputy Speaker, Sir, last week I saw a programme "insight in history", which comes on the national broadcaster, the Kenya Broadcasting Corporation (KBC). The grand late old man, whom I have a lot of respect for, because I spent a lot of time with him when I was a young girl, a wise man, the late Jaramogi Oginga Odinga, said that our colonial masters were never happy at our success.

An hon. Member: At our success?

The Member for Dagoretti (Mrs. Mugo): Yes, he said that. It was there on television.

Mr. Deputy Speaker, Sir, I want to tell this House that not very many people will be joyous when they think you are becoming independent of them. Therefore, when we run down our economy and crave for help, we must be careful that we are not playing and doing what the late Jaramogi Oginga Odinga told us not to.

Mr. Deputy Speaker, Sir, I want to congratulate the President and Prime Minister-designate, Mr. Raila Odinga, for their foresight, and for saving this country from what would have been a terrible catastrophe. However, let us not think that, that is panacea for peace. Peace will not come unless we ourselves are committed to it, and until we decide that we will now tell the truth and care for one another and not try to play to the gallery.

Mr. Deputy Speaker, Sir, I salute hon. Raila, because he has been focused, all the time, on reforms and change. I cannot say so much of several others who have been shouting at the top of their voices, trying to look for who to blame, yet they are the beginning of the mess. We have

several people who served as Cabinet Ministers in the 24-year regime that brought a lot of problems to this country.

At that time, it served them well and they did not say anything. However, time has come for all of us to focus on change. I hope that the change will come from our hearts and our minds. We should not pretend that we are reformers when we are not. If we do that, we will not lead the youth. The youth look up to their seniors. They look up to us, as their leaders, for direction. That is why I agree with the human rights groups that the violence we experienced was pre-planned because the youth are not evil-minded. The youth do what we tell them to do. It is up to us to give proper guidance to our youth and maintain the peace we so much want because we cannot enjoy development of any sort unless we maintain peace.

Mr. Deputy Speaker, Sir, I would like to ask our two main leaders to move at the same speed we used to move at in passing the National Accord and Reconciliation Bill and the Constitution of Kenya (Amendment) Bill and see to it that the Internally Displaced Persons (IDPs) and all those who are living outside their homes are resettled. That power sharing will have no meaning if those masses cannot enjoy it. The only way they will enjoy it is if the quality of their lives can be improved.

Mr. Deputy Speaker, Sir, the first step is to have the IDPs back in their homes. I hope we all saw what happened over the weekend. They were trying to drain rain water out of their tents while we were in our warm beds. When they see us in this House, alongside the two Principals, they think that no one is thinking about them. They wonder what peace we are talking about. This is the time to make sure that this programme moves on. I urge the Minister in charge of this programme to make sure that those people are moved from the make-shift homes.

Mr. Deputy Speaker, Sir, I would also like to ask for improved security. We are still reading about rape cases going on in those camps. Women, children and young boys are being raped. We must have enough security. We have policemen who are trained to handle rape cases. I would like to ask the Police Commissioner and the Minister of State for Provincial Administration and National Security to make sure that a special squad of police is attached to all the IDP camps to guarantee security to our people.

With those few remarks, I support.

The Member for Mutito (Mr. K. Kilonzo): Thank you, Mr. Deputy Speaker, Sir for giving me this opportunity to contribute to the Presidential Address. First, I would like to thank the Almighty God who, indeed, has made it possible for me to be part of this Tenth Parliament. On the same token, allow me to thank the people of Mutito Constituency who saw it fit for me to have a second term to serve them. They showed confidence in the service I was giving them and allowed me to continue for another five more years and make a difference in the constituency in lieu of service to this nation.

The Presidential Address will go to the annals of history as one which was encompassing what Kenyans needed when their lives were at crossroads. As we look at the events which took place there before the elections, and the post election events, we must, as leaders do, away with the culture of impunity. The "do-not-care" attitude must be put behind and the culture of accountability and care put to the fore. Right now, many Kenyans are divided in groups. One group is that of the "haves" while the other one is that of the "have-nots". If you compare the two groups, you will see that the "haves" group consists of only 10 per cent of our population while 90 per cent consists of the masses who are the poor Kenyans.

Mr. Deputy Speaker, Sir, while this is going on, another corruption in the making which will make Anglo Leasing and Goldenberg scandals of yesteryears look like babies is the Kshs10 billion Safaricom Initial Public Offer (IPO). We, who were in the Opposition during the Ninth Parliament, put our feet down and said that we would not allow the sale of Safaricom to go on

before all issues were made clear. However, today, I am surprised that even icons of transparency and democracy have, all of a sudden, decided to bury their heads in the sand like the proverbial ostrich, and are allowing the Safaricom IPO to go on. Kenyans are crying. The Civil Service is crying. Majority of Kenyans out there are saying they want to know who Mobitelea is. This animal called Mobitelea will rip Kshs10 billion from Kenyans at the end of the week. Who is Mobitelea? Who are the people behind Mobitelea? Why are leaders, both in the political class and the Civil Service class having a conspiracy of silence while Kenyans are being ripped off a cool Kshs10 billion?

Mr. Deputy Speaker, Sir, I want to join the voiceless who are out there and crying that the Safaricom IPO be stopped until Kenyans know about the issues surrounding the company. It seems as if the issue is being rushed because a clique of people want to make profits. This is a conspiracy which has been going on; of selling certain parastatals. We are not going to allow this. I call upon hon. Members of this august House to stand with Kenyans out there and say "no" to this grand corruption.

Mr. Deputy Speaker, Sir, Kenyans are experiencing optimism resulting from the power-sharing agreement signed between His Excellency the President, Mr. Mwai Kibaki, and hon. Raila Odinga, and also because of our passing the two enabling Bills into law. However, we should not think that it is now over and remove our eyes from the crystal ball and forget why Kenyans fought. The General Election was just a trigger.

Mr. Deputy Speaker, Sir, what happened to the economic imbalance where some regions benefitted more from the national cake while the others got less? Why is it that when you are identified to belong to a certain community, you are disadvantaged, while when you are identified with a certain community, you are advantaged? That is why I applaud the statement by the Prime Minister-designate, hon. Raila Odinga, when he said that we should just look beyond power sharing. The time is now! Let this go beyond the sharing of power by the political class!

Mr. Deputy Speaker, Sir, let us look at what is happening in the Judiciary. Let us look at the forces! It is no longer an anathema to discuss the forces. Are there communities which are being favoured more than the others? Let us make sure that all the recommendations by the Annan team are not just left at the stage of power-sharing. We want all the task forces and commissions to be constituted so that never again shall Kenyans get to the edge of a civil war!

Mr. Deputy Speaker, Sir, I come from a community which is very disadvantaged and marginalized. When the President was going round campaigning, he went about creating political districts for political expediency. He came to my constituency and the people of Mutito Constituency asked for a district and, because by then I was perceived by the powers that be as politically-incorrect, we were denied a district!

Mr. Deputy Speaker, Sir, when these issues are being addressed, I would like to propose that all the 210 constituencies be made districts!

(Applause)

Mr. Deputy Speaker, Sir, I am surprised when I meet some of my colleagues who tell me that in their one constituency, they have two districts! So, he does not know which District Development Committee (DDC) to attend!

Mr. Deputy Speaker, Sir, I think that a majority of all great nations rise from the ashes. There is America with the American Civil War. The Europeans with their wars-- Maybe, what we went through, as much as we would not have liked it to happen to us, has been an awakening call to make Kenya the hub of business, political realizations or a showcase for Africa for political maturity. I am sure it was not easy for the leaders to come together. We do not want hypocritical

leaders any more. We want leaders who stand for the interests of their people! We do not want leaders who stand for their selfish gains.

Mr. Deputy Speaker, Sir, with all that, I beg to support.

Thank you.

The Member for Bureti (Mr. Bett): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the President's Speech, which was very good.

But first, Mr. Deputy Speaker, Sir, the last time I rose to speak in this House, I was a nominated Member. But today, I stand here as the elected Member for Bureti Constituency!

(Applause)

I want to thank my constituents who are, indeed, great people, for electing me to serve them for the first time in this House. I undertake and promise to work for them with all the might, capacity and energy that is in me, so that they can get value for their votes.

Mr. Deputy Speaker, Sir, I want to thank the President for the Speech that he made. I want to offer a recommendation to that Speech, as a former speech-writer myself. There is need to put a human face in the Speech so that, when it comes out, it is directed to the people, who are human beings. That is the only recommendation that I would like to make to the speech-writer of the President; put in some humour, excitement and some lines so that, as President Mwai Kibaki reads it out there, the people are in touch with him; the people who are listening are linked with him! That is what I would say is a great speech.

Mr. Deputy Speaker, Sir, I also want to thank the President and hon. Raila Odinga for coming together as great statesmen and thinking that this country is bigger than themselves. None of us here is greater than this country. We all are below this country. I want to thank the two men and describe them reverently as people who will live to be remembered by this generation and generations to come, for taking time to think about what was going on in the country, and that it was in the interest of this country to come together. So, I will say in one Swahili word, *hongera*, to the two great men of this country.

Mr. Deputy Speaker, Sir, I also want to note something out of that Speech. As one colleague said, the recruitment into the army and police must continue as it used to be. I want an announcement that the police will be recruited in Bureti Constituency and not through the National Youth Service (NYS). We are already reading mischief in that move. We are already seeing that there are complaints from the police force and, sure enough, there will be complaints from the army. Let it be done the way it has always been done; the way the Kenyan people have always known. That way, there will be order, respect and discipline in each of the forces.

Mr. Deputy Speaker, Sir, in my part of the world, there is a story that is told of an antelope. The antelope is smoked out of its hiding place by the hunters and once it is killed, it is said that the antelope will not blame the person who killed it. It will blame the person who smoked it out of its hiding place.

Mr. Deputy Speaker, Sir, the post-election violence was not caused by the people who were involved in the violence. The violence was caused by the people who "stole" the vote in the first place!

(Applause)

Mr. Deputy Speaker, Sir, it is being said that the violence was planned! I want to say emphatically that it was not! If it was, then the police force was dead asleep. If something was planned, where was the National Security Intelligence Service (NSIS), the chiefs, the DOs and

DCs, who are all over the place? They never heard of the plan to cause chaos and mayhem. Somebody somewhere is telling untruths. That person is the one who is saying that it was planned.

Mr. Deputy Speaker, Sir, I wish to offer another solution! The stealing of the votes was planned! If that is what somebody wants to hear, let us also say the opposite and understand it fairly in one way or the other.

Mr. Deputy Speaker, Sir, that is now the past, and we must not harp on it until Jesus Chris comes back. Life must continue. This country is waiting for the Truth, Justice and Reconciliation Commission. With that, we hope that the issues that are being discussed casually, and being imputed unfairly on other people, will be discussed conclusively and comprehensively. Therefore, we will be able to know who caused all this mayhem and why it happened. Otherwise, if we continue to address it casually, we will always be fighting after every five years. We do not want a repeat of that. We must handle it now; we must tackle it head on, face it squarely and completely resolve it, otherwise we will continue seeing our people killing themselves.

Mr. Deputy Speaker, Sir, land invokes emotive feelings in people. The issue of land must be addressed in a sober manner. It should not be addressed with reference to a few individuals or communities. We must look at it this way: who was where before the colonialists came into this country. When they were removed, how were they removed? Were they removed with their properties or by an agreement? If there was an agreement, what did it say? To my knowledge, the agreement was very simple: we occupy your land and after we are through, you will come back to your land. It never happened after Independence. People came from elsewhere and occupied the land in contravention of what was agreed between the white settlers and the indigenous owners of that land. We want that to be addressed quickly. That can only be done within a new constitutional dispensation.

The other area which was discussed earlier was the provision of seeds and fertilizer to the farmers. It cannot be linked to the issue of the Internally Displaced Persons (IDPs), because rain is not waiting for us to think that way. We must provide the seeds now to the farmers who are able to till their land and plant what we need for tomorrow.

Mr. Deputy Speaker, Sir, the people in camps will require food when they come out. If we do not assist the farmers, who are able to grow food today, even the IDPs will suffer together with the farmers who are not in camps today. We must not link the two, or link them with the visit of the President to the Rift Valley. He is not going to perform a miracle, so that the matter will be resolved instantly when he will be there together with the Prime Minister-designate. Let us be pragmatic and deal with the issue as it is now. Let us provide seeds and fertiliser to the farmers who are able to till their land and there shall be food for those who are in IDP camps.

Mr. Deputy Speaker, Sir, we have just come from a political fiasco. We have also come from an examination fiasco. We are going to another fiasco. That is what my colleague, Mr. J.K. Kilonzo, talked about, the Safaricom Initial Public Offer (IPO). We need to ask ourselves: Who are the key players in the Safaricom IPO? The Chairman of Nairobi Stock Exchange (NSE) is the owner of Dyer and Blair Bank, which is a broking house. He is also the chief advisor to the Capital Markets Authority (CMA). The Chief Executive Officer (CEO) of CMA is a former employee of Dyer and Blair Bank. I think the man who is on top of these things is one Mr. Jimnah Mbaru. We cannot allow this country to be that way in terms of share brokerage. Share buying and share trading is being handled by one man through proxies all round. I want to join my colleagues, and Kenyans, in saying that this issue must not--

The Member for Wajir West (Mr. Keynan): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to use the privileges of this House to impute improper motive on innocent Kenyans without moving a substantive Motion to discuss them? We will be abusing the privileges of this House if we mention names.

Mr. Deputy Speaker: Order, Mr. Keynan! You are out of order in the sense that he did not mention names!

The Member for Wajir West (Mr. Keynan): He mentioned Mr. Jimnah Mbaru, and to me that is a name.

Mr. Bett: With those few remarks, I beg to support.

The Member for Tetu (Mr. Nyammo): Mr. Deputy Speaker, Sir, thank you for giving me this chance to correct an impression that has been created by newspapers that I am no longer in this House. I represent the commonwealth of Tetu, and I would like to take this early opportunity to thank them for electing me to represent them in this Tenth Parliament. Allow me to congratulate the Speaker on his election as the Speaker of this National Assembly. From what we have seen from his rulings, we have a lot of hope. We would like to remind him that the destiny of this National Assembly and, indeed of the country, is in his hands. We implore him to continue making the kind of rulings he has made so far.

Mr. Deputy Speaker, Sir, I want to acknowledge and appreciate the Address by the President during the State Opening of this National Assembly. It is a Speech that is comprehensive, ambitious and stipulates a number of pieces of legislation that will come to this House. Even as we wait for those pieces of legislation, one cannot help but turn to the whipping boy called the Ministry of Education. We have heard a lot of explanations about the fiasco that was the recent Kenya Certificate of Secondary Education (KCSE) examination. The whole country is posing a question to the Ministry of Education, taking into account that we have the free primary and secondary education. The question posed is, education for what? For a long time, we have looked at numbers at the expense of quality. We have ignored technical education. It is time for this country to sit back and take audit of the existing skills in the country. There is no point of us talking about Vision 2030. Vision 2030 can only be driven by people who have education, relevant skills and have the right attitude. I am not so sure that our current education system, as it is, addresses these issues. It addresses numbers. We need to ask, what skills do we have? It does not make sense to continue telling institutions of higher learning to give us manpower who are actually misfits in the economy; manpower which is not employable. Those are people who come from institutions of higher learning and universities and are employable. We must pose the following questions: Why is there that disconnect? Why do we continue churning out students from our institutions of higher learning and they are not employed? Is our education system in tandem with the employers?

Mr. Deputy Speaker, Sir, leaving that aside, let us talk about the recent examinations. It is a concern because we know that, as a country, we have provided well-qualified manpower to the rest of the world. If we put question marks on our certification process, we will be endangering the existing students and professionals who are outside there serving wherever they are. Their qualifications will be queried. It is important that the assurance given by the Minister for Education be taken seriously. Examination leakages and issuance of wrong results should never recur any more. Unless we do that, we are going to continue producing misfits from our educational institutions.

Mr. Deputy Speaker, Sir, I do not have much time, but I want to reiterate to the people that I represent; that is the people of Tetu "commonwealth," yes! I am in Parliament! I am not lost as implied by a certain newspaper the other day. I would like to confirm that I will not let them down.

With those few remarks, I beg to support.

The Member for Bahari (Mr. Gunda): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to address the House. My names are Mr. Benedict Fondo Gunda, Member of Parliament for Bahari.

I want to thank God for making it possible for me to come to this House. I also want to thank the people of Bahari Constituency for voting me in as their Member of Parliament.

I also take this opportunity to congratulate His Excellency the President, hon. Mwai Kibaki and the Prime Minister-designate, hon. Raila Odinga, for signing the Accord which brought normalcy to this country. I look forward to the establishment of the Truth, Justice and Reconciliation Commission. Why? Let the truth come out.

The people of Bahari have suffered a lot of injustice from 1963 to date. A big number of my constituents are squatters. They are squatters because successive high-ranking Government officials, from 1963 to date, have allocated themselves large tracts of land. They have also acquired beach plots at the expense of the locals. When the time comes, I hope that all those who have robbed those poor constituents will come out and say: "Yes! I acquired this piece of land. Yes, I acquired this beach plot, although there were people living there." Then, the people of Bahari will decide whether to pardon them or be considered for that land that was taken away from them.

Secondly, I would like to support the President's Speech and, especially, as far as education is concerned. Let there be a policy to address the plight of pre-primary teachers. Those are very important people in our society and, yet, to date, they do not have an employer they can call an employer. Most of them are employed by parents. Some of them are employed by county councils and others by private owners of those schools. That is happening and yet we know that they are doing a very good job in imparting knowledge to those young kids who will then move on to primary schools and, from there, secondary schools and onwards. I wish to see the Ministry of Education, through the Teachers Service Commission, taking up that responsibility by employing those pre-primary school teachers.

Still on education, we have many self-sponsored students in various universities. In Bahari Constituency, for example, I have over 70 primary school teachers who are pursuing higher education. They are using their meagre resources to educate themselves. I am calling upon the Higher Education Loans Board (HELB) to consider extending loans to those self-sponsored students, so that it can ease the burden of educating themselves.

Thirdly, the President, in his Speech, talked about undertaking the second Mzima Springs Water Pipeline to Mombasa. We welcome that undertaking and look forward to that water reaching Mombasa and benefiting its residents. However, we know that the first Mzima Springs Water Pipeline used to benefit many people living along that pipeline. For example, the people of Kizingo, Kolongoni, Chadzimba and Dzishoni in Chonyi Division were connected to the first Mzima Springs Pipeline. They were enjoying that water. After some time, that water was blocked from entering the pipeline that was serving those people and, instead, it was directed to Mombasa.

We, therefore, hope that when the second Mzima Springs Pipeline is undertaken, those responsible will ensure that water is directed to benefit the people who live along that pipeline. I have in mind the people in Taita, Mariakani, Mazeras, Rabai, Kaloleni and Jibana; where that pipeline used to pass. We would also like to benefit from that pipeline.

Mr. Deputy Speaker, Sir, on the injustices which happened, when we start the reconciliation process, let us come out truthfully. We should give information that we consider will be of benefit to this country, so that the problems we have experienced in the last three months become problems of the past. We want to build one Kenya for every Kenyan. This can only be achieved if, we, as leaders, come out truthfully and address the issues which brought about those problems. Every Kenyan, for example, should be able to live in any part of this country. Let not certain people from certain communities only benefit by being welcomed to live happily with other communities, and when other communities go to their places, they are not given the opportunity to live in peace and do business. That is not the Kenya we want to build.

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

The Member for Wajir West (Mr. Keynan): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. From the outset, I would like to say that the Presidential Address was a product of two great minds. It was prepared by two intelligent great minds. It was an exceptional Address. To that extent, I would like to plead with hon. Members not

to introduce any parochial side-shows whenever they are making contributions to this Address. What we have today, and I can proudly say so, are two great leaders who have met the expectations of every Kenyan.

Mr. Deputy Speaker, Sir, the problems facing this country are a product of many things. Before the colonialist brought us together, we had equivalents of what one would call "many nation states. I am sure each one of us will recollect that we had, for example, the Somali, Maasai and Kikuyu nation states. As a result of the scramble for Africa, we were brought together. This was not by choice, but because of the prevailing situation at that time. There are Somalis, Luos and even Luhyas living on the other side of our borders. We must accept that we are here due what I may call "*a fait accompli*". This is a reality and there is nothing we can do about it.

Mr. Deputy Speaker, Sir, the only worrying trend today is that everywhere, instead of talking about patriotism, we are talking about biological nationalism. This is an extreme adherence to one's genealogical origin. In the context of the modern world, this does not add any value to life. Some of the Bills that are proposed in the Address such as the Ethnic Relations Commission of Kenya Bill and the Truth, Justice and Reconciliation Commission Bill, will go a long way in addressing various issues. We need to see ourselves as Kenyan. We need to forget the cancer of regionalism and tribalism. We have trivialised everything to the extent of not believing that we have one independent country called Kenya. It should suffice to talk about our origins. We all come from different parts of this country, but we must accept that reality.

Mr. Deputy Speaker, Sir, if there is one community that benefitted from the advent of multipartyism, it is the people of northern Kenya. This is a historical fact. Before 1992 we had the District Contagious Act and the emergency laws. At this stage, I want to commend the leadership of parties like the ODM, ODM(K) and KANU, for having affirmed the policy of affirmative action. For the first time in the history of this country--- The Muslims are a minority in the country. To that extent, there are even those who look at the border of Kenya that has been neglected over the years. The kind of reward we have got this time - I am not saying this because of any party - is commendable. I want to challenge those who have been rewarded to use that opportunity as a springboard, not as a benefit to themselves, but to make sure that those in the villages also realise that something commendable has happened.

Mr. Deputy Speaker, Sir, on the issue of the Truth, Justice and Reconciliation Commission, I know quite a number of us have suffered. When my colleague, the brilliant former State House Comptroller, Mr. Bett, was talking things changed. I am not discussing him. But I remember one of the incidents when he was the Comptroller of State House. Things change; you are here today, tomorrow you will be on the other side. These are the realities of life. Let us not trivialise issues that are of national importance. Let us not bring allegations--- The rules forbid; only that you ruled me out. It is illegal; it does not comply with the Standing Orders to bring an allegation here when you cannot prove---

Mr. Deputy Speaker: Order, Mr. Keynan! The Standing Orders are explicit. You cannot impute an improper motive against an hon. Member without bringing a substantive Motion. On any other allegation outside this, you can only ask for substantiation. If that hon. Member can substantiate, fair enough. If he withdraws, that is another thing. But you did not ask for a substantiation!

The Member for Wajir West (Mr. Keynan): Mr. Deputy Speaker, Sir, we need a review of the Constitution. The process we said must be Wanjiku-driven has failed. We need a process that will be Parliament-centred and driven. We must have the blessings of Parliament. We are the legitimate representatives of the people. Therefore, when this Bill is brought before the House, let us not take it to Wanjiku. Let us get the solutions here.

Mr. Deputy Speaker, Sir, various parties in their manifestos have decided to come up with a Ministry to look into issues of northern Kenya. We have been neglected over the years. We need a Marshal Plan to cover education, health and infrastructure. This is the only way we can forget the

kind of neo-colonialism we have been suffering from.

Mr. Deputy Speaker, Sir, I read in a section of the Press that a writ has been issued for Emuhaya Constituency. I believe we need to do the same for Wajir North Constituency. That seat is vacant as a result of an exceptional situation. There was a tie. We were not affected by the post-election violence. For the information of hon. Members, Wajir North Constituency used to be part of my constituency before 1997. I want to believe that we should be fair to the people of Wajir North Constituency, so that they can also have a representative.

Mr. Deputy Speaker, Sir, that region is being ravaged by drought. I want to appeal to His Excellency the President to declare that area a disaster. Of course we are now talking about the IDPs, but because there is no media in that part of the world, I can say that things are in a bad state. If we declare that there is a disaster in that area, we shall attract donors and get food assistance.

Mr. Deputy Speaker, Sir, there are a number of issues that are pertinent to our well-being as a country. These issues are being addressed from both sides. We can no longer talk of this or the other side of the House. We are all one. This is a bi-partisan Parliament. To that extent, let us stop referring to what happened. We know there was a dispute over the presidential election results. That matter is over. We now have a Government of National Unity (GNU), a President and a Prime Minister-designate. Let us forget about the past. Let us inculcate a culture of patriotism. With that, we will move forward.

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

The Member for Bobasi (Mr. Obure): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to join my colleagues in supporting this Motion.

First, I want to thank the people of Bobasi Constituency for electing me as their hon. Member, and for giving me the opportunity to serve them yet again. I also want to take this opportunity to pay tribute to my colleagues, hon. Members in this House, for rising to the occasion last week, and enacting the two crucial pieces of legislation. I believe that the two pieces of legislation will go a long way in resolving the crisis we have just gone through and paving the way for a new order of managing the affairs of this country.

Mr. Deputy Speaker, Sir, I want to thank His Excellency the President for articulating public policy so effectively and so comprehensively. In my view, the President identified the main challenges facing this country and proceeded to set out the agenda for action on a priority basis.

This is action required to heal the wounds inflicted during the chaos and mayhem that followed last year's elections; action to reduce ethnic animosity which has accumulated over the years; action to provide relief to families that lost their loved ones, persons who lost their property, persons who were displaced and now live the life of paupers and so many others who were affected in so many ways. Ultimately, the President identified action to put the economy back on a path of growth and prosperity.

Mr. Deputy Speaker, Sir, action on all these fronts is desirable. It is, indeed, urgent. However, what we desire to achieve in all these fronts cannot be achieved without peace. Peace is fundamental and a prerequisite. It cannot be achieved without trust and honesty on the part of all leaders. It cannot be achieved if leaders continue to be selfish.

Mr. Deputy Speaker, Sir, we, therefore, must develop the goodwill and capacity amongst ourselves as leaders to accommodate each other. We must develop the capacity to be patient with each other, embrace and understand each other's perspective and position.

Mr. Deputy Speaker, Sir, I want to quote from the last two paragraphs on page 12 of the President's Speech because I feel they are very important and very pertinent:-

"The events of the last two months have offered us an opportunity to look inwards and fully comprehend both the weaknesses and threats on one hand and strengths and opportunities we have as a nation. Indeed, Kenyans will always prefer peace over conflict; prosperity over desolation; unity over discord and justice over injustice. This is why on February 28th, 2008, I and hon. Raila Odinga accepted and

signed the National Accord because our people had spoken clearly that they wanted one Kenya in which all lived in peace, justice and harmony."

I congratulate our two great leaders; hon. Mwai Kibaki and hon. Raila Odinga for recognising and submitting to the wishes of the Kenyan people and for appreciating the fact that Kenya and Kenyans' interests are far greater than the interest of an individual or a clique of individuals however powerful they may be. What remains for us is to emulate the example set by these two leaders. I appeal to my colleagues in this House to reconstruct our thinking. Let us change our attitudes. Let us embrace each other because it is the only way we can move this country forward. Kenyans look to us to provide an environment in which they can live in harmony and peace.

The Constitution of Kenya (Amendment) Bill, 2008 and the National Accord and Reconciliation Bill have now been enacted. What we now need is for us leaders, at all levels; from the top to the grassroots level, to develop the goodwill necessary. We need to be committed in promoting unity and to be patriotic. This is important. In my view, these are essential ingredients. We must possess those virtues in order to move this country forward.

Mr. Deputy Speaker, Sir, before my time is up I would like to mention one thing. These menaces of poverty and youth unemployment, in my view, are time bombs. They pose a serious threat to the stability of this country. Once all these things are over, I propose that as a nation, we settle down and start addressing these key issues because the long-term stability of our country depends on how stable our youth are and our ability to reduce the poverty levels in this country.

A few years ago, the Government then - which I served at that time as Minister for Agriculture - came up with a policy to carry out reforms in certain key areas with a view to reducing poverty especially in the rural areas. We embarked on serious reforms in the agricultural sector to try and improve our activities in agriculture, especially in the major sub-sectors of tea, coffee and sugar. We believed, at the time, that they formed the core activities in the rural areas. We went round and held conferences with stakeholders in this sub-sectors. In the case of coffee, we decided to review the colonial Act of 1933 which imposed various limitations on the natives getting involved in the production of coffee. A lot of reforms were carried out. Farmers and researchers spoke. All the stakeholders spoke. The idea was to improve efficiency in the agricultural sector with a view to improving farmers' earnings and therefore, elevating them up from the poverty which has bedeviled them.

Mr. Deputy Speaker, Sir, we brought Bills to this House. Members of Parliament who were here then and are here now will remember what happened. A few Members of Parliament from areas known for coffee production and a few others from areas known for sugar-cane production came together and decided to nullify all the various reforms that had been carried out. They did that at the Committee Stage. What we wanted was to bring competition and provide efficiency in those sub-sectors. However all that was nullified, courtesy of the actions of a few Members of Parliament.

The impact of that has been devastating in the coffee sub-sector. No wonder His Excellency the President wants us to again review the Coffee and Sugar Acts. This is needless in my view. It is only a few Members of Parliament who decided to nullify the various reforms that were being carried out. At the end of it, farmers suffered. In my view, it was needless and selfish on the part of those Members of Parliament. They should be ashamed! If we had done the right thing at that time, maybe, the poverty which continues to be a menace to our people could have been reduced by now.

With those few remarks, I beg to support.

The Member for Eldoret South (Ms. Chepchumba): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this chance. First, I would like to thank the people of Eldoret South for electing me to the Tenth Parliament. I also want to thank God for giving me the strength to go through the electioneering period. I also want to thank God for according Kenya peace through the

agreement that was signed between President Mwai Kibaki and Prime Minister-designate, Mr. Raila Odinga. Indeed, God remembered Kenya. That is why we are at peace at this time.

I also want to congratulate the elected and nominated lady Members of Parliament. Indeed, for the elected lady Members of Parliament, we worked very hard. We campaigned, regardless of the harsh conditions we went through, but managed to come to this Parliament. That is something we need to celebrate about. I also want to congratulate the Kalenjin men, because most of the lady Members of Parliament came from the Rift Valley Province. Every sub-tribe is represented here. I

feel that men from other communities should borrow a leaf from the Kalenjin men. They have gone beyond looking at women as just being meant for the kitchen. They know that women can also perform, given a chance.

Mr. Deputy Speaker, Sir, there are a few issues I would like to highlight. The first one is on agriculture. We, indeed, know that the agricultural sector is very important. It provides food. It also provides employment directly to the people of Kenya. It is also a source of foreign exchange to our country. However, of late, the prices of fertilizers and diesel is of great concern. One 50-kilogramme bag of fertilisers goes for Kshs4,000. That will do a lot of harm to this sector. I know that most farmers will not be able to produce in the way they did in the past. I am sure that even the acreage of maize, wheat and most of the arable crops will reduce. This will have a negative effect, especially on food security and employment since agriculture is a major source of employment, many people may be rendered jobless. That will not be good.

Another issue I would like to raise is on education. Nursery school education should be given emphasis since it is the foundation of a child's education. This is the level at which the Kenyan child's educational foundation is based. I feel that the Government should employ teachers teaching in nursery schools to improve education in our country. I was also a teacher. There is nobody among us here who did not go through the hands of a teacher. At all levels, teachers are very important. Increasing the salaries of teachers will motivate teachers, who will work very hard to boost education in this country. I am not only speaking for primary and secondary teachers, but also for lecturers in tertiary institutions of learning.

Mr. Deputy Speaker, Sir, another issue I would I would like to raise is on peace. Peace is paramount to this country. Of late, there are arrests being made in various parts of the country, specifically in the Rift Valley Province. I feel that this should be stopped, if we want peace. Let us wait for the formation of the Commission on Truth, Justice and Reconciliation and allow it to find out the causes---

Mr. Deputy Speaker: Order! Order, hon. Member! I now have to call upon the Mover to reply.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Thank you, Mr. Deputy Speaker, Sir. At the outset, I wish to take this opportunity to thank all the colleagues who, in record numbers, have participated in this debate, allowing it to run the full course of Seven Days. You can even see that many more hon. Members, including the Member for Eldoret South, who was cut short, were willing to speak. Therefore, I want to acknowledge the very high quality of debate. I know that the Tenth Parliament will live up to our people's expectations.

Mr. Deputy Speaker, Sir, all manner of issues were touched upon. Of course, everybody, without exception, has come out in support of the Presidential Address. I have not heard one hon. Member saying that he or she is opposed to the remarks that His Excellency the President made from the Speaker's Chair, addressing the pertinent issues facing our country. Therefore, I continue to say: "Thank you God for saving this country." It was the closest we came to disaster since Independence. I recall, when I went to see the President of Rwanda - I think I touched on this during my remarks - His Excellency President Kagame said: "We are not so much touched by what has gone on in Kenya because you happen to be our economic lifeline, but because of the events following the election. The post election violence reminded us, as Rwandese, of the terrible events we went through in 1994."

I would like to ask that for those hon. Members of the Tenth Parliament who may not have had occasion to travel in that region, now that occasion is providing itself, they travel to Kigali and see how close we came to disaster. They have a museum there, clearly showing close to a million Rwandese who died in the 1994 genocide, while the whole world watched. I know that we are all concerned about justice for our people and ourselves. We are all concerned about lifting the standards and quality of lives of our people. Therefore, as we all begin to talk about Vision 2030, we have to begin, as leaders, by having a clear vision.

Mr. Speaker, Sir, the vision we have is what His Excellency the President elaborated. For instance, the need to have a commission to deal with negative ethnicity in our country cannot be gainsaid. The President came out so forcefully on that issue. I remember that is what the international media captured. They said that this is the one country that wants to stop this thing, stop it, nip it, literally, in the bud.

I have just come from addressing a conference of head teachers. I am happy that the Member for Eldoret South is pleading the cause of teachers. This was a conference for provincial head teachers, which is one major conference since the year began, because everything came to a standstill following the December, 27 elections. Now, teachers are even beginning to organise themselves. More than 1,000 head teachers gathered in Machakos today. Their theme was national unity, because they realised that the post election violence affected everybody in the country, including people in parts of the country where there was relative calm, like Eastern Province; because of the fact that we are all inter-related by birth or marriage. Whatever relationship one may have with other people, one cannot begin to hurt in Wajir and think that somebody in Isebania is not feeling the effect. We are one country which has grown to be so close. That is why the disaster that befell us was so devastating. The head teachers, like all of us, are saying there is need for national unity. Therefore, closely following in the theme by His Excellency the President in his Address from the Chair.

Therefore, it behooves us to begin reflecting solidly on those core national values that are important, which have brought us this far. This far we have come. This far, we have also learnt plenty. Everybody needs everybody else. This is one country with 43 communities and no community can claim to exist on its own. Tanzanians were fortunate under Mwalimu Julius Nyerere. They embraced Kiswahili as a national language. They all speak Kiswahili and yet, there are more communities in that sisterly country than we have in our country. They are all closely knit together. Therefore, after President Kikwete won the elections, some Kenyans were heard to ask: "What tribe is President Kikwete?" Tanzanians laughed at us because we are always thinking tribal. Even the way we came into this House is testimony to that fact: We allowed ourselves to think tribal. Even the men of the collar - the church and the religious community - perhaps only with the exception of the Moslems and Catholics who stood together, people were divided along ethnic lines. That is a shame for all of us! This is why the President was so clear that there is a need to come up with a legislation governing ethnic relations in this country. For once, we shall be able to say with one accord that, never again shall a Kenyan take a machete and rise against another Kenyan.

Mr. Deputy Speaker, Sir, that is why we continue to feel sympathy for our people who are still living as internally displaced Kenyans; refugees in their own country. I want to plead with all of us, as Mr. Kiunjuri observed from this place, that there is absolutely nothing for us to celebrate when so many of our people are still--- Even now the rains have come in. They are living under flooded tents. There is a real possibility of infectious diseases catching up with them. I have just seen a report by the Minister of State for Special Programmes, who is now walking into the Chamber. In trying to answer the Question by the Member for Laikipia East, she said that, at least, they are doing something to make sure that IDPs do not perish. We have to do whatever it takes to give comfort to those people. Even as we now prepare to ask ourselves the hard questions through the Truth, Justice and Reconciliation Commission--- The hard questions like: Why did you kill my

brother? Why did you rape my sister? Those are the hard questions that Kenyans will have to face in order to bring true national healing and reconciliation.

I understand that the issue of land is key. Our forefathers fought and shed blood in order to make this country free. The core issue then was land. Did we not learn in primary schools the concept of the former white highlands which the whites came and said: "This is our country!" Now, as we think of the matter of addressing those historical injustices through the review of the Constitution--- I liked it very much when His Excellency the President said that even Mr. Orenge, the Member for Ugenya, could actually write the Constitution! That is because we all know the issues. We all know the sticking issues! The balance out of the Bomas of Kenya process is very clear in our minds. The issues of the executive authority which are now being addressed and the real change that has come to this country which we all know and acknowledge as irreversible--- Change is here with us and that is one thing that we were able to address out of Bomas.

Mr. Deputy Speaker, Sir, the matter of devolution is, perhaps, one of the sticking issues that we need to address and give our country a new Constitution, the type that will be able to stand the test of time.

As I said, there comes a time when, indeed, there has to be a constitutional moment. I want to suggest that the constitutional moment for Kenya is here with us. If Shakespeare had lived in the 21st Century, he would have, probably, said the following:-

"That there is a tide in the affairs of countries; taken at the tide, it leads on to fortune; abandoned, the rest of the life is lived in shallows and misery."

There is a tide in the affairs of this land! We have to capture this tide. We have a high tide and we dare not let our people down. This high tide will definitely lead on to fortune. It will lead onto success in the fight against poverty to which all of us are committed and to which, His Excellency the President was able to come out so solidly.

This morning, the head teachers from Eastern Province said, in applauding the success of the free secondary education - call it affordable secondary education - felt that those day schools - because at the level of day schools, it is completely free--- But where they do not reach a registration mark of 40 students, they do not seem to be getting support from the Ministry of Education. I indicated to the head teachers that I will bring that matter expeditiously to the attention of the Minister for Education, Prof. Ongeru. I am happy that he is already very much with it. But even as we applaud the concept of free secondary education, the success of free primary education is clear to all of us. The journey is still on.

I want to reply very briefly on the matter of fertilizers because, again, I remember the hon. Members for Bureti and Eldoret South speaking about it. I had an occasion to try and reply on behalf of the Ministry of Agriculture. When I came in, in fact, all the facts had not come to the fore. The facts are as follows: The fertilizer used in Kenya is imported from many parts of the world and, therefore, the prices are determined by the prevailing world market. During the last three months, international FOB prices for the popular planting fertilizer which we call DAP rose from US\$695 to US\$987. That is attributable to the increase in demand for the fertilizer in USA and Brazil for planting maize on 9 million acres of new land for the production of biofuel. Hon. Members have realised that Virgin Atlantic was able to fly a biofuel propelled aircraft last month. Therefore, the matter of biofuel is becoming absolutely interesting worldwide.

The other reason is increased demand for fertilizers by farmers in Europe for wheat production due to the high world prices being experienced for that commodity worldwide, as well as increased fertilizer production costs attributed to high prices of crude oil. I think hon. Members will have realised that the price of crude oil has risen from US\$70 per barrel to US\$109. All that has a knock-on effect even on the prices of fertilizer.

Obviously, the recent political turmoil increased the risk of loss or damage for goods on transit. It had a great impact on the transportation of goods from our Port of Mombasa up-country. However, that matter was sorted and I, personally, do not see why the middle men, whom I referred

to, should have been allowed to take advantage of the situation.

Mr. Deputy Speaker, Sir, during the same period, the demand for shipping capacity by China - that is because China is emerging as a real world power for construction material - can you believe it - increased and has hence resulted in the rise of freight rates from US\$70 per metric tonne to US\$140. The resultant effect is a sharp price in the domestic fertilizer market. The prices have risen from Kshs1,850 to nearly, as hon. Members have said, Kshs4,000.

Everything possible will be done to make sure that our people receive fertilizer in the next few days. In fact, specifically, there will be distribution of fertilizer to the most vulnerable members of the farming community.

I want to appreciate that it has been tremendous listening to all hon. Members. I want to take this opportunity, at a personal level, to thank the people that I have represented for over two decades--- This is going to the 23rd year! The people of Mwingi North have, every time, re-elected me with an increased majority. I do not have words to thank them. I think it would be remise for me and, as I reply to debate and listening to all of us--- Everybody here was full of praise for his or her constituents.

Mr. Deputy Speaker, Sir, I want the people of Mwingi North to know that I love them. I will rededicate myself to serving them. The challenges that are before us are very clear in terms of infrastructure and the fight against poverty. My friend, hon. Maj-Gen. Nkaisserry, knows that the problems in Kajiado Central are pretty close to the ones in Mwingi North.

Again, at another personal level, I did not hear any hon. Member commend me because I stood out there, and I was hoping that I would pass in the middle of President Kibaki and my friend, hon. Raila.

(Laughter)

I nearly did. I had hoped if I did, then probably what we have gone through would not have happened. However, I commend these two friends because they are friends, indeed. I congratulate those who voted for President Kibaki and hon. Raila. I want in a special way to thank the nearly one million Kenyans who actually put their trust in me. I know that some of my colleagues even went to Orange Democratic Party (ODM) and left us in Orange Democratic Party-Kenya ODM (K). I know there were people who had to make hard choices between Mr. Raila and myself. Please, feel that we are together again.

Mr. Deputy Speaker, Sir, let me remind you of what hon. Reverend Jesse Jackson said. When he was running for the presidency of the United States of America (USA), just like Barack Obama who is of Kenyan origin and is almost making it. The Reverend Jesse Jackson said of Michael Dukakis who was of Greek origin that their forefathers came to the United States in immigrant ships and Jesse Jackson and his forefathers came to the USA in slave ships. He studied divinity and Michael Dukakis studied law, but he said: "Whatever the original ship or boat, we are in the same boat this particular night" because they were all trying like Hilary Clinton and Barack Obama, to run for nomination of their party.

I am, therefore, saying we, as Kenyans, whatever the original boat we are on in this Tenth Parliament, we have the same mission. Some have come through ODM-(K) like senior counsel, Mutula Kilonzo, the Member for Kangundo, hon. Muthama and myself. Others have come through ODM, while others through the Party of National Unity (PNU). However, I believe it is high time we moved forward. Today, this Tenth Parliament has witnessed the highest number of people who have come in through different parties like Safina and other parties that, perhaps, I may even have forgotten. Whatever the original boat that brought us to the Tenth Parliament, hon. colleagues, we are in the same boat tonight. We owe it to our people to deliver the change that they have been yearning for. We owe it to our own constituents to fight poverty and make this country safer and a better place to live in.

Mr. Deputy Speaker, Sir, once again, I am truly grateful for all the wonderful contributions that have been made here. Even as we have come through Easter, there are those of our people who perished through road accidents. They were about 83 of them. I have just transmitted the matter raised by the hon. Member for Kaiti, hon. Ndambuki, to the Minister for Transport. There are those who still maintain a culture of impunity. We hope, at some stage, as we go through truth and reconciliation, we will say no to impunity to law. My friends, if we do not uphold the rule of law in this country, history will judge us very badly. If we actually say there is nothing we can do and give in to impunity, that you can kill your neighbour and commit gross violation of human rights and get away with it, and continue to pretend that you are in the same country, my humble submission is that you are in the type of country we would never want to live in.

Mr. Deputy Speaker, Sir, I want to, once again, thank all the hon. Members for a wonderful debate and contributions. I also want to thank His Excellency the President and hon. Raila for doing all of us proud.

I beg to move.

(Applause)

(Question put and agreed to)

MOTION FOR THE ADJOURNMENT

ADJOURNMENT TO A DAY OTHER THAN
THE NEXT NORMAL SITTING DAY

Mr. Deputy Speaker: I now call upon the Leader of Government Business to move the Motion of Adjournment.

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

THAT, this House do now adjourn until Tuesday, 15th April, 2008.

Mr. Deputy Speaker, Sir, this Motion has been necessitated by several factors. I think, first, we have to congratulate ourselves because we started big time. We did this country proud, and I believe the African continent as a whole. As we witnessed the emergence of a possible conflict, we all rose to the occasion and put it to an abrupt end. President Kibaki and hon. Raila, after signing the famous Accord on the 28th February, 2008, decided that there was need to recall Parliament slightly ahead of schedule. Ordinarily, the Tenth Parliament should have reconvened about this week. In fact, the original estimation was last Tuesday, 18th March, 2008, or thereabouts. But President Kibaki and hon. Raila agreed that they needed to reconvene the House in order to pass the two critical pieces of legislations including the all important Constitutional amendment. We all rose to the occasion and did not let them down. We debated those two Bills including getting the new Members who were nominated sworn-in. The rest of us were sworn-in, I think on 15th January, if I am not wrong.

Mr. Deputy Speaker, Sir, therefore, ordinarily, the House will adjourn until just about the time when we will then be called upon to come listen to the Annual Estimates by the Minister for Finance. But we want to make a record during this Tenth Parliament by working very hard and justifying every penny we earn as Members of Parliament. But it so happens that as a result of the National Reconciliation and Accord Act, there were some ensuing legislation that would clearly demand enactment. I am sure you will agree me, although I think, either the Minister for Justice and Constitutional Affairs, hon. Karua, with your permission, Mr. Deputy Speaker, or hon. M. Kilonzo, or hon. James Orengo who is here and the other colleagues on that side will want to elaborate. I am referring to the eight member team that did so well in trying to come up with the

negotiated settlement to the problem that was facing our country. Clearly, there is need to come up, for instance, as the President indicated with an Ethnic Relations Bill, Truth and Reconciliation Bill and in addition to the many other pieces of legislation which need preparations. We found that it is an opportune time to adjourn for slightly over two weeks. You must have noticed also except today when we had three or four Questions--- Many Members of Parliament may have Questions which they will wish to direct to various Ministers of Government but again we have been dealing with a half Cabinet. I am sure that President Kibaki and the Prime Minister-Designate are working round the clock to ensure that there is a new Cabinet to which then the Members can relate. I think there is need for a very well-earned break in order for us to get prepared for serious business, including giving time to the Minister for Finance to work hard and come up with Supplementary Estimates to make sure that services that our people expect from this Government do not come to a grinding halt.

Mr. Deputy Speaker, Sir, it is necessary for us to go on this adjournment. I want to urge all honourable colleagues to agree with the recommendation of the House Business Committee (HBC), which had to hold a special session this lunch hour. I want to thank Ms. Martha Karua for very ably chairing that session while I was talking to the headteachers at the provincial level. It is clear that it was a unanimous decision that we need to adjourn for two-and-a-half weeks. During this time, we should all manage to visit all those people who are suffering. I think it is about time we went visiting each other, so that we know each other better. There are many new hon. Members, and I think it is important that we have thanks-giving and home-coming parties. It should not just be going out there to celebrate but also to thank our people wherever they.

Mr. Deputy Speaker, Sir, this break will give us the opportunity to meet our people.

My time is up, and I beg to move.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Deputy Speaker, Sir, I beg to second this Motion of adjournment. Indeed, we need to retreat and generate business for the House. We need to accelerate the Bills that were agreed upon at Serena Hotel and by the principals when they signed the National Accord. We also need to retreat and enable formation of the committees of Parliament, which will enable Parliament proceed with its business.

Mr. Deputy Speaker, Sir, I want to clarify certain matters. As hon. Members will recall, on 18th, March, which was Tuesday last week, I laid on the Table of this House the several documents that had been signed by the negotiating parties at the Serena Hotel, together with the National Accord and the Bills that accompanied it. I have heard several hon. Members refer to the Truth and Justice and Reconciliation Commission. I want to say, from the outset, that on the 1st, February this year at the Serena Hotel, in the first document we signed, we agreed that we would ensure impartial, effective and expeditious investigations into gross and systematic violation of human rights, and that those found guilty would be brought to justice. That will be across the board.

Mr. Deputy Speaker, Sir, this meant that this House is totally committed to the rule of law. It is also committed not only to our laws but also to international laws, which clearly indicate that people cannot get away with gross violations of human rights. There can be amnesty, but not for certain criminal offences.

Mr. Deputy Speaker, Sir, for once, I would encourage hon. Members to seek the Papers laid on the Table, which were also published in the newspapers, so that we have the same understanding of what is happening. Yes, we did agree that there should be a Truth, Justice and Reconciliation Commission, but it is not, and was never, intended to take the place of police investigations, or take the place of the law enforcement agencies. In fact, the terms of reference of the Truth, Justice and Reconciliation Commission, for which we are now trying to expedite a Bill to enact, are clearly spelt out in Document No.7, dated 14th, February, 2008, which was laid on the Table of this House. The document clearly states that there will be no blanket amnesty that will be provided for past crimes. However, it says that individual amnesty may be recommended by the Commission in exchange for the full truth. That will be in a law to be enacted by hon. Members of

this House. I am, therefore, appealing to hon. Members that, as we go for the two-week recess, we should support the process of identification and prosecution of perpetrators of gross human rights abuses. We cannot build a peaceful and prosperous Kenya if we are to encourage the culture of impunity. We cannot tell people that today they can murder, loot and destroy property and all will be well. This should be across the board. Let the investigators do their work. Let the Commission, when it is set, do its work so that it recommends the way forward on how we should behave in future so that we do not go back to the situation we were in. However, the message must be loud and clear, that whatever the grievances, gross violations of human rights are not acceptable.

Mr. Deputy Speaker, Sir, I also want to comment on the Commission of Inquiry into the Post-Election Violence which is yet to be formed, otherwise referred to as the "Baby Commission" by those who were in the negotiations. This is not meant to take away the role of the police or other law-enforcement agencies in investigations. It is supposed to prepare and submit a final report containing its findings and recommendations for redress or legal action or measures for future prevention to the Truth Justice and Reconciliation Commission.

It is true that, eventually, these commissions may recommend amnesty for minor offences where not so many people can be taken through the process. However, we all must accept that the law does not allow compounding of felonies. So, major offences must go through the motions. Let us all support the process. Put yourself in the shoes of the person who is aggrieved and agree that the process should move forward.

Mr. Deputy Speaker, Sir, these documents also recommend finding of lasting solutions to the land problems and historical injustices which cut across the board. Let us identify with the processes.

I beg to second.

(Question proposed)

Mr. ole Ntimama: Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute on this Motion of Adjournment. I think it is right for us to go back to our constituencies for the two weeks and try to continue spreading the healing process. I want to say very clearly, as I have said before, that we want fairness.

Mr. Deputy Speaker, Sir, we want everything to be seen to be done - as the Minister has said - across the board. Some people are only mentioning areas where crimes were committed and leaving others. For example, a few people in Eldoret have been taken to court and prosecuted but the people who burnt families alive in Naivasha have not been touched.

(Applause)

The Minister for Justice and Constitutional Affairs (Ms. Karua): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to mislead this House in relation to the people who committed atrocities in Naivasha, that none has been arrested when some of them have appeared in court and investigations are still going on?

(Applause)

Mr. ole Ntimama: Mr. Deputy Speaker, Sir, I agree with that, but it should be publicised properly.

It is also true that the police cannot investigate these crimes when they are part of those who committed crime. It has been said by human rights people, here in Nairobi and all over the world, that the police are responsible for as many as 70 per cent of deaths of those people who were killed in the violence.

Look at Kibera, for example; you could see tear gas canisters being thrown into houses through windows while poor people came out of the slums and were shot in cold blood.

Mr. Deputy Speaker, Sir, I am saying that because I, definitely, want the police to be included in the crime. How can the police go and investigate that crime when they, themselves, are culprits? They, themselves, killed several people during the violence!

Mr. Deputy Speaker, Sir, it is true that unless we get fairness, things will not be very good again.

Now, Mr. Deputy Speaker, Sir, the last one! I want to say very clearly that I saw the two Principals speaking in this House the other day.

Mr. Deputy Speaker, Sir, I was so impressed because both of them are willing, committed and they want peace. But we have, from both sides of the House, a few crackheads who still do not want peace in this country. We know what is happening. We ask them---

Mr. Deputy Speaker: Order, Mr. ole Ntimama! That is not parliamentary language! Withdraw that word!

Mr. ole Ntimama: I cannot hear you, Mr. Deputy Speaker, Sir!

Mr. Deputy Speaker: Order, Mr. ole Ntimama! "crackhead" is not parliamentary language! Could you withdraw that word, apologise and proceed?

Mr. ole Ntimama: I do not know whether "crackhead" is not parliamentary! But, definitely---

Mr. Deputy Speaker: Order, Mr. ole Ntimama! The Chair rules that it is not parliamentary. It is un-parliamentary! Please, could you withdraw that word, apologise and proceed?

Mr. ole Ntimama: Is it un-parliamentary, Mr. Deputy Speaker, Sir, when I say "crackhead"?

(Laughter)

Mr. Deputy Speaker: Order, Mr. ole Ntimama! I have said that it is un-parliamentary. It has been so ruled! Please, could you withdraw that word, apologise and proceed with debate?

Mr. ole Ntimama: With all due respect, Mr. Deputy Speaker, Sir--- I have a lot of respect for you! What do I withdraw? What do I apologise about? Which word? Which sentence do I withdraw and how do I apologise?

Mr. Deputy Speaker, Sir, lastly, I want to say very, very clearly---

*(Mr. Deputy Speaker consulted
the Clerk-at-the-Table)*

Mr. Deputy Speaker: Order, Mr. ole Ntimama!

Mr. ole Ntimama: *Mimi sitaki!* I will not withdraw because I said nothing! What have I said? There is nothing I should withdraw!

(Laughter)

Mr. Deputy Speaker: Order, Mr. ole Ntimama! This is the supreme institution of this country; it is the Legislature! Parliament! The authority of Parliament is vested here, in the Speaker's Chair! I have given a ruling that "crackhead" is not a parliamentary word. Could you withdraw that word and apologise?

Mr. ole Ntimama: I will leave because I do not think that the word "crackhead" is un-parliamentary!

I think it is unfair for you to tell me to withdraw or apologise for something that is normal

and that can be said here.

Mr. Deputy Speaker: Order, Mr. ole Ntimama! You will leave the Chamber now!

(Applause)

*(Mr. ole Ntimama withdrew
from the Chamber)*

Prof. Gumbo: Thank you very much, Mr. Deputy Speaker, Sir. I wish to support the Motion for the Adjournment. I think it is appropriate that hon. Members take a break to reflect on the issues that we have discussed since the opening of Parliament.

Mr. Deputy Speaker, Sir, as we adjourn, I want, on a personal note, to reflect on the matter of the examination results. I was about to put a supplementary question to the Minister, but I did not get the time. The debacle with regard to the examination results is, to me, a very serious issue. What I thought the Minister spoke about was to try to justify the position of the Kenya National Examinations Council (KNEC), which I do not think is right.

I should have expected the Minister to talk about something like, say, constituting an independent audit, so that Kenyans may know exactly what happened. The sort of things you hear these days when exam time comes makes you begin to wonder. Is it probably right that we should now start thinking about having exams printed outside this country? It appears that from the time we started having exams being printed within the country, many things, especially to do with leakages, are becoming more and more frequent. Indeed, these days, it appears like our exams are leaking more than our ordinary baskets and that does not augur well for us.

Mr. Deputy Speaker, Sir, we seriously need to re-look at our education system in totality.

Mr. Deputy Speaker, Sir, sometimes somebody would come into the office with a masters degree certificate, and when you read the letter of application that is presented to you, you wonder if it is the person or it is our education system which is wrong. I am amazed when I see people who hold masters degree certificates having problems with basic things like the possessive "their" and the word "there" or the singular "this" and the plural "these". I think we really need to re-look at our education system in totality, because I believe it serves a vital purpose in national development. Some of the things we see do not augur well for us.

Are our institutions of higher learning living by their vision and mission statements? Sometimes when you look at all our institutions from Masinde Muliro, Egerton, Moi, Nairobi, Jomo Kenyatta University of Agriculture and Technology and Kenyatta Universities, you have to ask yourself whether they are living by their mission and vision statements. I know there will be a lot of denials. I happen to have been at our local universities for both my under-graduate and post-graduate degrees, and I know some of the things that I am talking about. I know that when you talk about those things in this august House, the managers of those institutions go into denials and unions will say that we should not be saying those things and so on. I am of the opinion that some of these things must be much be said.

Mr. Deputy Speaker, Sir, in my view, some good sections of our universities are slowly turning into factories. You will permit me to say so. I think some of the good sections of these universities are turning into factories for manufacturing what I would call - for lack of a better word - STDs. That means "Sexually Transmitted Degrees". That is not acceptable. We need to have our universities living up to the expected standards, and producing degrees which are respectable both within and without Kenya.

With those remarks, I beg to support the Motion of Adjournment.

The Member for Siakago (Mr. Kivuti): Mr. Deputy Speaker, Sir, I thank you very much

for having seen me. I have been here for quite sometime, trying to catch your eye. My name is Lenny Kivuti, Member of Parliament for Siakago.

While supporting the adjournment, I would like to make a few comments, which would have been part of what I would have said earlier on. While thanking the people of Siakago for having elected me in my first attempt, I would like to take this opportunity to say that it gives me a lot to pleasure to be able to re-live some of the dreams that I have always had. Part of that dream is how to make Kenya and Africa get to the First World. Without having to go into detail, because I do not have ten minutes, I may wish to thank the President and Mr. Raila for making the environment in Kenya conducive for us to work towards implementing what we promised our electorate. The biggest problem we have in Kenya is compounded by poverty. If we can tackle poverty, we will end up finding a solution towards making Kenya become a First World country. On how to tackle poverty, I am looking at two issues. The first issue is what I would call settlement. Settlement can generally be looked at as solving the land problem. To solve the land problem is not an easy thing. I happen to come from a domain that deals with land. If we are going to solve the land problem, over and above changing the policy, we must be in a position to look at the land management strategies which, in my opinion, must include some electronic way of storing our land information data. I am thinking about issues like making a land use master plan which is digital and stored in a Geographic Information System (GIS) and things like that. If we reached there, we would be talking about security of the documentation that we put about land.

Secondly, if we are going to think about eradicating poverty, one of the issues which comes with infrastructure and real development is developing the knowledge base. The world economy today is based on the development of the knowledge economy. That means developing our knowledge. There is so much knowledge in this country and even in the diaspora. If we tapped into it, Kenya would be flourishing in less than three years.

Mr. Deputy Speaker, Sir, without having to talk too much about what can be done in Kenya-- I do hope there will be another chance in the future that one, maybe, would bring out more issues. I have in mind the occasion when we have ten minutes to speak.

I beg to support.

Maj-Gen. Nkaiserry: Thank you, Mr. Deputy Speaker, Sir. I stand to support this Motion. It is important that we go back to our constituencies to help in the healing process. I would like to start by commenting on the issue of security. Nothing will happen in this country unless we guarantee security. There is no development without security. There will be no security without development. So, as the Government looks for ways of improving the infrastructure, it will be very important that fairness is used. That is because if you look at the situation obtaining in Mt. Elgon and Laikipia - the issue of small arms proliferation-- How do you disarm one particular community and leave another community with arms? It is very important that a proper programme is put in place to support that.

It is also very unfair, as we discuss issues of security, for Members of this House to keep on piling blame on the security organs of this country. It will make the security organs of this country ineffective. If you do not have any evidence, then you should not come forward and accuse the security organs of this country. That is because they are supposed to provide that security which we very much need. But if you have evidence, you should submit it to the proper agencies of this country. That way, that particular security service will be dealt with.

Mr. Deputy Speaker, Sir, this afternoon we were talking about issues affecting the Ministry of Education. There was a Ministerial Statement issued by the Minister for Education. He talked about provision of a special programme for the Arid and Semi-Arid Lands (ASALs). I come from an ASAL area, but I am not aware of such a programme. I have been an hon. Member for the last five years. It is very important for Ministers of any Government to come forward and tell Kenyans,

through this House, the truth. I am not aware of this special programme. I would like to be enlightened about it.

Mr. Deputy Speaker, Sir, impunity, corruption and ethnicity should not rear their ugly heads in this country. We call upon the two principals, that in the process of forming a new Government, which should have been done yesterday--- We are going on recess because we do not have a full Government. We need a full Government, which is free of corrupt individuals. We do not want a Government with corrupt individuals. I do not understand why hon. Members are not applauding!

(Applause)

Do you want a Government of corrupt individuals? We want a Government of "clean" people, those who will stand for the unity of this nation. They say that leadership must guide the process of change. We must provide leadership, as hon. Members of the Tenth Parliament. It is important that when we are here, the whole country looks upon every hon. Member to provide leadership in cohesion, unity and friendship of all Kenyans, because we belong to this country.

Mr. Deputy Speaker, Sir, on the issue of land, I must say that the British were not in this country in the 18th Century. The people who were ruling the plains of Kenya belong to a community called the "Maasai". Issues of land must be addressed by the Truth, Justice and Reconciliation Commission, so that the people whose land is being fought over by other communities, reverts to its rightful owners. That is very important, so that we can even give land for free to the communities which are in need of it instead of fighting over it.

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

The Minister for Foreign Affairs (Mr. Wetangula): Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. I support this Motion for the simple reason that we have no business to transact. I hope that we will come back and find sufficient business for the House to carry on. Indeed, at the House Business Committee, where I am privileged to sit, we did agree that by adjourning today, we shall forego the normal and usual three weeks adjournment just before the Budget, so that we sit right through the Budget to give a proper account of our being here.

Mr. Deputy Speaker, Sir, I want to urge all of us that as we adjourn, we should not end up praising the Accord and the handshakes that we have witnessed by talking on the Floor of this House. It will be very good for Kenyans to see the good old retired Maj-Gen. Nkaisserry appearing in my constituency with me to tell---

Maj-Gen. Nkaisserry: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for this Minister of the Government of the Republic of Kenya, who supports foreign interests, to say that I am an "old retired Maj-General"? I am not old! I am just within half a century!

(Laughter)

The Minister for Foreign Affairs (Mr. Wetangula): Mr. Deputy Speaker, Sir, I thought I referred to my good old friend with the greatest dignity that he deserves!

I want to see a situation where we are all seen together in the countryside. We should not just appear in the newspapers preaching and saying that we need peace, unity and cohesion. We should go out there, meet *wananchi* and show them that we are truly embracing the spirit of healing and unity. I would like to tell the good old Maj-Gen. Nkaisserry that I am ready to visit his constituency next week, so that we tell the people of Kajiado Central Constituency that they and the people of Sirisia Constituency are one and the same; they are all Kenyans. We should do that

all over the country. I just want to mention one point even as we talk about the Truth, Justice and Reconciliation Commission. This is the issue of land. This Parliament, more than any other Parliament in this country, has a unique opportunity. Sitting here and listening to my colleagues, I must pay tribute to the fact that we have, perhaps, one of the best calibres of Members of Parliament that we have ever had in any Parliament in this country. One of the good and living legacies that this Parliament can give to this country is a major land reform.

Mr. Deputy Speaker, Sir, this country must move away from the belief that, to be somebody in society, you must own land and carry a title deed. With the growing population, and with only 21 per cent of our country being arable and suitable for human habitation, we must tell Kenyans that we can be proud of ourselves even without land ownership. The flare-up we have seen in Rift Valley Province, Trans Nzoia, Mt. Elgon, Laikipia, Marsabit and everywhere else, is all about land. How do we dissuade Kenyans that you can live a decent life or you can be a great and successful Kenyan without carrying a title deed in your briefcase? This is where the problem lies!

I think those of us who come from areas that are endowed with rain and arable land, must tell our people that the future of this country does not lie in segmenting and cutting land into small pieces of half an acre or one-quarter of an acre until it is unproductive, rather we must go out there and embrace change. We need to encourage Kenyans to go and live in urban centres so that we can leave land for food production.

Mr. Deputy Speaker, Sir, we have seen the resilience of Kenya. During the upheaval, the Kenya Shilling dropped to Kshs74 to the US Dollar. In the last two weeks, the Kenya Shilling has strengthened to just about Kshs61 or Ksh62 against the US Dollar. This is how resilient our country is. If we can all work together, I am sure that in another one month, we should pull down the shilling to Kshs50 to the US Dollar to enable the economy grow even faster. Let us walk the talk. Let us preach and say what we believe in. Let us unite Kenyans. Let us go out there and walk together and talk together.

Mr. Omingo: I thank you, Mr. Deputy Speaker, Sir, for this opportunity to contribute and support the Motion of Adjournment. However, I want to highlight two or three issues that we must go home with. I remember when the President of the Republic of Kenya went to KICC for prayers, and when he came here, he reiterated the fact that God loves Kenya. The problem facing our country is greed. We have seen people who want to carry everything and yet God has given each one of us something to enjoy.

The problem we have is that the greed that we have in our country and the kind of impunity with which we are doing things, is paining other Kenyans. I want to give an analogy about two brothers who were given a nice delicious meal by their mother called Mother Kenya. The two brothers were actually given a condition, that the only way they could feed is by using a long spoon. You know very well that with a long spoon, you may never get the food into your mouth. It was not until an uncle came and told them, "Look, at the rate at which each one of you is looking for his mouth selfishly, both of you are going to die of starvation. What you need to do is to allow one of you to scoop the food and feed the other." At the end of the day, they both fed and actually enjoyed. What we lack in this country is selflessness. Each one of us is extremely selfish. Truly, if we say what we mean and do what we say, we will go to places. To the extent that we embraced the Accord and shook hands, if we meant it, Kenya should have had a complete Government operating today. Again, there is grandstanding. I am telling each one of us seated here today that grandstanding will not help anybody. At the end of the day, we shall all suffer. It must be a give-and-take situation.

Mr. Deputy Speaker, Sir, I can see the Minister for Education, Prof. Onger, seated over there today. I wish he could listened to me! He should take this moment to speed up investigation into the Kenya National Examinations Council (KNEC). The problem we have today is that people

continue to occupy offices when they are being investigated. The investigators say: "No stone will be left unturned"; to the extent that even that stone being unturned becomes too heavy to be turned. Indeed, we cannot carry our own weight. You had better step aside for you to be checked.

I suggest that the hon. professor sends those officers home, so that he can investigate them and get to the bottom of the matter. If you are being investigated while you are in office, you can equally divert attention. For the sake of the credibility of the KNEC, since the Minister will not be coming to Parliament to answer Questions, he should speed up that investigation. First of all, he should disband the KNEC. It is a shame and an embarrassment to this country.

I do not know whether at the KNEC there is a Form 16A, which was being tallied by somebody else, as the Minister told us here today: "Mr. Speaker, Sir, there was a computer error. There will be an investigation into that matter. If somebody is found to have made a mistake, the matter shall be dealt with. I do not know whether to believe the computer or the person." However, that person is still in office. We need to be honourable enough. In some advanced democracies, you step aside when an embarrassment comes on your way as was the case in the Watergate Scandal.

In Malaysia, for example, if there is a power failure for a half a minute, the Minister for Energy, the officer equivalent to the Managing Director of the Kenya Power and Lighting Company, and the Permanent Secretary, Ministry of Energy, is sacked or resigns. They are sent home. However, in Kenya, nobody takes responsibility over the power failure; shamelessly, regardless of what pain it gives you! It is high time that Kenyans spoke the truth. We have seen people of high integrity stand in front of a television, saying falsehoods in front of their grandchildren, who know computer. How can you be credible when you cannot stand and call a wrong by its name, or a right by its name? That is how we are losing our moral fabric.

We complain that our children have gone wayward. Who are we, in the first place? What examples do we give them? In public and in the glare of the media, you just swear that you got the right things when you know, for sure, that it is not the right thing! We must also reform. God made this Parliament or the leadership of this country. So, you must not swear by the Bible when you know for sure that you are swearing over falsehoods. It is important that we change our mindset. Let us own up when an issue has badly affected us.

With those few remarks, I beg to support.

The Member for Eldoret East (Prof. Kamar): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I want to support the Motion for the Adjournment. We need time to go home and reflect. As somebody said, we need time to visit our constituencies.

During the International Day of Women, I had an opportunity to visit my constituents, together with my sister from Eldoret South Constituency. I thank God and the people of Eldoret East Constituency for giving me an opportunity to serve them in this august House, although we were greeted with fire just after we were elected. I had an opportunity to visit all our Internally Displaced Persons (IDPs), together with my sister from Eldoret South. In fact, we invited the lady Members of Parliament, because it was a ladies' day. Unfortunately, we managed to get only one. I thank hon. Shebesh for coming with us.

What we saw is something which hon. Members must see. As an hon. Member mentioned here earlier on, what is going on in the IDP camps should not be happening in this country. We have rape cases and crowds of children who are not in class. They are out of control as far as classroom rules are concerned. Those are things that we need to go and reflect on. We should ask ourselves which are the best ways and quick solutions to adopt to deal with the issues.

Mr. Deputy Speaker, Sir, may I also take this opportunity to congratulate His Excellency the President and the Prime Minister-designate for signing the Peace Accord. As Her Excellency, Mrs. Mandela said, it was the coming together of the two that seems to have brought peace almost instantly. We want to recognise that and thank them for reminding Kenyans that the country is

more important than them. So, I want to congratulate them for that.

I was not able to be here during the debate of the Presidential Address until today because I was attending the ACP-EU Joint Parliamentary Assembly in Slovenia. I want to thank the Speaker for sending me and Hon. Kabando wa Kabando to go for the African-Caribbean Pacific and European Union (ACP-EU) Joint Parliamentary Assembly Group. I want to mention that we learnt a lot from there. First, Kenya was the centre of attraction because during the 14th Session in January, it was decided that Kenya must be discussed. It became a subject of an urgent Motion for resolution in the meeting that we were in. We were discussed four times in the agenda and, on the fifth time, we were debated in the Parliamentary Assembly. I want to say that we learnt a lot from that because some of the issues that came out of the Presidential Speech touched. He talked about tourism and other delicate areas that were affected. The people were talking from their own experiences, that the Kenya tourism was under threat.

First, the delegates were very clear. They did not expect that from Kenya. Secondly, they were scared of coming to Kenya. But we are very happy that, while we were there, you debated and passed the two Bills. That gave us a lot of credit! When we gave our first statement that we were now in one coalition and we had gone as a delegation of two hon. Members from the two opposite sides, they gave a sigh of relief and said: "Now talk! Let us listen to you!" That alone seemed to have given us a very positive step.

What I am saying is that, in fact, in those discussions, members had Motions to censure Kenya. We had eight Motions from the EU and four from the ACP Group. But we were able to reduce all of them to one. I want to say that, even at the very last minute as we reduced them to one, we were quite impressed that we were being debated, it was the day after you had passed the two Bills here. A proposal for an amendment to one of the lines in the statement came out to congratulate the Kenyan Parliament for what it did!

(Applause)

So, I bring congratulations from the ACP-EU Parliament. We were even impressed further that the President himself, in his Speech, recognised that our Speaker is a very neutral person and commended the National Assembly for electing such a Speaker at a time like this. Those are things that we need to reflect as we go for recess. We need to go and ask ourselves a few questions. One of the things that I really want to say is that the road to peace and reconciliation is a very long route and we must all go through it.

Thank you.

Mr. M. Kilonzo: Mr. Deputy Speaker, Sir, I thank you for casting your eye on me. First of all, I want to acknowledge that, like my colleagues, I have received an invitation for a seminar on Thursday. I want to thank you very much for this organisation of this seminar for Members of Parliament, so that we can go and continue to bond together.

My only regret is that, in the programme, no item has been put there for a briefing of this honourable House by the negotiating team, so that Members of Parliament can come to terms with the legislative instruments expected to come out of this House in the next eight weeks or maybe even sooner. This is because as my colleague, hon. Martha Karua, pointed out, the agreements that have been tabled in this House generated by our negotiating team are agreements that expect and must produce legislative instruments for the greater peace and stability of our country.

Mr. Deputy Speaker, Sir, I would also like to take this opportunity, because nobody else has mentioned it, to pay special tribute to hon. Stephen Kalonzo Musyoka, the Vice-President and hon. Musalia Mudavadi because both of them were appointed during an acrimonious time to head committees on national dialogue and reconciliation. More often than not, the country seems to forget that even in negotiating, we were going back from Serena to go and report to our chairs, hon.

Stephen Kalonzo Musyoka, Vice-President, together with his committee and I believe hon. Musalia Mudavadi was also getting the same reports although he was on the table. These gentlemen of this country have contributed a great deal to the peace that we have.

Mr. Deputy Speaker, Sir, this brings me to the next subject. It is very important that as we adjourn this House for two weeks, all of us bear in mind that for the first time in the country's history we have Internally Displaced Persons (IDPs) who are looking up to us as legislators to ensure that we come up with the right policies not to mention also with legislation to make sure that never again will we have IDPs, but above all, to make sure that we do not pay lip service to resettlement of these people.

Mr. Deputy Speaker, Sir, I do not think it is fair to tell somebody who is in a police station or living in a camp and who does not have running water and whose children are not going to school to go back to his house and farm when they were all burnt and all his furniture was burnt and when he does not even have fare to go back to the place where he was displaced from. It behooves on this House to keep this in mind. When coming back, kindly support the legislative instruments, including a new Constitution that must be tabled in this House within the next one year or preferably 13 weeks as His Excellency the President was saying, maybe even sooner even if we leave it to my learned friend, Mr. James Orengo.

The fact of the matter is that we have an agenda that is phenomenal and that must bring to bear the enormous experience, intelligence, ability and skills that are in this Chamber, so that, for the first time, we produce the sort of country that God intended for us.

I have no doubt in my mind that when God created Kenya with the mountains, hills, seas, rivers and the hon. Wetangula who was my pupil and so on, I think he intended for us to live together. Otherwise, I do not see why he did not arrange for me to be born in Arusha or one of us to be born in Uganda and so on.

Mr. Deputy Speaker, Sir, I would be right there in the forefront suggesting to this House when we debate on this law on ethnicity and cohesiveness that we abolish, once and for all, the concept of tribe by eliminating this document called the national identity card. We all saw for ourselves people being pulled from *matatus* and buses and being asked for their national identity cards and for that reason alone, being attacked, killed, injured and so on. Never did the colonial administration itself, when it promoted the national identity card, think that they had in mind a situation where because of your ethnicity and what appears on that card, that you can lose your life.

Mr. Deputy Speaker, Sir, I beg to support and urge my colleagues to also support the Motion.

The Member for Mosop (Mr. Koech): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support the Motion of Adjournment. It is coming at a very right time especially for those of us who are longing to go for the workshop so that we can participate fully in this House.

Mr. Deputy Speaker, Sir, I am grateful for what has already taken place in this House. We are going home having already made some history that we passed the two Bills. I believe it will go along way in making Kenya a real Kenya. As we break for the Adjournment, I realise that by the time we will come back, our schools would have closed.

Mr. Deputy Speaker, Sir, I would like to take this opportunity to applaud the move by the Government to offer free secondary education. I happen to have been working as a principal before coming here and I understand that the majority of Kenyans today are not able to pay school fees. It is the responsibility of this Government, and this House, to ensure the success of the free secondary education.

Mr Deputy Speaker, Sir, on the same note, I am aware that there are many students who have not benefited from the said free secondary education. It is my humble request to the Minister

for Education to give real assurance to all those students who have not benefited from the free secondary education that they will be able to benefit before the schools are closed. We are likely to find some of them engaging themselves in other activities over the holidays.

Mr Deputy Speaker, Sir, I am also aware that the principals in our secondary schools are having it rough though they are not speaking it out. One, all parents were informed that there will be free secondary education. None of our parents, therefore, paid much to sustain the students in schools. I am aware, having been in the Secondary School Head Teachers Association, that there are many principals who are expected to pay bills incurred by their schools through purchase of textbooks and other facilities. It is my humble request again to the Minister that, as we break, he should give them an assurance so that those suppliers who are owed money by the schools do not harass our principals.

It is also good for the Minister for Education to come out clear especially on the issue of holidays, given the fact that nothing much went on in our schools during this First Term.

As we adjourn, I still want to appeal to our colleagues that, as we go home, it is necessary that we bond very seriously. Let us be fair and open to one another. I do not mind personally going round the country on an invitation talking on the need for reconciliation and the need to have one country; a Kenya that all of us shall be proud of.

With those few remarks, I beg to support.

The Member for Mukurweini (Mr. Kabando wa Kabando): Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion of Adjournment. I am very happy, indeed. I would like, before making my contribution, to take the opportunity to thank the Almighty God and the people of Mukurweini for giving me the mandate to serve them.

I also wish to take the opportunity to salute the substantive Speaker who was elected in a very tense environment and controversial time; but who has emerged to become moderate and lead this House to another level. Indeed, as my colleague, the hon. Member for Eldoret East, stated, it was a time to behold, as we sat among 150 parliamentarians from the African Caribbean Pacific and the European Union and hearing very kind words about this House and particularly about the Speaker. I would also wish to congratulate the Deputy Speaker for recapturing his Lagdera seat and also on his election to deputise in the House. Indeed, some of us are very happy. I also wish to congratulate the old Members. There was a "guillotine" in December! What happened in this country was unprecedented. Many old Members were sent home. Those who came back, indeed, did so because they deserved it. Those who managed to return to this House made it because they had done something special for their constituents. But most importantly, I would like to salute the fresh men and women in this House. There are nearly 70 per cent new Members who made it to this House.

Most importantly, I would like to salute the fresh men and women in this House. For the nearly 70 per cent who made it to this House as new Members, it is a golden opportunity to refresh the legislative agenda of the Republic of Kenya. However, it is the greatest risk that we, new Members, have taken. As a political class, we may not be in tandem with the aspirations of the people of this Republic. Therefore, the opportunity that we have been accorded must be commensurate with the achievements that we will attain in this House, particularly in the management of the resources that are allocated to our constituencies, and more so the devolved funds that include the Constituencies Development Fund (CDF).

Mr. Deputy Speaker, Sir, the opportunity to adjourn for two weeks will allow us to reflect on very crucial issues. As stated in the Presidential Address, there are a few Bills that are pending before the House.

I recall that for over four years, working in the tourism sector, we tried to get the Tourism Bill to be passed, but we were unable to have it pushed through even by the relevant committee.

Mr. Deputy Speaker, Sir, coffee has been mentioned here and overseas, as a very special agricultural product, yet it is the market that re-brands and makes it its own while our farmers walk barefoot.

Mr. Deputy Speaker, Sir, we have an opportunity, in the next two weeks, as we go out to connect, for those who are fresh, and re-connect for those who are old, with the people and reflect on what we want to put in. It also gives us an opportunity to know what kind of committees we want to form in this House.

We have heard stories that House committees have been constituted as a way of rewarding hon. Members. It is an opportunity for us to bond as one House to see what experience and talent we are going to put to the Departmental Committees, Select Committees and watchdog Committees, so that they become movers and shapers of the agenda that will be brought to this House.

Mr. Deputy Speaker, Sir, as I finish, we as hon. Members, should not belong to any tribe. In fact, we should be very ashamed to even mention the word "tribe". If you look at the simplest dictionary, it describes tribe as a primitive grouping of people. These are people who have no civility and do not deserve to belong to the civilised communities of nations. Ethnicity is referred to when talking about other areas.

Mr. Deputy Speaker, Sir, I thank you and I am happy to serve in this house.
God bless you.

Mr. Midiwo: Thank you Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion of Adjournment. I think we have achieved so much in the last few weeks. As a country, I believe we have made positive steps.

Mr. Deputy Speaker, Sir, it would have been nice if we were going home when people knew who our Cabinet Ministers are. There is so much anxiety around the country about these Ministerial posts. There is even anxiety amongst hon. Members of Parliament. Thinking about it, I now see the reason why Cabinet appointments are normally announced two or three days after elections. Lobbying is intense and the anxiety is unnecessary. The two principals, hon. Raila Odinga and President Kibaki will have done this country a favour if we wake up tomorrow knowing who is a Minister and who is not so that we can move on.

Mr. Deputy Speaker, Sir, I want to say that this country has made a big step forward, particularly in the agreement by the people who opposed constitutional change in this country. For once, we are going to tackle this issue. Kenyans are looking up to us. We need to make changes. We need a new Constitution which will ensure that Kenyans are protected wherever they want to live. Facts are facts. Until such a time that this country will accept that we have been living a lie for many years, I do not think we will be making a good future for the generations to come.

I want to agree with the Minister for Justice and Constitutional Affairs, Ms. Karua, that there should not be amnesty to anybody. However, I want to say that the amnesty should cover everybody. It should not be a one-sided statement. Everybody knows that in Kisumu, where I come from, over 100, or at least 80 per cent of deaths were caused by police bullets. To make matters worse, the officers are still working. I thought that the administration rules of the police force require that when you are involved in some kind of shooting you have to take leave as investigations are being carried out. That is not happening.

Mr. Deputy Speaker, Sir, police officers killed our people during the referendum. They were relieved of their duties but until today, we have not heard of them being prosecuted. If we are going to talk about justice and fairness, then we need to stop looking at justice from a one-sided mirror. We need to look at ourselves in a way that will relieve us. We need to talk about our problems honestly.

Mr. Deputy Speaker, Sir, the Electoral Commission of Kenya (ECK) must not be allowed

to conduct the coming by-elections. The ECK is tainted and has to go. Somehow, the least we should do is to reform it. However, we cannot, after what we have gone through, accept that those people are still sitting in those offices enjoying taxpayers' money. We would be doing ourselves a great disservice, if we accept, as a Parliament, that people who are basically criminals, sit in office and we look at them as if we do not defend the use of our money.

The Minister for Justice and Constitutional Affairs (Ms. Karua): On a point of order, Mr. Deputy Speaker Sir. Is it in order, for the hon. Member to cast aspersions on the ECK Commissioners and call them criminals and advocate, without a Substantive Motion, that they be removed from office unconstitutionally? Is he in order?

Mr. Midiwo: Mr. Deputy Speaker, Sir, I am not suggesting in any way that they be removed from office unconstitutionally. We know that we can do it constitutionally because they have outlived their usefulness. I do not advocate for unconstitutionality.

However, I know that those people are unethical in both sides of this House, or this Government, will not for once, be served in the coming by-elections by a Commission which is not interested in the welfare of our people.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! I wish to bring to the attention of hon. Members the provisions of Standing Orders No.76 and No.73(4).

Standing Order No.73(4) states:-

"No Member shall impute improper motive on any other Member except upon a specific substantive Motion calling in question the conduct of that Member."

That is for hon. Members; your colleagues!

Standing Order No.76 states that:-

"A Member shall be responsible for the accuracy of any facts which he alleges to be true and may be required to substantiate any such facts or to withdraw his allegation (with suitable apology, if Mr. Speaker so requires)."

Whereas, when a Member of Parliament imputes improper motive on an institution or an individual outside Parliament, it is incumbent upon Members of Parliament to seek substantiation. Then, and only then, is when that Member can be told to either substantiate or to withdraw.

Proceed!

Mr. Midiwo: Thank you, Mr. Deputy Speaker, Sir. I want to say one last thing about the police force. Nothing could hurt this country if we brought the police under an independent commission.

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

Mr. Deputy Speaker: Forgive me for not knowing your name, but it is the hon. Member just behind Prof. Onger!

The Member for Ndaragwa (Mr. Kioni): Thank you, Mr. Deputy Speaker, Sir. My names are Ngayu Kioni, the new Member for Ndaragwa Constituency.

Mr. Deputy Speaker, Sir, I stand to support the Motion for the Adjournment but, before I do that, I want to thank the residents of Ndaragwa for giving me a chance to serve them for the next five years. I want to join other colleagues in this House who have said many things, one of which is that we are happy to go and explain to our constituents what the Peace Accord is all about.

But, Mr. Deputy Speaker, Sir, as we do that, it is important to understand that the Peace Accord will not have a proper meaning if we still continue having Internally Displaced Persons (IDPs) in camps. We should urge the Government to move quickly and settle the IDPs in their proper places. We should enact legislation in this House that quickly addresses the issues that we

have been talking about; a legislation that can bring to book those people who were responsible for the violence. We know the perpetrators. Some of them may be in this House. Peace will not take root if the people who were behind the violence will not be brought to book.

Mr. Deputy Speaker, Sir, it is important to ensure that, as the Government constitutes the Cabinet, people who have been mentioned in one way or the other in connection with that violence do not find themselves in that Cabinet. If we allow that to happen, Kenyans will have little confidence in the Government.

Mr. Deputy Speaker, Sir, it is also important that I take this opportunity to thank a group that has not been recognized by any of the persons who have spoken before. We have heard about the Kenya Revenue Authority (KRA). This country is what it is because KRA staff have maintained their position. They ensured that the collection of taxes continued and, in so doing, we avoided being colonized again by being made to beg for money from those people who actually wanted us to start begging again.

Mr. Deputy Speaker, Sir, the next two weeks is an opportunity for us to go out and issue responsible statements. If we do not issue responsible statements--- Violence is caused by leaders who become reckless in statements that they issue in public places. If we do not issue responsible statements, then we could get ourselves back to the situations that we do not desire. There are some statements which were made over the weekend in some places in Ukambani, where a community was being told not to sell sand to Kikuyus. Such irresponsible statements will not help us to heal. They will just continue aggravating the situation.

Mr. Deputy Speaker, Sir, may I also call upon hon. Members to cultivate a culture of rewarding hard work during the two-week break. This country needs to reward hard work, as opposed to a situation where somebody sees me in a good suit and runs around thinking that it is his or her's. If I am wearing it because I have worked hard, he should reward me for having worked hard. He should not think that I took it from somewhere and someone should take it.

Mr. Deputy Speaker, Sir, as we also take the two-week break and, as we continue thinking about the new Government, we will lose the point if we do not recognize that many Members of Parliament here are fairly youthful. If the Cabinet is not reflective of that fact, again, we will be having difficulties in allowing the people to move on with the changes that they make. We have institutions in this country and, even as we have the National Peace and Reconciliation Accord, you can still see elements of tribalism. In some of the educational institutions and service commissions, you can see clear cases of tribalism due to the number of persons in those areas. We talk of equitable distribution of resources, and I come from a constituency that is marginalised. Ndaragwa is a marginalised constituency. So, when we talk of equal distribution of resources, let us not imagine that there is a community that is receiving everything. Some of us are crying for the same, just like other communities.

Mr. Deputy Speaker, Sir, as I support the Motion of Adjournment, may I also mention that we have a national land policy that is still a proposal, and it is important for us, as Members of Parliament, to familiarise ourselves with it, knowing very well that as we speak here a lot of our land is now being bought by foreigners. As we continue fighting for small pieces of land, the bigger chunks of land in this country are being bought by foreigners. We need to be very clear in our minds on whether to allow reoccupation through the purchase of our own land; we have allowed foreigners to come and own land without any limitations.

I support the Motion.

Mr. Deputy Speaker: Mr. Kiptanui, the hon. Member for Keiyo South!

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

Mr. Deputy Speaker: Order, Mr. Keter!

Mr. Keter: I thought you said "Mr. Keter"!

Mr. Deputy Speaker: I said "Mr. Kiptanui"!

The Member for Keiyo South (Mr. Kiptanui): Mr. Deputy Speaker, Sir, thank you very much. My names are Mr. Jackson Kiptanui from Keiyo South. I would like to take this opportunity to thank the people of Keiyo South for giving me an opportunity to represent them in this House. I would like to promise them that I will not let them down. They have proved to Kenyans that things which are impossible can be made possible.

As we proceed into a recess, there are some three issues that I would like us to think about. One of them is about the economy. We have been saying that the economy has been growing for the last five years. But I wonder whether the growth is being felt by all Kenyans. You could be saying that the economy is growing, yet the majority of Kenyans are wallowing in poverty. We need to think about the economy; for the economy to grow, we need peace to prevail in all parts of this country. I want to pose a challenge to us, that when we come back in the next three weeks, there should be no fighting in Mt. Elgon, Laikipia and other parts of this country. I want to believe that some areas which are no-go-zones for some communities, like in Molo, will be go-zones for everyone in the next few weeks.

Mr. Deputy Speaker, Sir, I would also like to mention another issue here, that many of us will go home to see our employers. Some of us might remain here to lobby for positions. I believe that when we come back, some of us will be Ministers or Assistant Ministers. I have had an opportunity to visit a number of Ministries, and I got surprised to see that all the staff, from the receptionist to the Minister, come from the same region. So, you wonder whether there are no other Kenyans who are qualified. Secondly, you wonder about the kind of language they even speak when they have meetings, if they come from the same region. If you are given an opportunity to be a Minister, when I come to your office, the Permanent Secretary should be from another region, the secretaries and the tea girl should come from another region so as to reflect the face of Kenya.

Mr. Deputy Speaker, Sir, lastly, we have been saying that we would like to create employment. Indeed, the President said that there is a Bill to be discussed here regarding employment policies. To start with, we need to say that, as we employ new Permanent Secretaries or Chief Executive Officers (CEOs), we should retire those who have reached the retirement age. If somebody is above 55 years old, he or she should go home to give an opportunity to new blood. That way, we shall be able to create employment for the youth.

Lastly, we are in a Grand Coalition. I believe it is like a baby which has just been born. Unless we take care of that baby, it will die. But I believe that we shall be able to take care of that baby. We should ensure that it takes the medication that has been prescribed by His Excellency Kofi Annan and his team. That way, we shall see it grow to maturity.

With those remarks, I beg to support.

The Member for Kieni (Mr. Warugongo): Thank you, Mr. Deputy Speaker, Sir. My names are Nemesys Warugongo. I am the Member for Kieni.

First of all, I would like to thank my constituents for electing me to Parliament. Secondly, I would like to say that my constituency is in a district called Nyeri North. It was hived off the larger Nyeri District. I would like to say that, first of all, I support the Motion for Adjournment.

The Member for Rangwe (Mr. Ogindo): On a point of order, Mr. Deputy Speaker, Sir. Some of us are intent on opposing this Motion. Will we have a chance?

Mr. Deputy Speaker: Order, hon. Member! Everybody who is here is an hon. Member elected from one of the 210 constituencies of the Republic of Kenya. You have to wait for your chance to catch the Chair's eye!

Proceed!

The Member for Kieni (Mr. Warugongo): Thank you, Mr. Deputy Speaker, Sir. I want to

say that I am very happy to have been elected to this Parliament by the people of Kieni. I have actually promised them that I shall do my best during the coming five years.

Secondly, I would like to say that, in the past, we have had corruption within the Government. It is my prayer that during the coming five years, corruption will be a thing of the past.

I would also like to say that my constituency lags behind in the district because the roads are very--- In fact, I would like to say that there are only two roads. There is the one that starts from Nyeri and ends in Nyahururu. The other one starts from Nyeri and ends in Nanyuki. All the others, to say the truth, are murram roads. In some areas, there are no roads at all!

Mr. Deputy Speaker, Sir, we have another big problem which has been bothering us. It concerns water. I hope that during the coming five years, the Constituencies Development Fund (CDF) allocation will be increased from the current 2.5 per cent to about 10 per cent. That way, my constituency and other constituencies in the district will enjoy that precious commodity called water. In the past, we have been receiving food from the Government. If we have enough water, we shall make sure that even the youth will get some work to do as far as farming is concerned.

I beg to support.

The Member for Belgut (Mr. Keter): Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute to this Motion for the Adjournment.

I find it very hard to support this Motion because having been in the Ninth Parliament and seen what happened during the 2007 general elections---- The Members of the Ninth Parliament were accused of not living up to the standards of Kenyans in terms of performance in Parliament. I thought that the Tenth Parliament will be a bit different. But I can see the same thing going to happen again. We were judged by the number of Bills which we passed during the last Parliament. We opened the Tenth Parliament just the other day.

Mr. Deputy Speaker, Sir, we have just finished debating the Presidential Speech today. We have only passed two Bills to which majority of us never even contributed. That is because we were rushing them. I wonder whether we are truthful to Kenyans when we say that we are going to give them a Constitution within one year and, yet, we are here today saying that we want to adjourn for two weeks. So, we are cheating Kenyans that within a year, we will give them a Constitution. Why can we not start the foundation right now, instead of adjourning for the next two weeks?

Mr. Midiwo: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member on the Floor in order to say that Parliament is "cheating" Kenyans? Is that Parliamentary language?

Mr. Deputy Speaker: Order, Mr. Midiwo!

Proceed, Mr. Keter!

The Member for Belgut (Mr. Keter): Mr. Deputy Speaker, Sir, we have to use the right language, as hon. Midiwo has said.

We are proceeding on a recess for two weeks, yet we have not formed the relevant House committees. Who are we waiting for to do this? We have the mandate to do that. For how long are we going to operate without these committees?

Mr. Deputy Speaker, Sir, I have heard hon. Members, and the Mover of this Motion, say that once we go on recess we will have the opportunity of visiting our constituents. We will also have the opportunity to visit various development projects. We have been visiting our constituencies since the elections of 27th December, 2007. Most of the Constituencies Development Fund (CDF) accounts are not operational, because we do not have the National Management Board of the CDF in place.

In the two weeks we should have the parliamentary committee in charge of the CDF in place, so that the names of the board members are forwarded to Parliament for approval. When we say we support the adjournment because we want to go to our constituencies, we are not being fair

to one another.

Mr. Deputy Speaker, Sir, why can we not pass the Bills which are pending? We have very important Bills, which the Ninth Parliament never passed, such as the ICT Bill, which is very important to this country. We are seeing a lot of things in the telecommunications sector, which we thought that the Bill would harmonise.

The Mover of the Motion, the Vice-President and Minister for Home Affairs, said that we need to go to our respective constituencies to talk to the people. We have been doing that. The problems people experience vary from one place to the other. In my constituency, for example, we have the IDPs. The IDPs in my area do not like staying in towns; they like staying in homes.

Mr. Deputy Speaker, Sir, about 100 per cent of the people who were killed in Kericho District, when the post-election violence broke out, were killed by the police, specifically by the OCS in Kericho. When we are being asked to go on a recess, so that we go and talk to the people, are we going to talk to the police who killed our people?

We want fairness. We do not want anybody to be left out. Before we go for recess, those police officers should be arrested! I call upon the Commissioner of Police to look into this issue. At the end of the day, he must be held responsible for whatever happens out there in the field. In this case, the OCS in Kericho must be held responsible for whatever happened. If he has a heart for Kenyans, and is mindful of the welfare of Kenyans, he should resign!

Mr. Affey: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member, even after you have ruled that hon. Members should not discuss people who cannot defend themselves in this House, to continue mentioning the names of the OCS, Kericho, and other senior citizens in this country? You need to be clear on this, because we cannot use the privileges given to us to condemn people in this House!

The Member for Belgut (Mr. Keter): Mr. Deputy Speaker, Sir, some of us are very annoyed! We lost people; we lost friends and relatives. That is why we cannot shy away from speaking the reality which is that the Police Commissioner must be held responsible---

Mr. Deputy Speaker: Order! Order! Order, Mr. Keter! You cannot turn this into an altercation between you and other hon. Members of Parliament.

Proceed!

The Member for Belgut (Mr. Keter): Thank you, Mr. Deputy Speaker, Sir, for that direction, I beg not to support this Motion of Adjournment.

I oppose it!

Mr. Deputy Speaker: Your time is up, Mr. Keter!

Mr. Affey: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity---

Mr. Deputy Speaker: Order, Mr. Affey! I have not given you the Floor! I have given the Floor to the hon. Member at the end over there! Please, forgive me, I do not know your name!

Mr. Gaichuhie: Mr. Deputy Speaker, Sir, once again, my names are Nelson Gaichuhie, Member of Parliament for Subukia Constituency.

I want to support the Motion of Adjournment though I would like to ask this House that, as we adjourn, we should think about the Internally Displaced Persons (IDPs) who are suffering. In my area, the rains are now falling and the tents in which most of the IDPs are living in are no longer homes. They are in a pathetic shape. Winds are blowing the tents and diseases are now cropping up. These people are really suffering. Their plight should be looked into so that when we reconvene, we should have them resettled comfortably in their homes.

I would like to talk about agriculture. Now that there is rain, farmers have tilled their land and they are hoping that the price of fertilisers--- The Vice-President and Minister for Home Affairs talked about fertilisers and we hope that their prices will reduce so that farmers can continue farming.

Mr. Deputy Speaker, Sir, we always talk of the gap between the rich and the poor. In my own view, I have found out that most of these rich people we always talk about gained their riches through corruption. Therefore, if we do not look into this vice, the gap between the rich and the poor will continue to increase. I would like this honourable House to continue looking into ways and means of ensuring that corruption is not given a place in this country of ours.

The roads in the rural areas are in a pathetic shape. Now that the rains are here, they are going to damage the roads further. If we do not fund the construction of the rural roads, I do not think they will be passable after the long rains. I, therefore, want the Government to increase the fund for rural roads. That way, farmers will have good roads that will enable them take their produce to markets.

Mr. Deputy Speaker, Sir, we talk about IT, but when you go to our rural areas, our schools do not have electricity. We want to our kids to be computer-literate and yet we do not have electricity. If we do not increase funding for rural electrification, our children will never be computer-literate. That will be detrimental to our students.

The Government should bring other Bills in this House and we be given enough time to debate them so that when the Tenth Parliament comes to an end, we shall have passed many Bills.

I beg to support.

Mr. Ogindo: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I want to oppose this Motion. As the Leader of Government Business rightly put it, this House was convened ahead of its time. The reason for this was that the country needed accord and reconciliation.

Mr. Deputy Speaker, Sir, I want to thank the House for having moved with speed to enact the two Bills, one of them being the National Accord and Reconciliation Bill. As you can see, there is still apprehension on both sides of this House. The apprehension is even greater outside this House. It would be an anti-climax of the mood that the House had gathered if we break now when we cannot answer our electorate the question as to how far we have gone with the implementation of the Bill that we had just passed. That is the question that will be asked everywhere across the country.

I have been a politician for a short period, but I can tell you that when hon. Members go out there, and meet their electorate, that question will be posed to them. I can predict that different answers will come up. We are seeking to adjourn Parliament at a time when the mood out there is not yet right for our break. We are going to break when the mood inside here is not yet right for a break. I would have wished to see more bonding taking place, so that when we get out there, we can read from the same script and speak the same language about the National Accord and Reconciliation Act.

Mr. Speaker, Sir, two weeks is a long time. It is my prediction that by the time we come back to this House, this country shall have slipped back from the gains we have made. It is against that background that I feel it would have been better if Kenyans were given the Cabinet ahead of this adjournment, so that Kenyans can see that we are not just a talk shop, but we can implement the laws we are enacting; by giving them a new Cabinet that reflects national accord and reconciliation.

Against that background, I beg to oppose this Motion.

The Minister for Education (Prof. Onger): Thank you, Mr. Deputy Speaker, Sir. First and foremost, this Parliament has done itself proud for having fast-tracked very important Bills that form the basis upon which we must go back, adjourn and explain to our people what decisions have been collectively made in this House. The National Accord and Reconciliation Act is in itself a very enormous document. In it, there has been spelt out areas of action that need to be taken by hon. Members in preaching and creating harmony and togetherness for this nation to continue

living together. It is surprising that we want to express fear, instead of expressing confidence in the manner in which we have handled this situation in this Parliament.

Secondly, we passed a constitutional Bill, which is now an Act of Parliament; amending Section 3A of our Constitution to allow for a Government of National Unity, or a Grand Coalition to be established. I do not think we want to give an impression to the outside world, or to our people, that all that we were struggling for, and while all these difficulties arose, is because we were waiting for the new Cabinet to be formed. We should give the two principals sufficient time to make extensive consultations in order to give us a Cabinet that will work within the spirit of national accord and reconciliation. I just visited one of the Internally Displaced Persons (IDPs) camps yesterday. I spent a considerable period of time. The message I got, in tears, from both those who are displaced and even those who were accompanying us, was simple. The IDPs sang a very simple song: "*Hatutaki tena kwenda kwa shetani.*" The Internally Displaced Persons (IDPs) sang a very simple song: *Hatutaki tena kurudi kwa ibilisi!* We do not want to go back to the devil. You could see tears trickling down their cheeks. I was so disturbed! I think what we now need to do, as hon. Members, is to move together. We need this adjournment so that we can go out--- Those who are within the boundaries of IDPS--- We now want to move together and tell our people that we have discussed these issues, we have agreed and this is the way we are going to move. I do not think we need to be here. We need that period to create reconciliation and support.

Mr. Deputy Speaker, Sir, a number of points have been made about education. Without belabouring the point, first of all, I think it is prudent to check our figures and facts clearly, before we start talking about the university degrees being awarded. There is a Commission for Higher Education that vets the credibility of any university that awards degrees.

Therefore, that is a standard organisation and, as far as I know, our universities are at the top of the range to an extent that, even when our students pass the first degree, they are able to go for post-graduate degrees with ease and without any difficulties. Similarly, I want to assure this House that our secondary school graduates are able to secure admissions to foreign universities with ease. When a problem has arisen, let us tackle it in a transparent manner. We should not create a situation where people are hounded out of their jobs without proper investigations and a proper foundation being laid in order to deal with the problem at hand.

I believe when the Cabinet is in place, the various House Committees will be formed to create the agenda for this House. Two weeks is not too long for that to be carried out.

Mr. Deputy Speaker, Sir, with those few remarks, I beg to support the Motion that we adjourn for two and half weeks.

The Member for Vihiga (Mr. Chanzu): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support the Motion for the Adjournment. Since Parliament was reconvened, the House has passed very important Bills namely, the Constitution of Kenya (Amendment) Bill (Bill no.2) and the National Accord and Reconciliation Bill (Bill no.20). After the general elections, Kenyans expected a new Government that was going to provide services to *wananchi*. But because of the we went through, it has been a very heavy programme from the time we came to this House. I think hon. Members should be given time to go back to their constituencies so that they can preach peace. I have realised that some IDPs are not trusting what has been passed in this House. It will be befitting for hon. Members to be allowed time off, so that they can go and convey the message. By hon. Members going round and talking to the IDPs themselves, I think it will give a true meaning to the people; that we have all agreed that our people should settle wherever they were.

Mr. Deputy Speaker, Sir, when we had the confrontations, a lot of lives were lost. More than 1,000 people lost their lives. More than 300,000 people were displaced. It is also going to be a time for us to go back and be able to say *pole* to those who lost their loved ones.

Mr. Deputy Speaker, Sir, it will also give the two principals time to be able to form the Government, so that we can have business for the House. It will also give us time to assist in the healing process in our constituencies.

With those few remarks, I beg to support.

Mr. Affey: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to support the Motion. This Motion requires the support of the hon. Members. As we all know, this country has gone through extremely very difficult times. The fact that the House had to be called earlier than scheduled did indicate the seriousness the President and the leaders in this country did take to make sure that the Peace Accord signed actually got the concurrence of this House.

Mr. Deputy Speaker, Sir, we need to use this opportunity given to us in order to go out and preach reconciliation and reach out to the people affected by the post-election violence. Not only that, but in order to go and visit our constituencies. As we all know, certain parts of this country are undergoing difficult times because of the drought situation, especially in the North Eastern Province. It is an opportunity for the leaders to bond and understand the difficulties the people are going through.

Mr. Deputy Speaker, Sir, having said that, what has been done in terms of the agreement can also easily be undermined by the leaders in this House. It is very important that, as we go out to speak to the constituents, the leaders avoid statements that can undermine the spirit and the text of the agreement. We all understand how important it is to nurture what has been achieved. We have got the Internally Displaced Persons (IDPs). Others are still mourning, while others have lost their children and they cannot trace them. So, it is so critical that we use the occasion given to us not to undermine what has been achieved.

Mr. Deputy Speaker, Sir, as we await eagerly, as has been said by honourable Members, the formation of this Grand Coalition Government we, as leaders, should avoid to politicise certain sectors of this country which are so critical, particularly the Civil Service and the military organ.

Today, I had an occasion to read *The Standard* and I was taken aback by leaders who are waiting for positions. In fact, the military has been reported to be doing the same. If that is true, it is a very sensitive organ of state security. We should avoid, as much as possible, to politicise it because the countries which have collapsed around us started with the politicisation of their security organs. They started with the military, police and, eventually, the whole country collapsed. If we have to promote officers in the military, we should follow the laid down procedures. I am saying this because if the General is from the ODM and the Deputy General comes from the PNU and the sergeants come from another party, this will make our country collapse as we watch.

So, I would like to request our politicians not to exert pressure on the principal leadership in this country in order to politicise important institutions like the Military.

Mr. Deputy Speaker, Sir, we have spoken about the reconciliation, which we all want in this country. Without reconciliation, it will be difficult to achieve peace. But we must stop lobbying for positions and imagining that those positions belong to certain regions or personalities. This is because such a move will actually undermine the spirit of reconciliation. What if those positions do not come our way and we have already incited the population? I have just heard one hon. Member here say that perhaps in the next two weeks, this country will degenerate further into violence. I hope that, that does not happen. Because of those statements, I hope that the political leadership in this country will take note.

With those few remarks, I hope to support.

The Member for Marakwet West (Mr. Kaino): Mr. Deputy Speaker, Sir, I just want to thank you for giving me this opportunity to stand before this House after being out for ten years.

Mr. Deputy Speaker, Sir, I have been on leave for ten years and it is my first time to stand

here to contribute. I described myself as the lucky one but I later reversed it. I wish to say that God is great for returning me here to represent the people of Marakwet West. I wish to thank the people of Marakwet West for bringing me back to Parliament after ten years. I can also see here Prof. Ongeru, hon. Dalmas Otieno and hon. Muoki. We are all back after ten years of leave.

Mr. Deputy Speaker, Sir, we have seen the passage of the two historic Bills in this country after the signing of the Accord by the two principals. I stand here to oppose this Motion because of one thing. I have two things in my mind. The IDPs are human beings and their children are not going to school. The IDPs are also not farming. They are suffering from diseases. It is now the rainy season. For God's sake, our Members of Parliament who are here today are still lobbying to get Ministerial positions. They are pushing the principals left and right. They are the ones who have delayed all these things.

Mr. Deputy Speaker, Sir, human beings are very difficult. These people who are suffering are not from one community. They are from various communities. The best brains to discuss those things are in this House and not outside this House. There is nothing that will come from outside this House. It is not correct to ask hon. Members to go on leave and help their constituents. How do we go and help our constituents when people are suffering in the camps? The right place to sort out these things is in this House. The IDPs should be assisted. The two principals should visit the IDPs in their camps and give them hope of tomorrow. It is the principals who should go there. But how would they go when people are still pushing them left and right lobbying for positions?

I wish to refer to the Bible where it says that "these people are paying lip service to me". It was Jesus Christ who said that. I have seen people about the IDPs but they do little to help them. They are lobbying for Ministerial positions which are not more important than the people who are suffering. I oppose this Motion for that sake. It is here in Parliament where we should discuss these things. We should not be afraid of these people.

Mr. Deputy Speaker, Sir, I have IDPs in my constituency who are camping at Kachibora. These are the people who voted for me. How do I support this Motion of Adjournment when my people are suffering? Parliament has the power to address their sufferings. Where are we going to get even people to work with?

Mr. Deputy Speaker, Sir, can you tell how many hon. Members from different communities are going to the IDPs to talk to them? We are cheating ourselves! Everybody is going his or her own way. We should face the reality.

Mr. Deputy Speaker, Sir, I beg to oppose this Motion with anger in my heart. This is the right place where these things are supposed to be discussed. I would have supported the Motion if the reason for going for recess was that it is raining and people should go to plant. However, why should we plant? Which one is a priority? Is it the IDPs or the rains? It is the IDPs!

Mr. Deputy Speaker, Sir, I would like to comment about what the Vice-President and Minister for Home Affairs said today about fertilisers. But he failed to give us the prices, so that farmers can buy them. He is telling us that plenty of fertilisers will be imported into this country. We do not lack fertilisers. The problem is the inability of farmers to purchase them. Those are the things we are saying are wrong.

Mr. Deputy Speaker, Sir, another thing that is not contained in the Presidential Address is the issue of maize. We cannot tell people to put coffee or tea on the table. We tell people to put *ugali* on the table.

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

The Member for Marakwet West (Mr. Kaino): Mr. Deputy Speaker, Sir, I beg to oppose.

Mr. Njuguna: Mr. Deputy Speaker, Sir, as we come to the end of this sitting, I wish to make one or two observations. As lawmakers and peace-makers, I think it is high time we supported the Motion for us to go and prepare ourselves, so that we come back to deliberate on

issues that will have been prepared by the House Business Committee (HBC).

Mr. Deputy Speaker, Sir, I put a lot of emphasis on 28th, February, when the two principals signed the historic Peace Accord. It was a day that gave a lot of hope and faith and created a reverse in our nation. In my opinion, I tend to think that this being a very historic day, we should think of how to make that day a public holiday. This is because it gave a lot of hope and consolation to our people.

Mr. Deputy Speaker, Sir, as we prepare to move to our constituencies, there is a lot of work that we need to do. We are in the planting season. We also need to embark on improving the environment by planting trees. We need to work out our Constituencies Development Fund (CDF) committees. Some of us have not constituted these committees. If we get an opportunity, we will improve performance in our areas. We also need to have enough time to attend the induction course at the Safari Park Hotel. We need to prepare well for that.

Mr. Deputy Speaker, Sir, the other area that we need to give a critical look at is the feeding of IDPs in our areas. As I speak now, there is an acute shortage of food. We will be requesting the Minister of State for Special Programmes to give special attention to IDPs by making food available, providing adequate tents and supplying them with drugs constantly. We also need to have enough time, as Members, to visit one another as patriotic lawmakers. If we do that, we will be contributing to the issue of peace-building in our nation. We would like to have an opportunity to see those areas which we have not visited.

Mr. Deputy Speaker, Sir, the other opportunity we will be looking for is to visit our areas, conduct meetings and forums by way of giving the Coalition Government an agenda for promoting peace in this land of ours. We should also try to reach other areas but moderate our use of language because hate language also fuels problems in our areas. I wish to note that we have been served by a very responsible Speaker's Panel. I would like to thank Prof. Kaloki who was appointed to this position and who qualifies for it. He needs to be congratulated. We also have Mr. Imanyara who was also appointed to the Speaker's Panel and is also qualified to serve us in this House.

I wish to note the sacrifice made by Prof. Adeniji on Agenda Four that is going on. I wish to congratulate him for the extra effort that he is putting in to improve and reconcile our people in this country.

I beg to support.

Dr. Kones: Thank you, Mr. Deputy Speaker, Sir, for giving me this chance. I stand to oppose the Motion.

QUORUM

Mr. Kigen: On a point of order, Mr. Deputy Speaker, Sir. There is no quorum in the House.

Mr. Deputy Speaker: Yes, there is no quorum. Please, ring the Division Bell.

(The Division Bell was rung)

Mr. Deputy Speaker: Hon. Members, we now have a quorum. Proceed, Dr. Kones!

Dr. Kones: Mr. Deputy Speaker, Sir, as I said, I stand to oppose the Motion for the following reasons. First, I am not convinced that we should adjourn because we have not gone back to our constituencies. It is not entirely true that we have not been doing that. Are there a few Members of Parliament who have not been doing so? Then, probably, they can be allowed to do that. Then, those of us who have been doing that can continue dealing with the businesses that are there.

Mr. Deputy Speaker, Sir, there are serious issues which, in my view, need to be addressed. They are of national importance. There is the issue of Safaricom's Initial Public Offer (IPO), which most Members must have seen in the papers and in the Press. There are some questions which have been raised, mainly by the civil society, on the transparency surrounding the IPO. I would have wished that issue to be discussed in this House, so that it can come out very clearly that the deal is above board.

Still on the same issue, I would like to raise an issue with my party, the Orange Democratic Movement (ODM), for keeping quiet. Last year, it had taken that case to court. It was decided by the party to do so. But this time round, the support given to it has not been decided by the party as a whole. So, I would have wished that, that issue be discussed here conclusively and exhaustively so that, as we go for those shares, we know that the deal is clean.

I also have an issue with the pledge given by the Vice-President and Minister for Home Affairs that farmers will get subsidies on fertilizers. It is a good gesture. But, as we go for the proposed adjournment, I would have wished that the actual price of the fertilizers be stated and the details of where and how to get them are given. As it is now, it is still a blanket statement.

There is an issue about the Kenya National Examinations Council (KNEC), which has been discussed by the Minister quite often. I feel that the answers given by the Minister are not convincing. When they talk about a computer error, I do not know what they mean. I have been using computers for quite a while and what I know is that computers do not make errors. They always say: "Garbage in, garbage out". Any errors that come out of the computer must be as a result of what it has been given. Is it that the system being used by KNEC was changed? If it was changed - because I believe it is using one system - why did it affect only a few of the students and not all of them? So, these are some questions which, I think, need to be addressed exhaustively so that, those problems or errors do not recur again.

Mr. Deputy Speaker, Sir, with those few remarks, I beg to oppose and say that we still need to continue, probably, for a week because, to me, this adjournment has come too soon before I even know what goes on inside here.

Thank you, Mr. Deputy Speaker, Sir.

(Question put and agreed to)

(Loud consultations)

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, protect me from Mrs. Mugo.

Mr. Deputy Speaker: Order! Prof. Anyang'-Nyong'o has a right to contribute and he is on the Floor.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I rise to support the Motion of Adjournment not because, as an hon. Member said, it has come at a time when most hon. Members are ready for it, but because the Government does not have business to put on the Floor, and needs time to generate that business; the House cannot continue sitting without having something to do.

Mr. Deputy Speaker, Sir, having said that, we are going through an extremely delicate time in our history. This is a time that requires tremendous dexterity in politics. This time requires that we rise up to the occasion and meet the aspirations of the great people of Kenya.

Mr. Deputy Speaker, Sir, as we go for an adjournment, I would like to ring a bell of warning to civil servants. Civil servants, especially those who have over-stayed their welcome in the Civil Service, should stop meddling in the formation of the new Government, by bringing in old ideas that will not help us in this day and age. It is a time when innovativeness is necessary, and nobody should try and put new wine in old bottles. If anything, old bottles should give way to new ones, or canisters, in which to put new wine to be held in there and given time to age graciously.

Secondly, we know for certain that international development organizations, whose mission since the Second World War has been to husband development in developing countries, particularly the Bretton Woods institutions, have not always risen up to the occasion, and have not always been very good in responding to the conjunctures that are not necessarily amenable to procedures, rules and laws, which have guided the actions of those organizations. It is, therefore, imperative that at a moment like this, these international organizations, particularly the Bretton Woods institutions, be equally sensitive to the aspirations of the Kenyan people, and equally should not try to put new wine into old bottles.

Mr. Deputy Speaker, Sir, at this point in time, it would not be opportune for these international organizations to begin sending missions to Kenya before the people of Kenya have settled for the formation of the Grand Coalition Government. That would be putting the cart before the horse. Therefore, the information that we receive that such initiatives are afoot, and are being pushed by those who would like to bask in the sun that has risen at a time when they were not taking the initiative as others did, should be served with a notice by the Kenyan people that at best, they should hold their horses, and at worst, they should not meddle at a time when they might not be doing what is in the best interests of the Kenyan people.

I say this because, as I said earlier, we are adjourning at a time when we are handling very delicate matters in the interests of our motherland. I would, in a very diplomatic way, say that our principals must be given time and space for consultations and sagacious decision-making, and should not be, in any way, crowded in actions by those who might have ideas that were good in the past, but are not necessarily responsive to our time, when we are trying to solve our problems.

Mr. Deputy Speaker, Sir, today we issued a statement regarding the privatisation of Government shares in the Safaricom Limited. We would have wanted this issue to be discussed further in the House, and we hope that it will be discussed further in the House when the House resumes its sittings in the very near future.

With those few remarks, I beg to support.

Mr. M'Mithiaru: Thank you, Mr. Deputy Speaker, Sir. I had actually shelved my idea to speak, but something has sparked my mind again.

As I support the Motion for the Adjournment, I do recall that in this House, we passed two Bills; one of them being the National Accord and Reconciliation Bill, which we were all ambassadors to. We should actually use this time round to cement the relationship that was already sour. We know that the document that was signed by the two principals is by itself not complete, unless it is translated and we walk the talk on the ground. The people to do that job are actually Members of Parliament and other people who are already in positions of influence.

Mr. Deputy Speaker, Sir, as said in this House before, if we use the energy that we used during the time of campaigns, I am sure that nothing can really defeat us. But I was actually disheartened by some language that was used in this House, especially, the language of some "crackheads" which, actually, is not in the spirit of the Accord. That is because we thought that we are all in the same boat now and, if there is any hate language that we were using previously, then it is time we all reconciled and became brothers and sisters in one boat. We should translate that now to the ground.

Mr. Deputy Speaker, Sir, I represent Igembe North Constituency, where people are very mobile. They want to know whether it is safe again on the ground to go and sell their *miraa* in Eldoret. I would be glad, actually, to accompany hon. Members from the Rift Valley to Nyanza, Coast and

parts of Eastern, so that, at least, I can assure my people that the ground now is very safe. That way, we shall be able to cement the relationship and assure Kenyans that, once more, we can live in peace.

As I mentioned in my contributions before, I heard the Vice-President and Minister for Home Affairs say that nobody mentioned his participation. But I do recall saying that if the Vice-President and Minister for Home Affairs, His Excellency the President and the hon. Premier-designate, who were all looking for votes and traversed Kenya, could be seen again going around the country, I think Kenyans could actually read from the script that all is well and that the Government is actually now in place. That is because we are all now in the same boat.

Mr. Deputy Speaker, Sir, I do recall that in the Accord, there is a mention of 50-50. There could be some areas that I may misinterpret. That is because the Act did not give us the definition of certain terms. For example, when you read about 50-50, is it 50-50 in the Cabinet, 50-50 in the army or 50-50 in the Civil Service? I think those things were not defined. We leave it to the principals to properly interpret that, so that our own talk should not actually be used now to politicise a Civil Service that is already non-partisan. I say that because if we start politicising and say: "This party should have these positions", we could even go crazy and say: "Okay! Can you take the inventory of who is who is in the army, so that we could know who belongs to which party? Who is who in the parastatals?" It will be taking us too far and it will not be for the good of the country. So, as we interpret, let us be very positive to the Accord.

Mr. Deputy Speaker, Sir, lastly, there are two issues which were mentioned in the Presidential Address. One of them concerns the issue of empowering the youth, and the hiring of the army personnel directly from the National Youth Service (NYS). That must be carefully looked into. In my constituency of Igembe North, we have a district called "Igembe". We have only two constituencies. During the recent recruitment of police officers, out of over 20 people who were recruited, only three people were recruited from my constituency. Why was there that kind of disparity, if we had able men and women doing that job?

Mr. Deputy Speaker, Sir, finally, I know that, at the moment, we do not have a Minister for Lands. But we have issues of land such as issuance of title deeds and so on.

Mr. Deputy Speaker: Order, Mr. M'Mithiaru! You have run out of time!

Mr. M'Mithiaru: Mr. Deputy Speaker, Sir, with those few remarks, I beg to support.

The Minister for Foreign Affairs (Mr. Wetangula): Stop there! Your time is up!

Mr. Deputy Speaker: Mr. Wetangula, let us have some order!

Hon. Members, in view of the fact that hon. Members seem to have exhausted debate, and there being no more hon. Members who are standing on their feet wanting to contribute to this Motion, I must now put the Question!

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Tuesday, 15th April, 2008, at 2.30 p.m.

The House rose at 8.55 p.m.