

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 30th April, 2008

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

PRAYERS

## NOTICES OF MOTIONS

### INTRODUCTION OF KENYA COMMUNICATIONS (AMENDMENT) BILL

**Mr. C. Kilonzo:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, considering that Kenya has over eight million mobile telephone subscribers, considering further that mobile phones have far much replaced landline phones as a means of communication, cognisant that mobile phones can be used to spread hate messages through short message service (sms) as it happened during the post-election period, aware further that in most countries all mobile subscribers are required by the law to register with the service providers; this House do grant leave for the introduction of a Bill to amend the Kenya Communications Act No.2 of 1998 in order to make it mandatory for mobile phone subscribers to register with service providers.

### RESOLUTION TO WRITE OFF ADC/AFC LOANS

**Mr. Wamalwa:** Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion:-

THAT, in view of the devastating effects that the post-2007 election crisis had on farmers, particularly in the Rift Valley Province and other affected areas, aware that many farmers' capacity to service AFC and ADC loans has been severely affected by the situation and are unable to access further financial support from these institutions, in order to develop their farms and enhance production, acknowledging that agriculture still remains the backbone of our economy and that our national food security is threatened by the crisis, conscious of the necessity to empower farmers so as to enhance production in view of the impending global food crisis; this House resolves that the Government writes off all AFC and ADC loans owing to the said institutions by farmers in the Rift Valley Province and other areas affected by the post-2007 election violence.

### A BILL FOR CREATION OF OFFICES OF MINISTER OF GOVERNMENT OF KENYA

**Mr. Ethuro:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, aware that the public mood of Kenyans is to have a clean and lean Cabinet that reflects its Gross Domestic Product (GDP), noting that Section 16(1) of the Constitution of Kenya provides that:-

"There shall be such offices of the Ministries of Government of Kenya as may be established by Parliament."

Aware that since the inception of the Republic, Parliament has not established such offices of the Minister of the Government of Kenya resulting in the arbitrary and the uncontrolled establishment of excess Ministries; this House do grant leave to introduce a Bill for an Act of Parliament to create offices of Minister of Government of Kenya and to provide for the requirements for the appointment and for related matters.

#### INTRODUCTION OF OFFICIAL OPPOSITION BILL

**Mr. Namwamba:** Mr. Speaker, Sir, I wish to give notice of the following Motion:-

THAT, appreciating the critical role of the Official Opposition in Kenya's progression as an emerging democracy and further recognising the unique circumstances that have begotten the Grand Coalition Government and the probability of similar circumstances arriving in the future; this House grants leave to introduce a Bill for an Act of Parliament entitled "The Official Opposition Bill" to anchor, govern and regulate the Opposition in Parliament.

#### INTRODUCTION OF FISCAL MANAGEMENT BILL

**Mr. Mbau:** Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, aware that the budget making process is solely undertaken by the Executive arm of Government, further aware that the legislature is conferred an oversight function by the Constitution and other written laws, this House grants leave to introduce a Bill for an Act of Parliament entitled "The Fiscal Management Bill" to provide for the democratisation, regulation and oversight of the national budget making process and for connected purposes.

#### QUESTION BY PRIVATE NOTICE

##### MEASURES TO AVERT IMMINENT FOOD CRISIS

**Mr. Baiya:** Mr. Speaker, Sir, I beg to ask the Minister of State for Special Programmes the following Question by Private Notice.

In view of the imminent world food crisis projected by the World Food Programme, what urgent measures is the Government putting in place to avert hunger and ensure food access by all, throughout the crisis period?

**The Minister for Special Programmes (Dr. Shaban):** Mr. Speaker, Sir, this Question has been referred to the Ministry of Agriculture, which is in charge of food production in our country. I wish to ask for some time, so that the correct answer can come from there.

**Mr. Baiya:** Mr. Speaker, Sir, I would like to seek an indication from the Minister

concerned as to when the answer will be given. Secondly, the issue of food security, in my view, would go beyond the scope of simply the Ministry of Agriculture.

But I would request the Minister to indicate when her counterpart is going to respond to the Question.

**Mr. Speaker:** Mr. Minister, are you able to indicate when your counterpart will respond to the Question?

**The Minister for Special Programmes (Dr. Shaban):** Mr. Speaker, Sir, it should be on Tuesday next week.

**Mr. Speaker:** Mr. Baiya seems a bit anxious. Your Question is deferred to Tuesday next week.

*(Question deferred)*

## ORAL ANSWERS TO QUESTIONS

### *Question No.020*

#### SETTLEMENT OF LOROGON/KAPEDO BOUNDARY DISPUTE

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

- (a) whether he is aware that there exists a boundary dispute between Pokot and Turkana communities living on the boundaries of Lorogon and Kapedo;
- (b) considering that the dispute has contributed to increase in cattle rustling in the area, loss of lives and livelihood, what measures the Ministry has put in place to settle the dispute; and,
- (c) what progress was made by the Boundary Review Committee launched by the Government in 2002 in relation to Lorogon and Kapedo boundaries.

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

(a) Yes, I am aware that there is a dispute between the Pokot and Turkana communities living on the boundaries of Lorogon and Kapedo.

(b) The Provincial Security and Intelligence Committee, the District Security Intelligence Committee, the Provincial Surveyor, the local leaders and elders from the two districts held a joint meeting on 26th and 27th April, 2007, in Nakuru to resolve the boundary dispute. It was recommended that surveyors from the Ministry of Lands headquarters should be sent to the ground to determine the accurate boundary and put beacons on the ground. The dispute will be settled once the surveyors complete their work.

(c) There was no boundary review committee launched by the Government in 2002. However, there was an elders committee from both Pokot and Turkana districts to resolve the boundary dispute in 2003. The Government has been implementing the committee's recommendations as follows:-

(i) Carrying out capacity building and conflict resolution seminars among the affected communities through community-based organisations and international Non-Governmental Organisations (NGOs).

(ii) Initiating dialogue between the communities to enhance peaceful co-existence.

(iii) Deploying more security officers to protect people's lives and property.

**Mr. Ethuro:** Mr. Speaker, Sir, I want to thank the Assistant Minister for the good answer.

However, this problem has really bothered the residents of this region for a long time. Just early this week, four people were killed on that part of the boundary. There is a catalogue of events that have happened in the last many years because of that dispute.

First, I want to inform the Assistant Minister that part "c" of this Question is referring to 2002. This Government seems to have lost its memory! That committee was there. It was announced by the retired President and it is a sad commentary when the Government does not have to have an institutional memory.

Mr. Speaker, Sir, it is true that we had a meeting in Nakuru in 2007 where we agreed that surveyors were going to demarcate the boundaries as they are currently established. That was supposed to be done in one month. We are now in April, 2008. One year later, the Assistant Minister is telling this House that the dispute will be settled once the surveyors complete their work. How long do surveyors take to survey a place? By the way, this is not a new boundary. They were supposed to go back to the maps and demarcate the boundary as it is known. We are not creating new boundaries. How long does it take the surveyors to complete their work?

**Mr. Speaker:** Very well, Mr. Ethuro! You have asked your question, wait for the answer!

**Mr. Ethuro:** Thank you, Mr. Speaker, Sir.

**Mr. Lesrima:** Mr. Speaker, Sir, this dispute is not very easy to resolve at the speed at which it was promised by the previous Government as indicated by hon. Ethuro. You will also recall that in the latest meeting that we held in Nakuru, new issues emerged. Several maps were being produced by the two different groups to justify the original boundaries of the two districts. That is why we have had to prepare the stage by creating a peaceful environment between the two groups, namely, the Pokots and the Turkanas, before we actually go to the ground.

As to why we did not go to the ground last year, you will realise that, that was an election year. Given the sensitivity of this matter, it was not easy to move to the ground when the two groups were not in a peaceful co-existence. It was not easy to go to the ground on an election year because a number of issues would arise during an election year.

**The Member for Sigor (Mr. Litole):** Mr. Speaker, Sir, this is going to be my Maiden Speech. First of all, I want to thank---

**Mr. Speaker:** Ask your question! You will have an opportunity to make your Maiden Speech very soon.

**The Member for Sigor (Mr. Litole):** Thank you, Mr. Speaker, Sir. These issues are normally very sensitive and they should not be resolved in a hurry. An area like Lorogon was initially in Uganda up to 1971 when it came to Kenya.

I do not know what difficulties the Assistant Minister is having in resolving the dispute. This should be done because these areas were in Uganda and Lorogon has now been invaded by my good neighbours. I thought that this is something which can be done easily. For example, the hon. Member for Baringo East did his Kenya Certificate of Primary Education (KCPE) in Kapedo. So, it is easy for the Assistant Minister to know exactly where the boundaries are. Why has it taken that length of time to resolve this dispute?

**Mr. Lesrima:** Mr. Speaker, Sir, I did not hear what the hon. Member was saying because the former Minister in charge of Internal Security and his former deputy are consulting rather loudly. Could the hon. Member repeat his question?

**Mr. Speaker:** Very well, Mr. Assistant Minister! Mr. Litole, can you repeat the question? Please, restrict yourself to the Question!

**The Member for Sigor (Mr. Litole):** Mr. Speaker, Sir, why has it taken that long for the Assistant Minister to resolve the dispute while the boundaries have been there? The Districts and Provinces Act of 1992 shows all the districts and provinces. This is an easy thing to do. Why should one take such a long time?

**Mr. Lesrima:** Mr. Speaker, Sir, I want to thank the hon. Member for referring to the Districts and Provinces Act (1992) because, in fact, the beacons are delineated in that Act. However, it is important for both parties to get to the ground. We need to take both parties; the Pokot and the Turkana elders, to the ground. We need to provide adequate security to the Provincial Surveyor to identify the beacons. Some of these beacons may have been removed. I am not saying that the exercise should not be carried out. I am saying that we need to meet again; the Turkana and the Pokot leaders, and agree on the programme of going to the ground. While we are doing that, we need to provide adequate security in the area.

**Mr. Farah:** Mr. Speaker, Sir, given that you do not have a presumption that even if you are going to have a border between two districts, there is no community that lives on the other side, effectively you can have the Pokot District and the Turkana District have an official boundary. But that does not necessarily tell you that there are no members of the Turkana community living in Pokot or Pokot community living in Turkana. These are fluid communities. They are nomadic communities. Even if there was a border and a Turkana crosses over to Pokot, you will not take him to court for trespassing because the land is not adjudicated. It does not fall under group ranches or private property. It is just an assumption of where the boundary is. This problem is in all pastoralists areas.

What is the Assistant Minister doing to make sure that in those situations, there is harmony between the communities regardless of where they are following pasture and water?

**Mr. Lesrima:** Mr. Speaker, Sir, I agree with the hon. Member. When I am answering this Question, I am not saying that Turkana District is occupied by purely Turkanas and Pokot District is occupied by purely Pokots. In fact, it is the boundaries of the two districts which is actually in dispute rather than the communities living in the districts. I also agree with him that, in fact, pastoralists do not pursue boundary issues unless they are hiding something else there. For example, as I speak now, members of the two districts are, indeed, grazing in my district. So, I understand those issues.

As to the question of what we are going to do to ensure that people live in harmony, the Office of the President has a department that deals with peace and reconciliation. That is why, in my original answer, I mentioned that we need to strengthen peace committees even in preparation of going to the ground.

The two districts are now disputing the issue of the boundaries. This becomes critical only when there are certain resources that are in dispute. In this particular case, if we were to be open, there is an issue as to who should benefit from the Turkwel Gorge. That is one of the issues. With the new district coming in place, each side is trying to see who should benefit more. The best thing is to identify the beacons and discuss how the natural resource can be shared. With regard to grazing, if they establish grazing committees, then we can deal with the question of moving from one district to another in search of pasture.

**Mr. Ethuro:** Mr. Speaker, Sir, I completely agree that the matter of the boundary is very sensitive. This is the more reason why the Assistant Minister should expedite the resolution of the problem rather than delaying it. In 2002, about 35 people were killed from both communities. In 2003, about 100 people were killed. In 2004, about 30 were killed and in 2005, three people were killed. For how long are we going to allow people to be killed when the Assistant Minister is still waiting for the surveyors to complete their work and hand over the report to him?

Mr. Speaker, Sir, I would like the Assistant Minister to facilitate these meetings. He should give us a time-table and commit himself before the House on when we are going to get the surveyor's report. When is he going to take us to the ground, so that we can agree? The communities have no problem. We graze together---

**Mr. Speaker:** Order, Mr. Ethuro! What is your last question?

**Mr. Ethuro:** Mr. Speaker, Sir, my last question is: Will the Assistant Minister ensure that this process is completed? The survey works should be completed and the two communities should sit down to agree on the boundary issue.

**Mr. Lesrima:** Mr. Speaker, Sir, we undertake to carry out this exercise as soon as possible.

**Mr. Speaker:** Next Question by Mr. Mbai!

*Question No.022*

MEASURES TO CONTROL SAND  
HARVESTING IN EASTERN PROVINCE

**Mr. Mbai** asked the Minister for Environment and Mineral Resources:-

(a) in view of the fact that sand harvesting is causing irreversible environmental degradation in the lower Eastern Province, what urgent measures he is taking in mitigation; and,

(b) why the Ministry has not imposed a ban on sand harvesting.

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

(a) This matter has come to the attention of the Ministry---

**Mr. Mbai:** On a point of order, Mr. Speaker, Sir. I do not have the written answer to the Question!

**Mr. Speaker:** Mr. Minister, the hon. Member does not have a written answer!

**The Minister for Environment and Mineral Resources** (Mr. Michuki): Mr. Speaker, Sir, it will be supplied. The Question, in the first place, came to the Ministry at a very short notice. The answer has been sent to the Office of the Clerk.

**Mr. Speaker:** Order, Mr. Minister! You are a long-standing Member and you, therefore, are aware of the Standing Orders to the extent that they require a written answer being supplied, not just to the hon. Member, but sufficient copies to be circulated to the rest of the Members of the House in good time. If that has not happened, Mr. Mbai, are you happy if this Question is deferred to next week?

**Mr. Mbai:** Yes, Mr. Speaker, Sir.

**The Minister for Environment and Mineral Resources** (Mr. Michuki): Mr. Speaker, Sir, I concur.

*(Laughter)*

**Mr. Speaker:** The Question is, therefore, deferred to Tuesday next week. All Ministers, and Leader of Government Business, be informed that it is necessary that we all comply with the Standing Orders with respect to the asking of Questions and the supply of answers thereto.

**Mr. Mbai:** On a point of order, Mr. Speaker, Sir. Could the Question be deferred to the succeeding week because I will not be here next week?

**Mr. Speaker:** It is so ordered! It is deferred to Tuesday the succeeding week.

*(Question deferred)*

**Mr. Bahari:** On a point of order, Mr. Speaker, Sir. Thank you for your ruling. However, the Minister says that the written answer has already been supplied to the Office of the Clerk. Could we know where the problem is? It now looks like the responsibility of supplying the written replies lies with the Office of the Clerk, and not the Ministry?

**Mr. Speaker:** Order, Mr. Bahari! I have already ruled on that matter and it is concluded.  
Next Order!

## MINISTERIAL STATEMENT

### NOMINATION OF MEMBERS TO HOUSE COMMITTEES

**The Vice-President and Minister for Home Affairs** (Mr. Musyoka): Mr. Speaker, Sir, the House Business Committee has nominated Members to serve in various committees as indicated below:-

#### PARLIAMENTARY SERVICE COMMISSION (PSC)

The Speaker of the National Assembly, Leader of Government Business	Chairman
Hon. Joseph Lekuton, MP	
Hon. Peter Mwathi, MP	
Hon. Walter Nyambati, MP	
Hon. Jamleck Kamau, MP	
Hon. Zakayo Cheruiyot, MP	
Hon. Chris Okemo, MP	
Hon. Olago Alouch, MP	
Hon. Rev. Julius Murgor, MP	

#### A. SESSIONAL COMMITTEES

##### PUBLIC ACCOUNTS COMMITTEE

Hon. Daniel Muoki, MP	
Hon. George Thuo, MP	
Hon. Elias Mbau, MP	
Hon. David Ngugi, MP	
Hon. Dr. Bonny Khalwale, MP	
Hon. Alex Muthengi Mwiru, MP	
Hon. Thomas Ludindi Mwadeghu,	MP
Hon. Francis Chachu Ganya, MP	
Hon. Dr. Julius Kones, MP	
Hon. Boaz Kipchumba Kaino, MP	
Hon. Charles Onyancha, MP	

##### PUBLIC INVESTMENTS COMMITTEE

Hon. Nduya Muthama, MP
Hon. David Eseli, MP
Hon. Mithika Linturi, MP
Hon. Ephraim Maina, MP
Hon. Nemesys Warugongo, MP
Hon. David Were Aoko, MP
Hon. John Ng'ongo Mbandi, MP
Hon. Sammy Mwaita, MP
Hon. Cyrus Jirongo, MP

Hon. Lukas Kigen, MP  
Hon. Yusuf Chanzu, MP

**CONSTITUENCIES DEVELOPMENT FUND COMMITTEE**

Hon. Nyammo F. Thombe, MP  
Hon. Wilfred Ombui, MP  
Hon. Charles Kilonzo, MP  
Hon. Nuh Nassir, MP  
Hon. Ekwee Ethuro, MP  
Hon. Nicholas Gumbo, MP  
Hon. Magerer J. Kiprono Lagat, MP  
Hon. Evans Bulimo Akula, MP  
Hon. Moses Kiprono Lesonett, MP  
Hon. Charles Lilechi Lugano, MP  
Hon. Charles Mutisya Nyamai, MP

**B. DEPARTMENTAL COMMITTEES**

**DEPARTMENTAL COMMITTEE ON ENERGY, COMMUNICATIONS AND PUBLIC WORKS**

Hon. Kambi Kazungu, MP  
Hon. Maina Kamau, MP  
Hon. Clement Wambugu, MP  
Hon. Isaac Muoki, MP  
Hon. Emilio Kathuri, MP  
Hon. James Gordon Rege, MP  
Hon. Ekwee Ethuro, MP  
Hon. Eng. Nicholas Gumbo, MP  
Hon. Charles Lilechi Lugano, MP  
Hon. Edwin Achieng Yinda, MP  
Hon. Charles Mutisya Nyamai, MP

**DEPARTMENTAL COMMITTEE ON AGRICULTURE, LANDS AND NATURAL RESOURCES**

Hon. Erastus Mureithi, MP  
Hon. John Mututho, MP  
Hon. Silas Ruteere, MP  
Hon. Benson Mbai Itwiku, MP  
Hon. Kambi Kazungu, MP  
Hon. Munyaka Kioko, MP  
Hon. Franklin Bett, MP  
Hon. Evans Akula Bulimo, MP  
Hon. Peris Chepchumba, MP  
Hon. Robert Monda, MP  
Hon. Benjamin Jomo Washiali, MP

**DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY**

Hon. David Mwaura Kiburi, MP



Hon. Barnabas Muturi, MP  
 Hon. Peter Gitau, MP  
 Hon. Shakilla Abdalla, MP  
 Hon. Aden Keynan, MP  
 Hon. Jamleck Kamau, MP  
 Hon. Danson Mwazo Mwakilugwa, MP  
 Hon. David K. Koech, MP  
 Hon. Alfred Bwire Odhiambo, MP  
 Hon. John Pesa Dache, MP  
 Hon. Isaac Ruto, MP

**DEPARTMENTAL COMMITTEE ON  
 ADMINISTRATION OF JUSTICE AND LEGAL AFFAIRS**

Hon. Abdikadir Mohamed, MP  
 Hon. Mutava Musyimi, MP  
 Hon. Wamalwa Eugene, MP  
 Hon. Amina Abdalla, MP  
 Hon. Nyamweya George, MP  
 Hon. Baiya Peter, MP  
 Hon. Millie Odhiambo, MP  
 Hon. Isaac Ruto Kiprono, MP  
 Hon. Ababu Namwamba, MP  
 Hon. Olago Aluoch, MP  
 Hon. Alfred Sambu, MP

**DEPARTMENTAL COMMITTEE ON  
 DEFENCE AND FOREIGN RELATIONS**

Hon. Kiema Kilonzo, MP  
 Hon. Wamalwa Eugene, MP  
 Hon. Mohammed Affey, MP  
 Hon. Kioni Ngayu, MP  
 Hon. Adan Keynan, MP  
 Hon. Ali Hassan Joho, MP  
 Hon. John Ng'ongo Mbadi, MP  
 Hon. Joshua Kutuny, MP  
 Hon. Eddick Omondi Anyanga, MP  
 Hon. Litole Mutivu Wilson, MP

Hon. Bennedict Fondo Gunda, MP

**DEPARTMENTAL COMMITTEE ON  
 FINANCE, PLANNING AND TRADE COMMITTEE**

Prof. The Hon. Kaloki Kyalo, MP  
 Hon. Kivuti Lenny, MP  
 Hon. Gaichuhie Nelson, MP  
 Hon. Bahari Ali, MP  
 Hon. Musikari Kombo, MP  
 Hon. Ntoithia M'Mithiaru, MP  
 Hon. Chris Okemo, MP  
 Hon. Nkoidila ole Lankas, MP  
 Hon. Jakoyo Midiwo, MP  
 Hon. Lucas Chepkitony, MP  
 Hon Ahmed Shakeel Ahmed

Shabbir, MP

**DEPARTMENTAL COMMITTEE ON  
ADMINISTRATION, NATIONAL****SECURITY AND LOCAL****AUTHORITIES**

Hon. Kiuna Nganga Joseph, MP		
Hon. Ngata Kariuki, MP		
Hon. Kiilu Peter, MP		
Hon. Kungu Waibara, MP		
Hon. Nguyai Lewis, MP		
Hon. Mwalimu Mwahima, MP		
Hon. Raphael Lakalei Letamalo,	MP	
Hon. Mohamed Hussein Ali, MP		
Hon. Fred Kapondi Chesebe, MP		
Hon. Cyprian Ojwang Omollo, MP	Hon. Pollyins Ochieng Anyango,	MP

**DEPARTMENTAL COMMITTEE ON  
HEALTH, HOUSING, LABOUR AND****SOCIAL WELFARE**

Hon. Abdirahman Hassan, MP	
Hon. Githunguri Stanley, MP	
Hon. Nuh Nassir, MP	
Hon. Mbai Itwiku Benson, MP	
Dr. The Hon. Bonny Khalwale, MP	Hon. Munyaka Kioko, MP
Hon. Elijah Kiptambei Lagat, MP	Hon. Sophia Abdi Noor, MP
Dr. The Hon. Robert Monda, MP	
Hon. Joseph Oyugi Magwanga, MP	Hon. Fredrick Outa, MP

**HOUSE KEEPING AND OTHER****COMMITTEES****FISCAL ANALYSIS AND****APPROPRIATION (BUDGET)****COMMITTEE**

Hon. Peter Kiilu, MP  
 Hon. Ekwee Ethuro, MP  
 Hon. Elias Mbau, MP  
 Hon. Ngugi David, MP  
 Hon. Mureithi Erastus, MP  
 Hon. Maison Leshoomo, MP  
 Hon. Muoki Isaac, MP  
 Hon. Martin Otieno Ogindo, MP  
 Dr. The Hon. Julius Kones, MP  
 Hon. Alfred Wekesa Sambu, MP  
 Hon. Omari Bwana Zonga, MP  
 Hon. Sheikh Yaqub Muhammad Dor, MP  
 Hon. Mosses Lessonet, MP  
 Prof. The Hon. Margaret Kamar, MP  
 Hon. Julius R. Murgor, MP

**STANDING ORDERS COMMITTEE**

Hon. Kenneth Marende, MP - Speaker,	National Assembly
Hon. Farah Maalim, MP - Deputy	Speaker, National Assembly
Hon. Gitobu Imanyara, MP	
Hon. Kioni Ngayu, MP	
Hon. Mohamed Abdikadir, MP	

Hon. Nassir Nuh, MP  
Hon Ababu Namwamba, MP  
Hon. Franklin Bett, MP  
Hon. Boaz Kipchumba Kaino, MP  
Hon. David Aoko Were, MP  
Hon. Pollyins Ochieng Anyango, MP

#### **LIBRARY COMMITTEE**

Hon. Farah Maalim, MP - Deputy Speaker, National Assembly  
Hon. F.T. Nyammo, MP  
Hon. Shakila Abdalla, MP  
Hon. Daniel Muoki, MP  
Hon. Ruteere Silas, MP  
Hon. Kiema Kilonzo, MP  
Hon. Joseph Oyugi Magwanga, MP  
Hon. Yusuf Chanzu, MP  
Hon. Cyprian Ojwang Omollo, MP  
Hon. Sophia Abdi Noor, MP  
Hon. Rachel Shabesh

#### **CATERING COMMITTEE**

Hon. Kenneth Marende, MP - Speaker, National Assembly  
The Clerk of the National Assembly  
The Chief Serjeant-At-Arms  
Hon. Shakila Abdalla, MP  
Hon. Amina Abdalla, MP  
Hon. Kambi Kazungu, MP  
Hon. Benedict Fondo Zonga, MP  
Hon. Julius Murgor, MP  
Hon. Peris Chepchumba, MP  
Hon. Evans Bulimo Akula, MP

#### **POWERS AND PRIVILEGES COMMITTEE**

Hon. Kenneth Marende, MP - Speaker, National Assembly  
Prof. The Hon. Philip Kaloki, MP  
Hon. Kioni Ngayu, MP  
Hon. Wamalwa Eugene, MP  
Hon. Mohammed Abdi Affey, MP  
Hon. Ombui Wilfred, MP  
Hon. Millie Odhiambo, MP  
Hon. Isaac Ruto, MP  
Hon. Gideon Mungaro, MP  
Hon. Ali Hassan Joho, MP  
Hon. Fred Kapondi, MP

#### **PENSIONS COMMITTEE**

Hon. Ali Bahari, MP  
Hon. Chris Okemo, MP

#### **PENSIONS APPEALS TRIBUNAL**

Hon. Moses Wetangula, MP

## POINT OF ORDER

### OPERATIONALIZATION OF THE POLITICAL PARTIES ACT

**Mr. Imanyara:** On a point of order, Mr. Speaker, Sir. Last year, this House enacted the Political Parties Act. The provisions of that Act were to be brought into operation by an order of the President. I am asking the Minister of State for Provincial Administration and Internal Security, or the Leader of Government Business, to tell this House when the provisions of the Political Parties Act will be brought into force in compliance with the wishes of this House that passed this law last year.

**Mr. Speaker:** Order, Mr. Imanyara! Before we come to that, I was informed that there were some Ministerial Statements. Minister of State for Provincial Administration and Internal Insecurity, I had intimation that you have a Ministerial Statement to make. Professor Saitoti, do you have one?

**Ms. A. Abdalla:** On a point of order, Mr. Speaker, Sir. Is it in order for the Leader of Government Business to give a Ministerial Statement and we do not get an opportunity to comment on the contents of the Ministerial Statement?

**Mr. Speaker:** That is the position, hon. A. Abdalla, going by precedence and traditions of this House. The Leader of Government Business will read out the list which has been constituted as a result of a meeting of the House Business Committee and by the provisions of the Standing No.154. That prerogative, authority and power rests solely with the House Business Committee. It has been and will be.

**Ms. A. Abdalla:** Thank you, Mr. Speaker, Sir, for that clarification. But the House Business Committee, as constituted, is not the normal House Business Committee that we have had in the past. The House Business Committee is too lopsided in that it is full of Ministers. There were no comments from the Backbenchers on the contents of the list presented by the House Business Committee. So, this is authoritarianism from the House Business Committee. You are not taking this opportunity by breaking new grounds of managing the House Business Committee.

**Mr. Speaker:** Yes, hon. A. Abdalla, I have noted your concerns. Indeed, it is a fairly reasonable concern. But, as a House, we are under duty to uphold our practices, traditions and follow precedence as already established. However, hon. A. Abdalla and other Members, you have opportunity to question, interrogate and even vary the Membership of the Committees, as have been established by the House Business Committee. But your window of opportunity is to bring a Notice of Motion. Pursuant to that Motion, the House could change the Membership of the Committees.

**Mr. C. Kilonzo:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Let us proceed! I have already ruled!

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Speaker, Sir, I have just been hijacked by the Leader of Government Business, but I will make the following statement.

On 24th April, 2008, Mr. Ethuro---

**Mr. Ethuro:** On a point of order, Mr. Speaker, Sir. This is obviously a Government that does not talk among itself! This Statement was made this morning by his able Assistant Minister, "Mr. Ojode *Serikali*", and we agreed, with the indulgence of the Chair, that it should be brought next week because it was not covering the real thing. That was just this morning!

**Mr. Speaker:** Mr. Minister, will you want to take advantage of that?

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Speaker, Sir, without getting into too many details, you could see that when I came in, I did not have the Statement precisely because it was supposed to have been made by my Assistant Minister, who is not here. But as I stood here to seek your indulgence, I thought I could come much later. The Leader of Government Business ably presented it to me but, in the light of the new information from Mr. Ethuro, I will do exactly as agreed this morning.

*(Applause)*

**Mr. Speaker:** Order, hon. Members! I think that in the light of the disclosures that have been made, and in the light of the fact that the Minister was not quite that prepared, the Ministerial Statement will remain deferred. It will be issued on Tuesday next week.

*(Ministerial Statement  
deferred)*

Next Order!

## **BILLS**

### *First Readings*

THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL

THE INTERNATIONAL CRIMES BILL

*(Orders for First Readings read - Read  
the First Time and ordered to be referred to  
the relevant Departmental Committees)*

**Mr. Speaker:** It had been brought to my notice earlier that there will be hon. Members seeking Ministerial Statements, apart from the Ministerial Statement that was due from the Minister of State for Provincial Administration and Internal Security. So, hon. Members, the House will have to bear with the Speaker. We will have to go back to the two hon. Members who are going to seek Ministerial Statements.

## **POINTS OF ORDER**

KILLING OF CHARLES NDUNG'U WAGACA  
AND NAFTALI IRUNGU

**Mr. Baiya:** Thank you, Mr. Speaker, Sir. I rise to seek a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security. Recently, we witnessed two very sad deaths of Charles Ndung'u Wagaca and Naftali Irungu on Monday, 28th April, 2008, at Lari, Kiambu District. The two died in very mysterious circumstances in what appeared to be a planned assassination.

Many Kenyans continue to lose their lives in a manner that has not been explained to this House and the general public. Could the Minister, therefore, shed some light on this matter and

assure this House that thorough investigations will be carried out and, if possible, by an independent body rather than the police force, which has been alleged to be suspect in the killings that have been going on? That will ensure that the culprits are brought to book.

Could the Minister also ensure that people who frequently continue to kill--- They are never nabbed! Is it that we have people who are licensed to kill innocent Kenyans and they go scot-free? Could he also explain to this House whether there are any plans by the Government to support the families and children of the many Kenyans who have been killed in the recent past in mysterious circumstances?

#### OPERATIONALISATION OF THE POLITICAL PARTIES ACT

**Mr. Imanyara:** Mr. Speaker, Sir, when this House passes a law and the President gives assent to that law, it is the expectation that the Executive Arm of the Government will take the necessary steps to bring that law into operation. The Political Parties Act was passed last year by this House.

Could the Minister of State in the Office for Provincial Administration and Internal Security, or the Leader of the Government Business, give a Ministerial Statement to tell us when the provisions of that Act will be brought into force in compliance with the wishes of the House?

**Mr. Speaker:** Could the Minister of State for Provincial Administration and Internal Security indicate when the Statement on the deaths of the two Kenyans will be available?

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Speaker, Sir, I would like to inform the House that the Statement will be made next week. I shall personally not be here because of some other functions out of the country, but a comprehensive Statement will be made. In the meantime, I want to say quite clearly that, indeed, the matter related to the deaths of those two people is the one that is under intensive investigations by the police. Without going into the depth of the matter, it has emerged that the police have got nothing to do with that. But such a Statement will definitely come next week on Tuesday.

**Mr. Speaker:** And the Leader of Government Business on the other matter?

**The Vice-President and Minister for Home Affairs** (Mr. Musyoka): Mr. Speaker, Sir, on the matter of the Political Parties Act, I will have it referred expeditiously to the Minister for Justice, National Cohesion and Constitutional Affairs. I am sure a Statement will be forthcoming.

**Mr. Speaker:** Very well, Mr. Minister!

Next Order!

#### MOTION

##### APPROVAL OF KENYAN REPRESENTATIVES TO PAN AFRICAN PARLIAMENT

**The Vice-President and Minister for Home Affairs** (Mr. Musyoka): Mr. Speaker, Sir, I am aware of the limitation of time because by 3.30 p.m. we should start to discuss the Supplementary Estimates. Therefore, I beg to move the following Motion.

THAT, in conformity with Article 7 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament (PAP) and Rule 8(4) of the Rules of Procedure of the Pan African Parliament; this House approves the nomination of the following Members to the Pan African Parliament:-

Hon. Bahari Ali, MP

Hon. Gitobu Imanyara, MP  
Hon. Musa Sirma, MP  
Hon. Rachel Shabesh, MP  
Hon. Gedion Mung'aro, MP

This matter is urgent because on 5th May, 2008, the Kenyan representatives to the PAP are supposed to be sworn-in. Indeed, there is an orientation ceremony on the weekend before and, therefore, I want to urge that we do what we must do, as the Kenyan Parliament, namely, to approve the list of our representatives to go and represent this country in Pretoria. I gather that the matter of what happened in this country after the elections is a top agenda item. It is only fair that when Kenya is being discussed that we have our own representatives in the PAP.

With those few remarks, I beg to move.

**Mr. Speaker:** Who is seconding?

**The Minister for Finance** (Mr. Kimunya) seconded.

*(Question proposed)*

**Mr. K. Kilonzo:** Mr. Speaker, Sir, in the last Parliament, which was the Ninth Parliament, when the issue of the Pan African Parliament (PAP) came up, I believe that the ruling then was that these slots would be shared on the basis of party strength. Today, you have just ruled, when Ms. Abdalla rose on a point order, that this House respects precedence. If you look at the names of hon. Members who are being nominated to the PAP, while I appreciate that they are very able hon. Members to represent this country to the PAP, the precedence on selection of these names has not been followed. The strength of Parliamentary parties in this House has not been followed. ODM(K) has 18 Members of Parliament in this House. It is the third party in terms of membership. In fact, our Presidential candidate was the third, with almost one million votes. That shows that ODM(K) deserves a slot in the PAP. There is no ODM(K) hon. Member among these names. It is not for ODM(K), or any other person, to say that they have ceded our slot, because ODM(K), as a party, deserves a slot in the PAP. I, therefore, seek your indulgence for these names to be withdrawn, so that the slots can be given on the basis of party strength.

*(Question put and agreed to)*

**Hon. Members:** Division! Division! Division!

*(Several hon. Members stood  
up in their places)*

**Mr. Speaker:** Order! I am sorry, hon. Members! I am afraid you do not have the requisite number for a Division!

## COMMITTEE OF SUPPLY

### MOTION

APPROVAL OF SUPPLEMENTARY ESTIMATES  
(RECURRENT AND DEVELOPMENT) 2007/2008

**The Minister for Finance** (Mr. Kimunya): Mr. Speaker, Sir, I beg to move:-

(a) THAT, a sum not exceeding Kshs34,515,776,970 be granted from the Consolidated Fund to meet Expenditure during the year ending 30th June, 2008 in respect of Supplementary Estimates of 2007/2008 Financial Year (Recurrent), having regard to the proposed reduction of Kshs19,639,022,420 therein appearing.

(b) THAT, a sum not exceeding Kshs21,043,535,420 be granted from the Consolidated Fund to meet Expenditure during the year ending 30th June, 2008 in respect of Supplementary Estimates of 2007/2008 Financial Year (Development), having regard to the proposed reduction of Kshs13,455,680,960 therein appearing.

I also want to state that His Excellency the President has given his consent to this Motion.

In June, 2007, I presented the Budget Estimates for the Financial Year 2007/2008, which totalled to Kshs693.7 billion. This Budget was prepared within the context of a medium term fiscal strategy. The medium term micro-economic framework that underpinned the 2007/2008 Budget was based on an average growth rate of 6.4 per cent. Agriculture, Agro-based manufacturing and tourism were expected to be the main drivers of this growth.

We also envisaged a rise in the level of investments by 5 per cent of the Gross Domestic Product (GDP), mainly arising from both the public and the private sectors, foreign direct investment buoyed by the anticipated improved infrastructure and sustained low interest rates.

The 2007/2008 is composed of the following:-

(i) The first item is domestic debt redemption, which was Kshs61.3 billion.

(ii) External debt redemption at Kshs17.8 billion.

(iii) Interest payments at Kshs49.4 billion.

(iv) Consolidated Fund services, with the bulk of that going to expansion at Kshs25.7 billion.

(v) Recurrent Expenditures at Kshs337.8 billion.

(vi) Development Expenditure at Kshs201.7 billion, giving a total of Kshs693.7 billion.

Mr. Speaker, Sir, these expenditures were fully funded from various sources of revenue, of which a sum of Kshs33.9 billion was to be borrowed from the domestic market to bridge the gap. I am grateful that Parliament gave me authority to implement the Budget through the Appropriation Act, 2007.

Mr. Speaker, Sir, in implementing the 2007/2008 Budget, I have adhered to the broad fiscal framework that I tabled before this House. We have strictly limited ourselves to the approved expenditure and our revenues have continued to perform as projected. Our performance on debt management has been impressive both under the domestic as well as the external portfolio. Allow me at this point, to thank the many Kenyans who have continued paying their taxes and who have made us achieve this wonderful feat of even exceeding our target. As of the last quarter, the cumulative figure for the nine months is already way above our target for tax collection. Again, this is because Kenyans agreed to pay their taxes despite the circumstances within which we have been operating.

While implementing this Budget, we were faced with a number of challenges, including the rising prices of crude oil and commodity prices in international market which have put some severe pressure on expenditures. We are aware of the post-election disturbances that faced this country in January and February 2008, which sadly, led to the loss of over 1,000 lives and over 350,000 people being internally displaced. Business and vital socio-economic infrastructure were destroyed and the country suffered loss of credit rating and investor confidence. I am happy to announce that the loss of credit rating has since reversed and we are now rated stable as opposed to the negative rating we were given by Standard & Poor's in January.

Mr. Speaker, Sir, the large number of the Internally Displaced Persons (IDPs) has resulted in increasing the pressure for food, medicine, water and shelter. Further, a number of Kenyans have



also been affected by other natural disasters like floods, thereby leaving them homeless and in dire need. The security situation resulting from the post-election crisis has also been a big challenge to the country resulting in the need for increased resources. These extraordinary circumstances have resulted in the need to re-assess our initial assumptions and considerations.

In spite of these setbacks, we have tried to live within our means and within the promise. We have, therefore, been able to achieve substantial progress towards our vision. During the first part of the year, as you are all aware, we have also crafted the new national agenda, "The Kenya Vision 2030" by which we project to revitalise the economy of this country and galvanise it towards a middle income country and an industrialised nation living within prosperity by the year 2030.

On the political front, as all Members are aware, this august House enacted the National Accord and Reconciliation Act, 2008 that ushered in a Grand Coalition Government to steer this country to a new political and social order. We further restructured the Government organisation in order to step up measures that would address the constitutional framework and the needs of the poor and the vulnerable members of the society.

The Grand Coalition Government has been formed as a response of the crisis facing this country. Through the Coalition, this country is addressing a harmonious and peaceful coexistence of different communities so as to provide the base for the much needed recovery and revitalisation of the economy. This Grand Coalition should, therefore, not be seen to be a burden on this country. Kenyans have quickly forgotten the mayhem that befell this country a few months ago in which we lost cherished lives and property worth billions. Some of us are not conscious of the cost of the absence of peace in comparison to the sacrifice we are making for peaceful coexistence.

Mr. Speaker, Sir, I would like to urge all of us to be realistic and accept the consequences that follow such a situation. The cost attributed in creating new Ministries is obviously nowhere near the figures that have been quoted in the media. I, therefore, would urge hon. Members to scrutinize the Estimates Books that are available with them in order to see for themselves the actual cost of meeting Government expenses within the remaining time to the end of the financial year and, indeed, more specifically, the cost attributable to the new Ministries. This is a mere fraction of the overall rather than the exaggeration that we have witnessed within the misreporting by the media.

Following the events and circumstances that have prevailed over the last half of last year and the first quarter of this year, Treasury has received requests from the various Government agencies, Ministries and departments for additional funds amounting to not less than Kshs62.3 billion to enable them continue to provide services in accordance with their mandate. These requests are obviously not affordable and so we have reviewed and rationalised them in order to limit them to priority areas that will ensure that we achieve the planned strategic interventions.

Under the circumstances, I have prepared the Revised Estimates of Revenue and Expenditure with a net Supplementary Budget of Kshs22.46 billion which I now propose for approval by this House. The Supplementary Budget I have proposed will not result in any additional borrowing. We hope to maintain it to a maximum of Kshs33.9 billion should the occasion necessitate such borrowing. Of the Kshs22.4 billion which I seek approval of this House, let me just highlight the main figures included therein and the details of which are available in the Printed Estimates.

You all recall that this Government promised and has, indeed, delivered on that promise of extending the Free Primary Education (FPE) Programme to secondary level. In the last Budget, we had anticipated to cover only the tuition costs. We had provided just under Kshs3 billion for the period between January and June. The cost to be covered has since increased to relieve parents of the extra burden and to ensure that all the bright Kenyan kids are given access to as much

opportunity to better their lives; better than the generations before them by extending the amount of sponsorship by the Government. This calls for an extra Kshs4 billion to finance the full cost of the free secondary education.

Within this amount is also a provision of Kshs3 billion which is additional expenditure in terms of the GoK contribution and commitment towards the emergency relief and resettlement of IDPs. We have already spent whatever had been provided for and according to the Budget. I believe no Kenyan anticipated the kind of violence that we saw, yet we had anticipated only to spend the money on emergency relief arising from natural calamities. These are basically the droughts and floods. These eventually occurred and we had to spend money. Over and above that, we have had to spend much more money on the resettlement of IDPs. This figure does not include any of the amount of money that is being spent by friends of Kenya directly and which have not been channelled through the Government accounts. So, this is 100 per cent Government finance top-up to the relief efforts. Mr. Speaker, Sir, Members will recall that this Government increased the salaries of civil servants as part of the rationalization of salaries across all the cadres. We provided even risk allowances and all those other payments that were made to some of our security forces. An amount of Kshs3.5 billion is being sought under the line of salaries and allowances to cater for the additional expenditure arising from the increase of salaries for public servants across various Ministries.

Under operations and maintenance, we will be seeking an extra Kshs4 billion to cover the cost of operations attached to security issues arising from the skirmishes and the need to maintain law and order in this country. So, that calls for an extra Kshs4 billion. The details of that, again, are contained in the books.

Within this figure is also an amount of Kshs500 million that is being expended towards the acquisition of the land on which the Muthurwa Hawkers Market was built. That land was part of the Kenya Railways Corporation land. We made a decision that the Railways Pension Fund required to have value for their land. An amount is being included to compensate them for that land, where we are now having our petty traders - if you would like to use that term instead of the hawkers - relocated to make a decent living without the hustle and bustle of the streets.

Mr. Speaker, Sir, included also within this extra amount of Kshs22.4 billion is the amount of Kshs400 million which is the provision for new Ministries. So, for those who are keen on analyzing the extra Ministries, we are providing just about Kshs400 million as the cost of setting up the establishment of all the new Ministries. Again, this is a provision. It does not mean that the full amount will need to be utilized. This is to ensure that they are grounded properly between now and the end of the financial year.

Within the Development Budget, an extra Kshs7 billion is required. Part of that money is, again, within the energy sector. There is also money for increasing our reserves in terms of food. In terms of cushioning the power costs, the Government did undertake that the difference between the 1.76 cents that we set as the tariff and the 2.36 cents that Kenya Power and Lighting Company (KPLC) is charged by the KenGen, that is 60 cents will be borne by the Government.

Mr. Speaker, Sir, within these Supplementary Estimates, we are including Kshs2.6 billion to cushion Kenyans from the higher cost of power. That is if they were to bear that cost themselves, it would have then been passed on to the consumer, while awaiting the finalisation of the tariffs. So, between now and June, the Kshs2.6 billion, again, is our burden. As part of relieving the high cost of living for the Kenyan people, it is one of the things that we are doing. It is included within the Development Budget.

Within that, we are also putting in money to extend credit or grants to the National Oil Corporation of Kenya (NOCK), to provide it with the capacity to extend its operations, so that, in future, they will be able to cushion customers on the higher cost of oil pump prices.

Mr. Speaker, Sir, I could go on and on but, again, the details of all that are included within the books. I just wanted to highlight that the total Development Budget will be going up by Kshs7 billion.

Mr. Speaker, Sir, other requirements have also been catered for through reallocations and cost savings within the various Ministries. We have had to freeze new recruitment, purchases of furniture and equipment, so that we can put the expenditures or allocations of money to where it will make most value for the Kenyan people.

Mr. Speaker, Sir, these shifts in allocation have also been occasioned by the recent reorganisation of the Government. As Members look at the books, they will see pluses and minuses within Ministries. If you look at, for example, the Ministry of Public Health and Sanitation and the Ministry of Medical Services, you will see, again, because of the split of functions, that there will be some monies that will be moving from the initial Ministry of Health to the next. The same case applies to the Ministry of Education and the Ministry of Higher Education, Science and Technology.

Mr. Speaker, Sir, so, between now and the time we actually bring the Appropriation Bill, if there is any explanation required, we will be happy to provide. The various Ministers will be available and at hand to provide that explanation.

Mr. Speaker, Sir, the Motion before this House is simple. It is to seek the approval for the net Supplementary Appropriation of Kshs14,876,754,550 in Recurrent Expenditure and a net increase of Kshs7,587,854,460 in Development Expenditure.

We are seeking the approval of this House also for the transfer of services to the new Ministries and the application of additional Appropriations-in-Aid. It is necessary that we provide that approval so that we can continue spending within the law. Also, for services to continue, we have people who need to be resettled. We have children attending secondary schools who need that extra financing. We also have all the other expenditures that we have talked about that need to be financed.

We are very fortunate that we have not had to go borrowing any extra than we promised this House. So, our macro-economic framework will not be affected. Within the resources that we had anticipated to cover the deficit, including the privatization process, we have been very fortunate in realising maximum value for Kenyans.

On Telkom Kenya, as you all remember, we realised upwards of Kshs24 billion when we had anticipated or planned a very conservative figure of Kshs6 billion. It has now come in terms of shielding that. On the Safaricom Initial Public Offer (IPO), we had anticipated a very conservative figure of Kshs34 billion to cover the expenses, but I am happy to report, from the indications we have, that we will be receiving the full Kshs50 billion. That now means that we have available resources over and above to cushion us from having to go and disrupt the domestic market through extra borrowing.

So, we are doing very well. Again, with the increase in our tax revenues, we should be able to finance all these things without having to go, really, competing with the Kenyans in the private sector in terms of borrowing domestically.

Before I end, I would also like to thank the hon. Members for their co-operation and continued support on oversight in tracking what we are doing and helping us get back on track. More importantly, also, I would like, through this House, to record my appreciation for the team within the Government---

I call them team mates who have been working very hard to ensure that the wishes and promises that we made in this House are met. Here, I am looking at all the various Accounting Officers within the Government Ministries. I thank them for really keeping in line and coming up, when we are required, with austerity measures to support that, so that we can cut down on all the

unnecessary expenditure and re-focus on things that will move us to developing in this country, healing and ensuring that we can sustain the economy.

The matter is straight forward. I will be asking hon. Members to support this Motion, so that its passage can pave way for us to publish the Appropriation Bill, that will facilitate the release of these monies from the Exchequer.

Mr. Speaker, Sir, with those remarks, I beg to move.

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Speaker, Sir, I rise to second the Motion that has been moved by the Minister for Finance. It will be recalled that last year we had a general election. General elections normally require a substantial amounts of expenditure, because of the costs involved in organising the whole process. Normally, there are other unforeseen expenditures, which have to be met. As a result, resources must be made available.

Mr. Speaker, Sir, the most unique thing in our case is that we did not know that, immediately after the elections, there was going to be post-election violence. This violence caused many injuries, loss of lives and destruction of the property of Kenyans. This resulted in many Kenyans moving to the Internally Displaced Persons (IDPs) camps. This is something we had not anticipated. While in the camps, it became necessary for these people to be housed, provided with the basics such as food, medical assistance and so on. This consumed a substantial amount of money, which had not been set aside.

Mr. Speaker, Sir, the post-election violence had very adverse effects on Government revenue. This violence led to the curtailment of the number of tourists who visit this country. That caused revenue collection to shrink. This also affected production by industries.

Mr. Speaker, Sir, from the point of view of my Ministry, the Ministry of State for Provincial Administration and Internal Security, we had to deploy security forces to the various affected areas, so that we could contain the violence which was developing fast. That, again, was a totally unpredicted expenditure. Hon. Members will observe that in the Supplementary Estimates, some money has been factored for that. This was to ensure that this problem was contained.

Mr. Speaker, Sir, another additional funds, which we must take into account, arise from the fact that we did have the National Accord which was crafted, discussed and agreed on between His Excellency the President and the Prime Minister. All this was to ensure that normalcy was restored, and a spirit and sense of unity among Kenyans was brought about. That led to formation of the Grand Coalition, which is represented in this Parliament. Undoubtedly, that also led to a slightly bigger size of the Cabinet than would have been the case. Apart from the President and the Vice-President, there was also the creation of the offices of the Prime Minister and the two Deputy Prime Ministers, as well as the creation of several Ministries. Once again, this had not been anticipated when the Minister for Finance presented the Budget last year in June. Therefore, these unforeseen expenditures have been captured now in the Supplementary Estimates.

Mr. Speaker, Sir, there is an additional Kshs1 billion that has been factored into the Budget for the purpose of resettling the IDPs. These people are in several places. On this, let us understand that these are Kenyans, who are living as refugees in their own country. It is a terrible shame. I do not think we can allow this situation to persist. As a country which respects human and constitutional rights of all its citizens, we have an obligation to ensure that these people are resettled. Once again, this situation was foreseen and there is that substantial amount of money which has been set aside for this purpose.

I have no doubt that more money will be set aside because during the post-election violence, there were several infrastructural projects, such as roads and schools, which were damaged. All the money set aside for such purposes is also part of these Supplementary Estimates.

Mr. Speaker, Sir, it is for that reason that in seconding this Motion, I want to urge hon.

Members to really support it, so that resources can be made available. This will enable us resettle the thousands of Kenyans who are living in very miserable conditions. More importantly, we need to have resources which are going to be used to repair a number of secondary schools, which were destroyed in one way or the other, so that children can continue learning.

Mr. Speaker, Sir, with those few remarks, I beg to second this Motion. It is important to ensure that the new Ministries start operating and providing services to Kenyans.

Thank you.

*(Question proposed)*

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government** (Mr. Githae): Thank you, Mr. Speaker, Sir, for giving me this opportunity to make my contribution to this Motion.

Mr. Speaker, Sir, first, before we say or do anything, I think we must commend the Kenya Revenue Authority (KRA) and its staff, led by the Commissioner-General, for saving this country. During the chaos that erupted after the elections, everybody was worried that revenue will go down and, as a result, the Government will be forced to borrow money from the private sector, finance institutions and banks in order to finance Government expenditure. The result of that would have been to increase inflation.

I do not know what magic the people in KRA are using; I do not know what *kamuti* they are using, but the result is that revenue or tax collection has not gone down! In fact, they have met their targets. So, we need to commend them for saving this country.

Mr. Speaker, Sir, we must also commend the other organs of Government that are concerned with revenue collection. I have in mind our ports, airports and all the other organizations involved in revenue collection. As we say this, I think we also need to caution the detractors of the Government; the ones who are saying that as a result of the increase in the number of Ministries, the amount of money required by the Government to finance the 42 Ministries---

In fact, some civil societies have mentioned a figure of Kshs242 billion. I do not know where they got that figure from. We have been told by the Minister for Finance that, if you calculate and do an analysis of the money that has been reduced and the money that has been added, the total cost is only Kshs400 million. So, I do not know where the civil societies got the figure of Kshs342 billion. I think what they wanted was just to scare off Kenyans. I think they were against the Grand Coalition Government that was being established.

Mr. Speaker, Sir, I am glad that now, it is very clear that the fears Kenyans had have not been realized. We have one Government and Cabinet led by His Excellency the President. Therefore, even those who had some fears about the Grand Coalition, I think they have subsided. Therefore, we must commend both His Excellency the President and the Prime Minister for coming up with the Grand Coalition.

Mr. Speaker, Sir, I am also glad that some money has been given to Electoral Commission of Kenya (ECK) to finance the forth-coming six by-elections. I know we must face the reality. The ECK, as of now, is the body that is mandated by our Constitution to manage elections. Therefore, if you say that ECK, as currently constituted, should not manage and supervise elections, then we will be saying that we do not want the by-elections. So we do not want the people who do not have Members of Parliament to be represented here. That is what we should be saying. We have not taken any move or any measure to reconstitute the ECK. So, I think it is time for Kenyans to be told the truth and not to be scared.

Again, Mr. Speaker, Sir, if we say that we have no faith or confidence in the ECK, then, in effect, we should not even be in this House! We are in this House because of the results that were

gazetted by the ECK! So, if you took your oath, then you were actually confirming that you accept the results as they were gazetted by the ECK. So, I think we must say some of these realities. We can redress the management problems that were evident during the last General Election, but I do not see anything wrong with the ECK!

So, I am glad that, at least, the Ministry of Finance has accepted the reality and has given the ECK some money to finance the forth-coming six by-elections.

Mr. Speaker, Sir, there is something else; that we also need to tell our Kenyans the truth. Chaos erupted in this country when the results were not announced; after a day. In Zimbabwe, they held elections and a month has elapsed since then and yet, they have not gone to the streets to kill people. They have not gone to the farms to burn houses. They have not gone to the roads to burn buses and *matatus*. But when the results were late by a day in Kenya, you saw the results! I think we need to learn something from the Zimbabweans. We must have patience!

Mr. Speaker, Sir, in Egypt and Haiti, when the prices of *ugali* and rice went up, the citizens were on the streets demanding the resignation of the Prime Minister. But in this country, prices have gone up and I am yet to see any Kenyan on the street demanding the resignation of the people concerned. But when election results are delayed, they go to the streets to burn, kill and maim fellow Kenyans. We must stop that! We must tell our people the truth! Sometimes a delay is inevitable.

Mr. Speaker, Sir, a delay is not reason enough to go to the streets to encourage a fellow Kenyan to go and burn a fellow Kenyan's property.

Mr. Speaker, Sir, I am also glad that some money has been allocated to the Ministry of Medical Services and Ministry of Public Health. I would recommend that the programme that was stopped - that of training enroled community nurses - should commence again. What is happening is that we have managed to construct so many dispensaries, but there are no nurses to man them because they are in remote areas. When the registered nurses are sent to those dispensaries, they are turn down those appointments. So, we need to go back and enrol community nurses who would not mind manning a dispensary in some remote area. For example, in my constituency, we have three fully constructed dispensaries but no staff. Similarly, we have stopped training dressers, who are very important people in the hospitals. Now, if you go to some hospitals and you have a wound, you are told to clean it yourself because there are no dressers to do so.

*[Mr. Speaker left the Chair]*

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

Finally, Mr. Temporary Deputy Speaker, Sir, the price of commodities is going up, particularly food commodities. We must take steps to reduce those prices. If we allow food prices to go up, we are sitting on a time-bomb. I have always said that, if the people who are internally displaced could be allowed to go back to their farms, I can assure this House that food prices will go down immediately. Those are the people who are planting tomatoes, maize, *kales* and other commodities. So, it is important that we encourage the people who are displaced to go back to their farms, if we have the interest of this country at heart. If we want the prices of food commodities to go down, we must encourage them. We must do all that we can to make sure that they go back. They could even be given the tents they are using as a temporary measure. They could even be given prefabricated houses so that they can go and start farming. If they do not do that, the food prices will continue to escalate and this is a time-bomb waiting to explode! You can joke with politics but, please, never joke with the stomachs of people! Never joke with the stomach of a

person! A hungry person is an angry person! We must bring down the prices of foodstuffs.

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

**The Assistant Minister, Ministry of State for Planning, National Development and Vision 2030** (Mr. Kenneth): Thank you Mr. Temporary Deputy Speaker, Sir. I stand to support the Supplementary Estimates Motion, which has been moved by the Minister for Finance.

Mr. Temporary Deputy Speaker, Sir, first of all, I know that the Minister is making Supplementary Estimates at a time when the revenue base, or expected revenue, that was to be collected in this quarter has somehow been met under very difficult circumstances. I know the Minister must have been trying very hard to make sure that one, he is able to take care of the concerns of Kenyans at this particular moment.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the Ministry. I would also like to thank the officers who are here for trying to cater for a bigger Cabinet than was there before, thereby adjusting from the Budget that was read last year, and which had to be looked into to cater for the new Ministries. In so doing, I am first of all very happy that the Minister has taken into account concerns about the environment. If you look at the Estimates for the Ministry of Environment and Mineral Resources, it is very clear that various concerns have been taken care of.

Mr. Temporary Deputy Speaker, Sir, in the last Session I raised my own concerns that in very many developing countries the Ministry of Environment is a key Ministry. However, in this country, we tend to downgrade this Ministry, yet all the development that we need has an aspect of environment. Therefore, it is very important that we take care of our environment.

Mr. Temporary Deputy Speaker, Sir, in looking at the Estimates and what the Ministry has tried to do--- Having worked there before, and looking at the remaining period, the Ministry is trying to adjust itself to cater for expenses in the next six weeks. We expect the Minister here, within another five weeks, to read the national Budget that will take us through the next financial year. Therefore, in bringing the Supplementary Estimates here, the Minister is seeking the support of the House in the appropriation of funds to the new Ministries, and how he intends to carry out his development agenda in the next five weeks.

Mr. Temporary Deputy Speaker, Sir, mine is to appreciate the Ministry and the role it has played in supporting the environment and asking the House to support these Supplementary Estimates.

Thank you.

**The Assistant Minister for Labour** (Mr. Ojaamong): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to these Supplementary Estimates by the Minister.

Mr. Temporary Deputy Speaker, Sir, I, also, wish to support this Motion moved by the Minister for Finance. First of all, Government services in various parts of the country had come to a halt. I was in my constituency over the weekend and for part of last week; almost every head of department was complaining that they id not have Authority to Incur Expenditure (AIE) and money. Police officers had no money to buy petrol, so that they could use their vehicles for patrols. As a result, they were going round soliciting for bribes from people.

Mr. Temporary Deputy Speaker, Sir, this is a very good effort by the Minister for Finance. I think we are going to salvage the image of even police officers and other Government officials, who were stranded and were begging for money all over.

Mr. Temporary Deputy Speaker, Sir, that aside, there is the issue of the Internally Displaced Persons (IDPs). Whereas we are so concerned about their plight and try to encourage them to go back to their homes, I would like the Government---

The issue here is a security. Provide these people with security and they will go back home, unless we are just using them for ulterior motives. The IDPs who were evicted in Meru, and

elsewhere, were given buses and went back to their homes. I do not think they are bothering other people. I think there is a class of non-genuine IDPs, who are masquerading and pretending that they do not have their homes. Please, move very fast so that we can identify these people. Let us know the genuine ones who do not know their homes, so that we can settle them elsewhere. However, those who know their homes should go back to their homes. There is a lot of anticipation from the IDPs. They think billions and billions of shillings will be given to them. It is better if a census of all the IDPs and whatever property they have lost is taken; let us move them to other safe places then the Government can compensate them later. The issue of sticking in camps and making Kenya look as if it is a very horrible State--- I think the Government should move fast and try to salvage this situation.

Mr. Temporary Deputy Speaker, Sir, we are giving the Minister for Finance this money. I know he will get it, but we also want services delivered. For the last five years, as a Member of Parliament, I cannot recall any major project that was undertaken in my constituency by the Government. We want this money to go down to the grassroots.

When you go to the Ministry of Health--- Indeed, I took my time to find out whether medicine goes to my constituency. I went to KEMSA in the Industrial Area. I must thank the staff there. They gave me the whole list of drugs that were taken to my constituency. However, outside my constituency, there are no drugs. I surveyed the hospitals and there were no drugs. People are buying drugs. It would be good if the Minister followed up and verified if Ministries spend funds for the purposes we vote them for.

It is unfortunate that we have an outcry across the country. Whereas the Government is proud that we are taking money down to the grassroots for the benefit of our people, they are not getting services at all. Let me hope that this time round, we will give value for the money we are going to vote to Ministries. I would appeal to the Minister that, instead of officers in various Ministries dilly-dallying, he should ensure that they utilise this money in time.

The President came up with performance contracts. However, this thing has lost meaning. We do not know what they are for. As a Member of Parliament, you do not know which performance contracts are in place. You will find some roads are impassable and hospitals do not have drugs. There is no industry being built anywhere. Now, which performance contract is this? Everything is at a standstill! When we tell our people that officers have signed performance contracts, we should tell them what they are for. If, after every three months, a road is constructed, the common *mwananchi* will have faith in this Government. However, even with this Grand Coalition Government, if we just continue the way we have been doing things, we will have even more violence than we have witnessed. The common man is not happy with the lack of services down there.

Mr. Temporary Deputy Speaker, Sir, we also have the issue of free secondary education, which has been articulated by the Minister of State for Provincial Administration and National Security. For almost the whole of first term, students in secondary schools were sent back home to look for school fees. This was because schools did not believe that the Government would send them money. Let me hope that the concerned Ministry will go down and tell the headteachers and principals of various secondary schools that the Government is dedicated to implementing free secondary education, and that the money for it is on the way.

Why should we be sending money when most of these children have dropped out of secondary schools? My major appeal to the Minister for Finance is that he should - now that we have a Prime Minister in place and they are in the same building - try to supervise these Ministries so that the public can have faith in the President, Prime Minister and in this Government. Let him not go on mourning as if we do not have a Government in place.

With those few remarks, I beg to support.



**The Assistant Minister for Education** (Prof. Olweny): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to support the Motion that has been presented by the Minister for Finance. We need to support the Minister because today, many Government departments especially in the districts, are having problems to operate due to lack of money. I remember recently, I had to get out some money from our CDF kitty to help repair a vehicle of one of our DOs in my constituency. They do not have enough money at the moment. I know that the country has had a lot of problems since last year's elections.

We are in a very unique situation in the history of this country where we had an election and after that, terrible things happened. There was serious chaos and people killed one another. A lot of property that had been acquired over a long time was destroyed and even Government offices, in my district, offices that belonged to the Ministry of Agriculture were burnt down and wiped out completely. The same thing happened to those of the Ministry of Water and Irrigation. Therefore, some of these officers have nowhere to operate from. They are actually refugees in other departments. Therefore, they need money. It is mandatory that we support the Minister here so that he can get some money that he can give out to Government departments to operate.

I hope we will never see the kind of destruction that we saw again in the history of this country. It was terrible! Look at what happened to schools in some parts of this country; many of them were burnt down. That means that, in many places, students and pupils have nowhere to learn. So, the Ministry of Education needs special support in many areas. It needs special attention. I do not know whether this kind of support would come from the Ministry of State for Special Programmes or directly from the Ministry of Education. If it is to come directly from the Ministry of Education, then we need more money to be allocated in future for emergency support to schools. We have not had much. Previously, we have been having disasters occurring in schools; winds blowing off roofs and schools getting burnt, but we have not had a lot of support. I do not think that the Government had put aside enough money for emergency support. I think this time we have learnt some lessons. In future, we should have a budget for that purpose so that, in case there are problems in schools, we have some emergency support which can be used to reconstruct the buildings that get destroyed by storms or arsonists.

Mr. Temporary Deputy Speaker, Sir, we have a unique situation of refugees within our country; the Internally Displaced Persons (IDPs). We have them in camps. It is a terrible thing for us and I hope the leaders--- When we talk of "leaders", we do not mean hon. Members only. Leaders include community leaders, religious leaders and administration leaders among others. The Members of Parliament are most of the time here. However, if you go down to the constituencies, you will find a different situation. These are some of the things which we need to look into. Let us involve everybody and not hon. Members only. Sometimes hon. Members may oppose an idea but if you go down to the grassroots level, you will find that the story is different and *wananchi* are willing to live with their neighbours. The hon. Member may be complaining about what he has received or what he has not received and why he does not want IDPs in his constituency. That will happen. However, let us involve leaders from the grassroots level and you will notice a different picture.

Enough money should be allocated to the Ministry of State for Special Programmes so that it can be given to the IDPs. Let us also give enough money to the Ministry of Agriculture because we will be faced with famine in this country. The IDPs who are today in camps are the farmers. Most of the land will not be cultivated and no crop will be planted. There is need for special attention and support to these farmers. Something has to be done. There is need to offer them security if at all some of them are to return to their farms.

Mr. Temporary Deputy Speaker, Sir, when we talk about IDPs today - of course it is a creation of what happened after the elections - we have in mind only those people in camps. Last

weekend when I went home, I found IDPs living with my mother, an elderly woman. She has a big family which was chased away from somewhere in Central Province living with her. The father of the family is staying somewhere else while his wife and children are living with my mother. I found out that on Friday. On Saturday morning, somebody came to me and told me that he had come from Limuru and was staying in a small shanty in the village and had no support. His wife and children are also staying in another district. When we talk about IDPs, we should know that there are some people suffering outside there. People whom we thought went back to their homes actually have no homes. They are living with other people, who are not necessarily their relatives and the families are living apart. They have no homes and resources to support them. These are people whose problems need to be addressed.

Someone said that IDPs should go back to their homes because they had previously left their homes. Just like the ones living in camps, their homes were burnt down. They will go back to their ancestral land because their homes were burnt down. Those whom we claim went back to their homes went to their ancestral land. That land now belongs to someone else. These people had settled elsewhere. They had bought land elsewhere. However, there are certain communities that will always accept the people who came from their families. However, they cannot give them land. They can only give them temporary accommodation. So, the Government must address the problems of these people.

They are just cohabiting with their relatives for the time being. However, those relatives will get fed up with them and chase them away. I noted that problem when I visited my constituency over the weekend. In fact, many of them are still coming to my constituency.

Mr. Temporary Deputy Speaker, Sir, again, with regard to agricultural sector, I want to address myself to the sugar industry which is my pet subject. What really happened to the sugar industry during the elections? Did it mean that when we went for the elections the corrupt people who always interfered with the sugar industry were let loose? Everything that hon. Kirwa put under control got disorganised and everything now is in chaos. A good example is privatisation of Miwani Sugar Company. How on earth could a court of law in this country issue an order that the company be auctioned on 24th December when the whole country was campaigning for elections? It was auctioned on the same day. The Minister for Finance and the Minister for Agriculture should give us an explanation as to what happened. Imagine somebody bid to buy Miwani Sugar Company, but all of a sudden, he is told somebody else paid money to an auctioneer and he took the management of Miwani Sugar Factory. It is wrong and immoral.

I beg support the Motion.

**The Assistant Minister, Ministry of State for National Heritage and Culture (Mr. J. Onyancha):** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also support this very important Motion. We are coming from a unique situation after undergoing post-election violence in this country which was unforeseen and unprecedented. We have seen prices of commodities going up. We know our people are still suffering in the IDP camps. It is, therefore, clear to us that having been through that kind of situation, it is even commendable for the Minister to have put up together these Supplementary Estimates very quickly after forming a Grand Coalition, so that programmes of the Government can move on.

Mr. Temporary Deputy Speaker, Sir, the best way to be able to sort out prices that are shooting up is to move our people from the IDPs camps. Those were people who were feeding themselves. It is a pity that they are now languishing in those camps. Many people have come up with suggestions on how this should be done. We need to beef up security in those places where they came from. The pertinent question we should be asking ourselves is: They need security from who? Just like my colleagues have suggested, as leaders and parliamentarians, if we decided today that we will speak to our people about resettling or allowing those people who were evicted from

their own land to go back, that would be done very fast and there would be no issue.

Mr. Temporary Deputy Speaker, Sir, we have been talking about the land question and how it should be addressed. I am aware that this is being resolved through the various organs that have been put together. In Kisii, land is scarce. That is why my people have moved out of Kisii to settle elsewhere in the country. We shall never ever solve problems in this country by talking about settling and resettling people. There will never be enough land for all of us. The quicker we recognise this fact, the better it will be for this country. Let us try to gear our economy towards industrialization, so that we sort out many of the problems being caused by land issues.

Mr. Temporary Deputy Speaker, Sir, we welcome the Grand Coalition Government. People have spoken about the Government being expensive. Personally, I think nothing can be more expensive than a state of war. So, I welcome the new Cabinet line-up. I believe that they will be funded properly, so that they can deliver services to our people. I am sure that the Grand Coalition will work although there are doubting Thomases who are very sceptical about it. But we are all Kenyans who want to live in harmony. We know where we have come from. We also know what is at stake. I want to appeal to Members to desist from making the public think that the Grand Coalition will not work. Let us make peace with everyone because we have decided to work together. We, as a Government, should strive to address all issues afflicting our people.

Mr. Temporary Deputy Speaker, Sir, the problem of prison warders has been with us for a long time. When we talk about post-election violence, we tend to think about ordinary Kenyans. We forget that this would also have affected prison warders. We need to be sensitive to sensitive issues before they flare up. Some things just need a spark and then we have chaos in this country. So, we should be sensitive to problems afflicting our people before they flare up. We should also be sensitive to the problems affecting the youth in this country. Most of us are not very close to our children. In due course, we find that we have lost them to drugs. It is sad that we cannot reverse the situation once our youth become addicted to drugs. So, they end up in the streets with *bhang* and other hard drugs. No wonder their business now is uprooting railway lines when they are provoked. So, we should think about appreciating their concerns and addressing them in terms of putting more money into youth programmes. I am sure this should be addressed in the next Budget to be able to cater for our youth in terms of jobs and training.

### QUORUM

**Mr. Lesonett:** On a point of order, Mr. Temporary Deputy Speaker, Sir. There is no quorum in the House. Could the Party Chief Whips bring in more hon. Members?

**The Temporary Deputy Speaker** (Mr. Imanyara): Yes, we do not have quorum. Please, ring the Division Bell.

*(The Division Bell was rung)*

**The Temporary Deputy Speaker** (Mr. Imanyara): Order, hon. Members! We now have quorum. Let us proceed!

**The Assistant Minister, Ministry of State for National Heritage and Culture** (Mr. J. Onyancha): Mr. Temporary Deputy Speaker, Sir, I was nearly finishing by saying that it is important that certain key Ministries like the Ministry of State for National Heritage and Culture be given more money. I appreciate that the Ministry was given about Kshs400 million. But when we had post-election violence in this country, music played a very important role in bringing about national unity. So, we should consider cultural matters in regard to our national heritage and be able to fund more of these areas.

With those few remarks, I beg to support.

**Mr. Linturi:** Thank you, Mr. Temporary Deputy Speaker, Sir. I also rise to support the Motion.

Mr. Temporary Deputy Speaker, Sir, I want to make a few observations. I want to start by saying that the whole essence why the Supplementary Estimates are brought here is to seek approval of Parliament. The other function that Parliament plays in the Supplementary Budget is that of the watchdog. As it is now, I would say that I have been ambushed by the Supplementary Estimates, as such, I may not be able to play my watchdog role as required by law. We all realise that the Budget cycle is well known in this country. I want to make a humble request that the time of submitting the Supplementary Estimates be definite in future so that the House can have adequate time to scrutinise it. I wish to suggest that at least two weeks should be given to the House to debate the Supplementary Estimates.

The second thing is that I am glad that the Minister has brought the expenditure side which is very elaborately as captured in the Supplementary Estimates. The Minister has assured the House that there is adequate revenue to finance this Supplementary Budget. I heard him mention that he has raised enough money from the Safaricom Initial Public Offer (IPO). But I thought the Safaricom IPO was already anticipated in the Printed Estimates. I hope that we are not double counting here. The other thing which I want to observe is the amount of money that is being gobbled by our debt. I am referring to both the external and internal debt combined plus their interests which consumes about 10 per cent of the Recurrent Budget.

Mr. Temporary Deputy Speaker, Sir, I have had occasions to hear many loyal Kenyans appealing for writing-off of the debts. I would wish that the Minister makes a point of availing to Members the register of our outstanding debts. We usually send out an appeal for these debts to be reduced, but we do so in darkness. We do not know how much of which debt is still outstanding. We also do not know their terms and when they were taken.

Mr. Temporary Deputy Speaker, Sir, I also want to say something about the Development Vote. I have noticed that on the Ministry of Roads, which was originally under the Ministry of Roads and Public Works, there is a reduction of Kshs2.5 billion. There is also an increase of Kshs1.5 billion on the side of the Ministry of Public Works. My constituency and other constituencies have suffered due to poor infrastructure for a long time. When I see the Development Vote being reduced, yet some of my roads have always had money allocated to them being reallocated elsewhere, I feel pitched. I would wish that adequate resources be given to the Ministry of Roads so that roads in my constituency can also benefit. I know the Budget today is a programme-based Budget.

One of the reasons why we had post election violence, of course, apart from what caused it, was because most of our youths are idle. It is very important that this House spends money in a manner that can create employment for the youth. I have always suggested that we need to expand this economy, so that it can run for 24 hours. All we need is just light and we shall do the rest. I am glad there is adequate provision to the Ministry of Energy.

Mr. Temporary Deputy Speaker, Sir, the other thing is that, in five weeks time, we will be doing the Budget for the next financial year. As the Minister has said, the economy is doing very well. The last time here, we urged him to increase the Constituencies Development Fund (CDF). I want to suggest that if the CDF is to be increased, hopefully, to 5 per cent or 6 per cent, the additional money, I would suggest be distributed on affirmative action. You will realise that certain areas of this country are not as endowed as others in terms of infrastructure. That really affects them. An effort should be made to uplift them through an affirmative allocation of CDF.

I am also happy to note that there has been an allocation for food security. An amount of Kshs2.2 billion has been allocated for strategic stock. I want to say that the National Cereals and

Produce Board (NCPB) is fairly well spread in this country. In my constituency, for example, the NCPB has never seen stocks. I would request that upon this food being purchased, let us have the stock being distributed across the country, so that the entire country can enjoy equitably.

With those few remarks, I beg to support.

**Mr. M'Mithiaru:** Mr Temporary Deputy Speaker, Sir, I rise to support the Motion on the Supplementary Budget. I will start off by thanking the Minister and all those who are involved in revenue collection for the country. We know that after the General Elections, it has been a trying moment. At least, we see that most of the activities within the country are on course. I also wish to commend the Minister, in particular, knowing very well that when we talk about Supplementary Budget, it is to make a review of the main Budget that was presented earlier. The main Budget was presented in June, 2007. When that was being done, I am sure that, at that time, the Minister did not know that, by the end of the year, there will be 42 Ministries to take care of. I think the Minister was also not aware that there will be internally displaced persons (IDPs) who must be settled. So, in all fairness, I am supporting the Supplementary Budget so that the added expenses can be taken care of. However, there are so many issues that I wish the Minister could take into account.

One of them is the issue of security in this country and, in particular, the issues touching on the pastoral areas. I know that right now, the main issue is to resettle the IDPs. I wish it could be done as quickly as possible.

On the issue of security, we are still experiencing incidences of cattle rustling. I visited my Igembe North Constituency over the weekend and found out that our cattle had been stolen. The issue which was at hand is - and up to now, they have not been recovered - when they made the distress call to the police station, there was no police vehicle. We have about two police stations and there are no vehicles at all. They had to depend on the vehicles sourced from the district headquarters. By the time they got those vehicles, the animals had crossed rivers and valleys. But even at the district headquarters, it took time to get the vehicles because there was no petrol. So, what I am bringing across here is that, as we pass this Supplementary Budget, we hope that it is to ensure that the efficiency of the Government is upheld, so that the services to the people are received without delay. I hope that in this Supplementary Budget, the issues where security is involved have been taken care of, so that we will not hear of stories where, when there is a dire need to arrest a security matter, there is no petrol for the vehicles or the officers are not available because of lack of facilities. That action will show the inefficiency of the Government. I would also wish to appeal that, as we resettle the people, we should also address peace among our communities. I have a case in my constituency where about 110 animals are held up in a place called Mlima Bendera in Samburu East. Our displaced cattle must be returned. So, I would also call upon the Minister in this Supplementary Budget, provide something to the security forces so that he can enable them to recover those animals and return them to Igembe North Constituency. At the same time, I appeal to the Government that cases of cattle rustling are really becoming a menace. If communities in Kenya have to settle and live in peace, then the issue of cattle rustling must be resolved once and for all. The Government has the means and apparatus to do that.

Mr. Temporary Deputy Speaker, Sir, I urge the Minister for Finance to ensure that institutions that fall under his Ministry are seen to handle issues over board. I have an issue - it is not personal - with officers within the Ministry and Kenya Revenue Authority (KRA).

Some of my constituents have been doing a very good job, but when it comes to the renewal of their contracts, it becomes very difficult. One of my constituents who has been working so hard there, his contract has not been renewed despite him having been called to go and handle issues at the Kenya Revenue Authority (KRA). So, as we support what the Government is doing, let the Government also portray the efficiency that is required, so that the public funds that we vote here are used for the good of all Kenyans, and without fear or favour.

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

**The Assistant Minister for Regional Development Authorities** (Mr. ole Metito): Mr. Temporary Deputy Speaker, Sir, thank you for giving me the opportunity to contribute to this Motion. From the outset, I want to support this Motion. First, I would like to take this opportunity to congratulate the Minister for Finance and his team of able staff for having done well in that Ministry. For the last five years the economy has been growing. It has been very impressive. I know that it is because of the tireless efforts by the able Minister and his able team in the Treasury. Even in this very situation and circumstances in our country after the December elections, they have done fairly well. They have worked hard in the collection of revenue. We must congratulate them and say that it is a job well done.

Mr. Temporary Deputy Speaker, Sir, I just want to say two or three things on these Supplementary Estimates. First, I would like to appeal to the KRA that there is a facility in my constituency, that is Loitokitok Constituency at the border, which is really under-utilised. It is a big facility that can do this country a lot of good in terms of improving this economy, but the KRA has not thought it wise to utilise that facility. Even in the last Public Accounts Committee (PAC) Report that was adopted by this House two weeks ago, the facility was mentioned as one of the dens of corruption. The budget for that facility was exceeded by 64 per cent, and I think it is not fair. For the last five years I have been in this House, I have always been asking the KRA to do something with that facility to benefit the locals in that place and the country at large. A big facility like that can do a lot of good for this country. So, the KRA should do something about it and utilise all the units, or even turn it into an institution.

As the local community, we have been recommending that it needs to be either a health institution, a teacher training college or even a Customs training institute for the East African region, because it is at the border. It is very strategic and, therefore, the KRA could make good use of it. It is my humble appeal that this time round, the KRA should do something with that facility. It is not yet complete, yet its budget has been exceeded by 64 per cent. The facility has no water, yet in the PAC Report it was indicated that there was a provision for a big borehole and a high-powered water tank, but the facility cannot operate because there is no water. I hope that the Minister and the KRA team are listening and will work on it this time round.

Mr. Temporary Deputy Speaker, Sir, regarding the Motion, I would like to kindly appeal to the Minister that there are some sectors which were adversely affected, not just by the post-election violence, but even by other factors like the drought. I am particular about the Ministry of Agriculture. We are still an agricultural economy. Agriculture is still the backbone of our economy, and I think a lot of money needs to be given to the Ministry of Agriculture, specifically for two things: One, the issue of the National Cereals and Produce Board (NCPB). Many farmers are yet to be paid for their produce that they delivered to the NCPB since May last year. Specifically, in my constituency farmers have been delivering their maize to the Board since May. So, they are owed money to the tune of over Kshs70 million. From these Supplementary Estimates I would wish that the Minister allocates more funds to the Ministry of Agriculture, so that it can clear those debts before we go to the next financial year. Schools are opening next week and farmers have nothing to pay for school fees.

Still on the Ministry of Agriculture, I would wish that the Minister allocates more money for the purposes of the Agricultural Finance Corporation (AFC) loans; the Government should write off the loans owed by the farmers. These farmers were adversely affected by the drought shortly before the last general election, but after the Budget had been read, again, they have been hit by the post-election violence. This time round, there is really enough reason for the AFC loans to be written-off by the Ministry for the good of those farmers.

Mr. Temporary Deputy Speaker, Sir, regarding the Office of the President, last year so

many districts were created and we can now see services closer to the people, but some of the new districts cannot function very well, because they were created after the Budget had been read. I would wish that the Minister allocates more money to the Office of the President for the good functioning of the new districts, which were created after the Budget had been read. You will find a new district with heads of departments but they are not mobile. They cannot move around and offer the required services. Even regarding security for those new districts, it would not be of any use if we said that we need districts so that we bring services closer to the people, and after they are created no services are provided to the people. Therefore, I think it is good that more money is given to the OP to enable it provide services.

Mr. Temporary Deputy Speaker, Sir, regarding my Ministry of Regional Development Authorities, it is a very important Ministry, although it has not been taken that way in the past. The Ministry has six regional Authorities that cover the whole of this country. If enough money is allocated to this Ministry, a lot of natural resources in the regions could be harnessed through that Ministry for the benefit of the various communities. It is my appeal that even if it is not possible to accommodate, in these Supplementary Estimates, the Minister should look into other ways of assisting it. We are in the process of formulating the next financial year's Budget. I just want to candidly appeal to his team that, this service Ministry be given adequate resources. It can really change the lives of the people of this country through harnessing resources like water, eco-tourism and conservation of the environment in the regions. It is important that the Ministry be allocated adequate resources. As we speak now, it is one of the most under-funded Ministries. I do not think it is fair.

I support the Motion, and I am sure that the Minister is going to look into my appeal in the next financial year.

With those few remarks, I beg to support.

**Mr. Mwaita:** Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to contribute to this Motion. I rise to support this Motion on the Supplementary Estimates. First, I want to applaud the Minister for the prudence he has shown in managing the Ministry.

Mr. Temporary Deputy Speaker, Sir, first, I would like to appreciate the efforts the Minister has made in terms of managing the Ministry. A glance at what he has presented reveals that his Supplementary Budget is about Kshs55 billion. He has told us in this House that his main Budget was about Kshs693 billion which means that there is an increment of about 9 per cent. Taking into account what happened this year, especially after the general election, this is excellent and the Ministry, including the Minister, ought to be applauded for a job well done.

The Minister told us that he is going to keep domestic borrowing at Kshs33.9 billion which, when you compare it to the main Budget, works to something under 5 per cent. Given that we are in difficult times, this is also excellent. I wish to commend the Minister for that and ask him to continue that way.

Mr. Temporary Deputy Speaker, Sir, another point that I would like to raise is with regard to grants to the National Oil Corporation of Kenya (NOCK). We all know that the price of fuel has hit the roof. A litre of petrol now is close to Kshs100 compared to what is happening in the international market. If the NOCK is assisted and given more grants, it can be able to stabilise the price of fuel in this country and the spill-over effects will be felt in all sectors, including the agricultural sector.

I wanted to comment on what my colleague mentioned, that is, Regional Development Authorities. What is in the Budget is Kshs200 million for Kerio Valley Development Authority (KVDA). This Authority covers a very wide area within Rift Valley Province. I would have expected the Minister to allocate KVDA more money instead of a meagre Kshs200 million. These regional authorities, as the previous speaker said, play a major role, particularly in the Kerio Valley.

They do a lot especially in the areas of irrigation, infrastructure development and the promotion of agriculture of drought-tolerant crops. I appeal to the Minister that in the next Budget, which is just a short time to come, he should be able to, at least, double that figure of Kshs200 million to KDA so that, at least, Kshs400 to Kshs500 million is allocated.

I note that in the Supplementary Estimates, the Ministry of Education has been given Kshs12.7 billion. The Minister indicated that this will go towards assisting free secondary education. I hope that in the next Budget, the Minister will take into account the employment of teachers. It is common knowledge and a fact that there are over 40,000 teachers who are qualified in this country and have not been employed. Recently, in my constituency, I buried two teachers who qualified in 2002 as P1 teachers and yet they were unable to be absorbed in the teaching fraternity. Since they could not secure employment in this country, they had to go to a neighbouring country Somalia for the last two years. Unfortunately, because of the instability in that country, they fell victim to the militia and we buried them last week. I appeal to the Minister that in the next Budget, he ensures that teachers who qualified, particularly, five years ago, are absorbed and posted to teach in our schools.

Mr. Temporary Deputy Speaker, Sir, as I conclude my remarks, I wish to raise the issue of insecurity, especially cattle rustling, which my colleague had mentioned. The cattle rustling menace is an age-old problem. It does not only affect North Eastern Province, but also Rift Valley Province, particularly my constituency where a whole division, Mukutani, has been deserted. I note that in these Supplementary Estimates, there is about Kshs6 billion which has been factored under the Item of security. I hope that when the recruitment of security agents, particularly the Administration Police (APs), is done more of these officers will be deployed to Mukutani Division in my constituency.

The other aspect I would like to touch on is about security. There is a figure of about Kshs1.3 billion which has been put under the Item of National Security Intelligence Service (NSIS). It is common knowledge that the NSIS has been sleeping on the job. Recently, we saw what happened when the *Mungiki* planned and paralysed movement within our urban centres and yet here we are giving them Kshs1.3 billion. They seem to be sleeping on the job.

Save for that, I support the entire Motion and I beg to support.

**Mr. Bahari:** Mr. Temporary Deputy Speaker, Sir, I want to join my colleagues in supporting this Motion. This is so because I think the Minister has really tried to exercise prudence under very difficult circumstances. However, I also wish to revisit the issue of insecurity. I was surprised when the Member for Igembe North told a story that is very similar to mine. I also had some livestock stolen in my constituency. When I talked to the concerned security officers, they told me that they had no vehicle. None of the police divisions had vehicles. In fact, it was such a serious problem that they had to rely on a vehicle from the police headquarters. I am surprised that his story is similar to mine. I do not know whether there is a go-slow. In fact, I am beginning to think differently now. The Member for Igembe North is in a different district from mine. We may be neighbours, but I am surprised that his case is similar to mine. It is a photocopy of mine. The stealing goes unabated and yet we have voted before in this House, even in the Ninth Parliament, for police vehicles. What are we expected to do now at the end of the day? Since the Minister is here, I think it is a matter of serious concern. We should not take this issue very lightly. It cannot just be a coincidence.

So, we wish to see improvement in services. It looks like, generally, we are losing direction on a lot of things. I do not know if it is because of what we had in the beginning of the year that we are completely destabilized to a level that we cannot stand up and walk now. If we continue, as is the tradition, blaming the situation on what has taken place, say, a few weeks ago or two years ago, then we are in for a difficult time. I remember when we had *El Nino*, even three to six years down



the line, Kenyans continue to blame the *El Nino* for their failure. I hope we will not do the same in this particular instance of what happened in December, 2007 and January, 2008 to the extent that we cannot now function as a State.

It is in the public domain that project implementation has not been very good this financial year. A lot of resources that have been budgeted for are still outstanding. They have not been utilised and that denies services to Kenyans. That is very possible. However, the Minister, being a professional accountant, knows that if you do not provide those services, it goes with a cost.

We expect the Ministry to come up with measures to ensure that implementation is done speedily. The problem with this country is that we keep on saying that this and that has happened. We easily give excuses instead of taking counter-measures. It is when that problem arises and how innovative you become in that Ministry, as a driving force, that really matters. That makes a difference, instead of just lying helpless and giving excuses or reasons. What on earth can you not give a reason for? For every failure, you can give a reason. What is most important is not the reason that you give, but how you are able to rise up to that challenge and ensure that you mitigate against the effects of, perhaps, the unforeseen situations.

So, I would appeal to the Minister - and this starts even with the Constituencies Development Fund (CDF) and all those other resources - to give a guideline on how those things should move. He should remove all the bottlenecks so that Kenyans, actually, enjoy the money that they have been taxed and is lying with the Treasury.

Mr. Temporary Deputy Speaker, Sir, I want the Minister, in his resource allocation criteria, to be extremely transparent. That is because he is a politician. The issue of resource allocation, particularly, in relation to decentralisation and affirmative action is what determines whether a sitting Government will continue after an election or not. I think this matter must be taken very seriously. It is extremely important that affirmative action is taken and, more so, positively by those in positions. In this respect, I wish to appreciate the fact that the Kenya Government has come up with the Ministry of Development of Northern Kenya and other Arid Lands. I believe that it is intended to focus on those areas for the purpose of development. Arid and Semi-Arid Lands make up 80 per cent of this Republic. You cannot say you are in the driver's seat on development matters and afford to ignore 80 per cent. You do that at your own peril! You will not go anywhere. You will just go into history as one who has not performed.

Looking at the functions of this Ministry, a lot of subjects have been brought under it. I expect, perhaps, a few months down the line, when the Minister is reading his Budget and bringing the Estimates here, some figure that is quite impressive--- In fact, it could be the highest! I suspect that northern Kenya and other arid areas, for purposes of affirmative action, and by the fact that they make up 80 per cent of the Republic; and for all the other reasons that are obvious, the Ministry to have a budget that is more than, perhaps, any other Ministry.

Mr. Temporary Deputy Speaker, Sir, I want to talk about poverty in this country. Whatever we do must be seen to be alleviating poverty in this country. Yet, it is increasing. So, we need to re-assess what we have been doing over a period of time, or since Independence. Perhaps, it is quite clear that the actions that we have taken are the ones which have bred poverty in this country.

Perhaps, more relevant right now is the issue of inflation. Already, we have a big burden of 57 per cent of the population who cannot afford a decent meal. With all this inflation, what is likely to happen? I think that is a very serious challenge for the Minister for Finance. We expect this Ministry to effectively address that matter.

I must say that, perhaps, these are very difficult times. We know what the international situation is like regarding the issue of oil prices. We also know what the internal situation is like, including the IDPs and all that. But at the same time, that is just, in my view, a challenge. The Ministry must meet the expectations of Kenyans and, perhaps, be a leader in this area to ensure that

Kenyans do not suffer.

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

**The Minister of State for Special Programmes** (Dr. Shaban): Ahsante sana, Bw. Naibu Spika wa Muda. Kwanza, ningependa kumpongeza Waziri wa Fedha kwa kuweza kupanga kikamilifu hali ya fedha zitakazoweza kutumika kwa muda ulio salia, mpaka mwisho wa mwezi wa Juni.

Ningependa tu kusema ya kwamba kwa wale ambao walifurushwa makwao, ningependa kumshukuru Waziri kwa kuhakikisha kuwa pesa hizo ambazo zilikuwa zimewekwa kwenye hazina tayari ameziweka kwenye mipangilio yake. Tutaweza kuzitumia kikamilifu.

Jambo ambalo ningependa kusema ni kuwa katika Wizara zote, zikiwemo zile mpya na zile zimekuwako kwa muda mrefu, tungeomba pia zimsaidie Waziri wa Fedha kutengeneza hesabu zake sawa sawa na kufikia mwaka ujao, tukianza mwezi Julai, aweze kuweka pesa za kutosha kwenye Wizara zote. Ningependekeza kuwa wenzangu wote kwenye Wizara zote nchini, waweze kutumia pesa hizo vizuri ili ziweze kuwasaidia wananchi. Kufikia mwisho wa mwezi wa sita, fedha hizo ziwe zimewafaidi Wakenya.

Tunasikia kuwa kuna malalamishi kuhusu zile fedha ambazo zimewekwa na Waziri wa Fedha kwenye Wizara nyingi. Lakini kusema ukweli, sioni faida ya malalamishi hayo kwa sababu ukiangalia muda uliosalia, kutoka sasa hadi mwisho wa mwezi wa sita, ni mchache. Tukiweza kutumia vizuri zile pesa ambazo tumepatiwa, zitawafaidi wananchi. Mara nyingi, ikifika mwisho wa mwezi wa sita, inabidi pesa zirudishwe kwenye hazina ya Wizara ya Fedha ilhali zingewafaa Wakenya.

Mimi sina mengi ya kusema, isipokuwa ningependa kumuunga mkono Waziri wa Fedha. Waswahili husema kuwa nyota njema huonekana asubuhi.

Ahsante sana.

**The Assistant Minister, Ministry of State for Defence** (Maj-Gen. Nkaiserry): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion.

The Supplementary Estimates are meant to cushion the country before the main Budget. Rather, this is the remaining amount or half of what was meant for the development of this country. So, the Minister has done a good job by bringing these Supplementary Estimates although a little bit late. But we understand the reason why they were delayed.

Mr. Temporary Deputy Speaker, Sir, I think the resources of this country must be put into proper use to improve the living standards of our people. As a Government, we really need to look critically into two areas, so that we can bring development or rather upgrade the living standards of our people.

Mr. Temporary Deputy Speaker, Sir, we cannot have development unless we address the issue of insecurity. We realised this three months ago, when we went through a very shameful process of destroying our country because of positions. Without security, the issue of development is just a very weak pillar. Therefore, in future, the Minister needs to critically look at how to support the institution of security, so that when we get into a problem like the one we got into, we are able to come out in a more civilised and professional way.

Likewise, without security, there will be no development and without development there will be no security. I would like to request that the Minister, in his future allocations, he critically looks into the area of roads to open up this country. He should also allocate money to areas of water, health and education, so that when we say we are developing this country, we can stand up as a Grand Coalition Government to ensure that Kenya changes.

Mr. Temporary Deputy Speaker, Sir, when we were debating the Motion on the approval of the Board Members of the CDF, we said that this country has developed just because of the 2 per

cent of money allocated through the CDF. We do not see the tangible results of the 97.5 per cent left with the Central Government, especially in my district. But I can see what the CDF has done. So, we want accountability and transparency.

Mr. Temporary Deputy Speaker, Sir, this country is under democratic rule and is governed by Parliament. When we were almost getting into a Grand Coalition, for example, there was panic procurement by several Ministries. Those in the Ministries were concerned about the composition of a Grand Coalition. This does not matter, so long as something is going to benefit Kenyans.

Mr. Temporary Deputy Speaker, Sir, I do not know the mandate of the Ministry of Industrialization. About Kshs500 million has been allocated to that Ministry. Where is that money going to go? Is it going to go to village, constituency or *Jua Kali* polytechnics, so that they can industrialize this country from the very bottom? We need policies, so that this country can move forward in a better way.

If we recycle money between cities through, for example, the Local Authorities Transfer Fund (LATF)--- I want to recommend to this House that the salaries of councillors be considered. If we do not raise the salaries of councillors to a level of about Kshs100,000 a month per councillor, this LATF money--- I assure hon. Members that I have not seen any tangible results from the LATF money in my constituency, yet millions of shillings have been allocated to the scheme. Maybe we can consolidate all the money that goes to constituencies into one big kitty, so that we do not have LATF and CDF managed separately. The elected leaders in this country need to manage all this money. Of course, the councillors can come in, because every ward has a councillor, but all those wards fall under constituencies.

I would like the Minister to listen to the issue I am about to address, because this is not a laughing matter. The poverty level in Kenya is very high. We must address this issue. We cannot just come and present figures here and say that we have got, for example, a Kshs600 billion Budget, if it is not going to help our people. We want to say: We have got a Kshs100 billion Budget, and because of the people of the Rift Valley, North Eastern and Central provinces, for example, who have lost their crops because of the drought, whatever loan they have taken we can cushion them against loss, or even write them off. The people of Kajiado Central Constituency lost their livestock in 2004 to 2006; they have nothing with which to pay up those loans. They are not going to pay up those loans. Nobody is going to sell their land, because there is nothing they can use to pay up the loans. Therefore, when the Minister prepares his Kshs700 billion Budget, for example, he should say: I must cushion the livestock farmers of Kajiado Central Constituency against loss, because they have lost their animals. I must also cushion the farmers in the Rift Valley Province, because of the post-election violence. They have not planted their *shambas*. We must think in a more positive and objective way.

Mr. Temporary Deputy Speaker, Sir, we cannot just put down figures, come here and bash the Minister when, actually, other Ministries are not submitting their policies for implementation. If you take an example of the Ministry of Development of Northern Kenya and other Arid Lands - they should call this the Ministry of Arid and Semi-Arid Lands. It is not only the North Eastern Province which is suffering. We have semi-arid lands in Kajiado and Samburu districts. We cannot just go round pleasing people. This is our country. We should develop this country uniformly. We want to base development on equality.

I cannot conclude without touching on the issue of the Internally Displaced Persons (IDPs). The Minister should have seriously taken care of the IDPs. When I looked at the Estimates I did not see big money allocated for IDPs resettlement. The Ministry of Special Programmes and the Ministry of Lands should have been considered for some little money to settle these important citizens of our country, who have been displaced.

Mr. Temporary Deputy Speaker, Sir, I would like to request that in the subdivision of land,

because of the poverty levels of our people, Stamp Duty should be waived. Otherwise, some of our people will not be in a position to acquire land, yet they are entitled to acquire it. But they cannot afford it, because they have no resources. Their livestock and crops were destroyed during the 2004/2006 drought. Of course, I know our brothers in the Central and North Rift also suffered the same consequences.

Mr. Temporary Deputy Speaker, Sir, I support accountability and transparency. The issue of corruption must be addressed in all Ministries, so that we can deliver services to our citizens.

With those few remarks, I beg to support.

**Mr. Kathuri:** Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to contribute to this very important Motion. I stand to support the Supplementary Estimates that have been presented to this House by the Minister for Finance. But there are quite a number of issues that we must address, so that we also enable him perform his work better.

It is true that the economy has been growing. We want him to sustain that growth. It is for the good of this country that we are able to sustain that growth; it is for us to develop Kenya. I understand that Kenya and Singapore were at par economically at the time of our Independence, but now we are worlds apart. This is unfortunate, but there is still time; we can catch up.

However, for us to catch up, we must address the shortfalls that are making the Minister unable to perform as we expect him to. One, it is common knowledge to many of us that there is over-pricing when it comes to Government supplies. Anybody tendering is always over-pricing. The basic reason being that, when you supply your goods to the Ministry or you render services to the Ministry, you may take more than a year, or even two years, before you are paid. For sure, as a businessman, you cannot be able to put a thin margin because you have, maybe, borrowed money from the bank and you have to pay it back with interest. If it is interest for two years before you are paid, plus the degree of doubt that creeps in, you are definitely going to even load more than 100 per cent. That is definitely going to erode the performance of the Ministry. There is no way we will fail to have Supplementary Estimates every other year, if we are always being given services at rates that are not competitive.

A part of that delay also comes as a result of corruption. For any case to be reached, you may find that you are required to part with some money! It is very, very important, maybe, for the Ministry of Finance to confirm whether there are some payments owed to suppliers which are dated more than a year ago. As I talk here, Embu District Hospital has been supplied with goods and services. Those suppliers were awarded those tenders through the district and yet, they have not been paid for the last two years or so. What do you expect that person to do if you tell him to tender again? He will definitely put in a 300 per cent margin! This is a very serious problem! It will definitely make the Minister to always be running short of cash when it comes to running the Government.

Mr. Temporary Deputy Speaker, Sir, it is also important for us to realize that, always, if we have to do imports on some of the basic commodities, we are wasting our resources. It is very sad that, at times, we even find that foodstuffs like rice are imported from outside the country. When you import foodstuff, it is a very big blow to the farmers. We end up draining our resources. The farmers get discouraged and, the following year, when he starts producing, there is flooding in the market of imported foodstuff.

At the end of the day, we do not produce locally and we rely on imports. The Government finds itself spending money which goes out of the country. It is an issue we have to address!

On that same issue, it is very sad that we have a board like the National Cereals and Produce Board (NCPB). It is supposed to be paying farmers promptly. All the small-scale farmers do not deliver their cereals directly to NCPB. They end up going through the middlemen. When they go through middlemen, they are short-changed at the end of the day! They are even paid less

by Kshs400 from the recommended prices and, yet, that is the very farmer whom we expect to produce more, so that the Government does not have to allocate foreign currency to people to do importation! It is an issue which I think the Minister for Finance and other relevant departments can look into, so that we do not find ourselves always having a problem of approving Supplementary Estimates.

Mr. Temporary Deputy Speaker, Sir, it is also important for us to realize that countries that neighbour Kenya, or which are within Africa--- We happen to have visited some. In a country like Zambia, motor vehicle insurance premiums are far much lower than what we are charged in Kenya. At the end of the day, you will find that the cost of doing business in Kenya shoots up. Some of the money which we pay as premiums here ends up with re-insurance companies that are not local. That money ends up going into the pockets of foreigners and yet, we expect our economy to perform. It is an issue that we should think about.

There was a Bill that was been presented here - unfortunately, before we were voted in - touching on African compensation. The Ministry of Finance does not appear to be willing to push that Bill through, so that it can become functional, at least, to correct some of the anomalies that have been making some of the insurance companies collapse in Kenya! Unfortunately, the ones that collapse are owned locally. The foreign companies that end up earning money from the economy are the ones that do quality business and they end up surviving. At the end of the year, when they make profits, they repatriate them back home and we are left broke! It is an issue which, I think, we cannot ignore if we really want our economy to perform better. We even note cases of motor vehicle owners; big operators operating in Kenya while they are registered outside Kenya, specifically in Tanzania. I happen to have attended one workshop whereby there was a big transporter who was saying that he is better off having registered his truck in Tanzania, for it to operate through Kenya and back to Tanzania. That leaves us at a disadvantage and I think we cannot afford to ignore such issues, if we really want to sustain the growth that the Ministry or the Government has realized since it came into power.

Mr. Temporary Deputy Speaker, Sir, it is also very sad that, in some of these issues, it is the bureaucracy which makes us not able to perform. I will give you an example. We even have cases where, for example, if a motor vehicle driver, owner or operator is charged in a court of law--- We always complain of corruption and it is very surprising that if you look at the court process that you have to go through before you are fined Kshs3,000, you are better off having parted with Kshs500 to a policeman and get away with it. That is an issue which can be addressed. We have always proposed that instant fines can be introduced or, at least, a system that is a bit smooth be put in place so that the Judiciary will be able to assist you, as the Ministry of Finance, to collect the necessary revenue to run our Government. It is very important for us to address those issues because, if we ignore them, we will always find ourselves falling short of funds and needing Supplementary Estimates every other time before the end of the financial year.

Mr. Temporary Deputy Speaker, Sir, it is very important for us to realize that some of these issues may look as if they are in the periphery, but it is common knowledge that for a very prudent and efficient Chief Executive Officer (CEO), you do not have to be the clerk or do the physical work. But, as long as you are seen to be touching on every other area, everything within the organization flows very conveniently. You may be a hands-off manager but, at the end of the day, because you are everywhere, you will definitely find that results are realized.

It is very important for us to accept that we have to put those things in place if we want the Government to have enough funds to run the various activities of the system.

With those many remarks, I beg to support.

**Mr. Muriuki:** Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to support the Motion on Supplementary Estimates. I also join others in thanking the Minister for Finance for the

way he has been running the Ministry. However, I have a few remarks to make.

Mr. Temporary Deputy Speaker, Sir, I want to echo what has been said on security. As I stand here, this week I have had three serious incidents of insecurity in my constituency. One of our watchmen was murdered on Sunday night. His body was dumped on the road. To date, the murderers have not been found. The police were called and it took them time to come and collect the body. Everybody saw the body on the road as they went to church.

Mr. Temporary Deputy Speaker, Sir, on Monday, as I was travelling to Nairobi, I was called and told that some thugs had ambushed a lorry coming from Nyambene and taken away the Canter with its owners. Later I learnt that they had taken away Kshs600,000 and the lorry went towards Isiolo. It is me, who was travelling to Nairobi, who informed the police and the District Commissioner (DC) about the incident. The other people who called them could not get them. When I called the Criminal Investigations Department (CID) they told me that they were being called every where, yet they had one vehicle. The police station told me that they had one vehicle, and that it was impossible for them to patrol the whole constituency, which has several police posts and stations. There is only one vehicle serving the whole constituency.

Mr. Temporary Deputy Speaker, Sir, it sounds nice for us to talk of Supplementary Estimates being given to Ministries to create offices, and to give services to the people when people are being killed and their property destroyed! We are not giving them enough, so that their security is maintained and assured. I would appeal to the Minister, in the forthcoming Budget, to look at the needs of police stations and the Administration Police (AP) posts. In North Imenti all police officers were taken away from the AP posts and they were closed. Thugs have a field day. They harass people at night whenever they want.

Mr. Temporary Deputy Speaker, Sir, we have poverty in a big way. We talk of the *Mungiki*. I am sure this group came about as a result of extreme poverty. Where there is hopelessness, anything can happen. If we let more young people have a degree of hopelessness, because they cannot access the job market--- They have the paper qualifications, but there is no fairness in job distribution; they turn themselves into militias. Militias can also overrun the country. We saw them overrun Nairobi. If we let them increase to a bigger number, we should expect worse things to happen. Therefore, we should address the issue of employment for the young people and poverty as a national agenda. It should not be talked about in passing. It should be addressed seriously; we should not talk of "poverty eradication" as if it is a slogan used in a political rally.

Mr. Temporary Deputy Speaker, Sir, today the constituencies have not had their Constituencies Development Fund (CDF) money released. This is because there is bureaucracy that is denying people services and has taken away the little that students and those who want money for school fees expected; the whole of first term is gone; the end of second term is almost here and they are not sure of what is going to happen. How do we expect the constituents to react when we are giving money today through Supplementary Estimates, yet they have not got what was supposed to be given to them?

We should move in line with the demands of the people. Let us know when these funds can be released and let them be released quickly.

Mr. Temporary Deputy Speaker, Sir, when we go to lack of patrol cars for security purposes, we have patrol cars for traffic offences. This is because when traffic police do patrols, they get money. However, when they patrol to ensure security, they get no money. So, we encourage corruption. I would rather we take all the cars used for traffic patrols to be used for security patrol, so that security is maintained.

There is a very acute shortage of teachers in our primary schools. In my constituency alone, there is a shortage of 128 teachers. If this is divided by eight you can see how many classrooms, schools or streams are without teachers. This happens yet we are saying we have free primary

education. Who is giving free primary education to those pupils without teachers? Nobody! The pupils are only going to school to pass time. They could as well have passed time at their homes. Parents cannot employ teachers, because of the cost of living. The cost of living has gone up so high that they cannot get money. Weather conditions are also not favourable, and so farmers are in a very poor state of affairs.

When we go to issues of infrastructure, in my constituency roads become completely impassable when it rains. Bridges are not there. The few that have been constructed through the CDF cannot connect the entire constituency. I hope that we shall get more funding for the roads sector, because it needs a lot of money. There will be improvement in marketing of produce with good roads in place.

Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion, but let us look into those issues.

**Mr. Murgor:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to share in this essential Motion.

I beg to support the Motion.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the Government for creating the Ministry of northern Kenya and Other Arid Lands, which is going to focus on issues of northern Kenya and other parts. The arid parts of Kenya constitute almost 80 per cent of our land mass. I would like to comment on food security.

Mr. Temporary Deputy Speaker, Sir, I hope the Government, and the Minister for Finance, will allocate a lot of money to the Ministry of Northern Kenya and Other Arid Lands, so that we can look into food security in that area. Every year, it is expected that northern Kenya and many parts will have shortage of food. From history, there should be a plan to avail food to northern Kenya and other arid lands, so that we do not experience shortage of food and starvation every time and again.

Mr. Temporary Deputy Speaker, Sir, in some countries such as the USA, not every state can grow all crops. There is a way of taking food to places where certain crops are not grown. In Kenya, I know that the central part of Kenya has a lot of food that goes to waste. Food crops such as potatoes, carrots, maize among others go to waste. If there was a way that the Government could purposely plan, the food could be transported northwards and people from central Kenya would get meat from the north. Those people in the north have cows, goats and sheep. There should be a way of bringing those animals down to the central part of Kenya and not waiting until the livestock die out of starvation due to drought among other things. People in the north should sell their animals and get money to buy food. The food in the central part of Kenya should be sold through a co-operative society so that there is a purposeful plan to take that food northwards. That way, we would not have anybody dying of starvation and the animals in the north would not be dying due to drought like they do.

I am hoping that in the next Budget, even in the Supplementary Estimates, education in the north and the arid and semi-arid lands, particularly among the nomadic people, will be looked into. Up to now, 50 years after Independence, many children do not go to school because these are people who move around. When they move around, they move with their children. So, if there are no boarding schools, parents move around with their children and take them to places which have no schools. The children end up losing time to attend classes and so on. Boarding schools would cater for those children so that when their parents move from one area to another, they can be accommodated and their education taken care of. Lack of development in the northern parts of Kenya and parts of the arid and semi-arid lands is as a result of parents moving around with their animals.

The other thing that I would like to touch on is health. During budgeting, we should look

into the issue of health so that some of the places that do not have hospitals can have dispensaries and clinics built. Health facilities should be built in remote areas and in the rural areas so that they can cater for people who fall ill in those areas. Some areas are almost 50 to 100 miles away from the nearest health centre or hospital. So, it is very urgent that we build small clinics, hospitals or dispensaries in these areas so that people can go there when they are sick. A physician should be there to attend to the sick people.

**The Temporary Deputy Speaker** (Mr. Imanyara): Order! Unfortunately, I am reminded that the time left is for the Minister to reply, unless he wishes to donate some of his time to you! Mr. Minister, it is your time to determine whether you want to allow one or two hon. Members to make short comments. Otherwise, it is your time to reply.

**The Minister for Finance** (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, given that the interest shown by hon. Members in these matters is overwhelming and that there are only two hon. Members who want to contribute, I would be happy to donate two minutes to each one of them. However, I will leave it to your discretion to distribute my time.

**Mr. C. Onyancha:** Thank you, Mr. Temporary Deputy Speaker, Sir and Mr. Minister. I wish to support this Motion.

**Mr. Murgor:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I had not completed my contribution!

**The Temporary Deputy Speaker** (Mr. Imanyara): Order! Your time ran out. This is time for the Mover to reply unless he allows you to use his time.

**Mr. Murgor:** Mr. Temporary Deputy Speaker, Sir, I and Mr. C. Onyancha will take two minutes each as donated by the Minister.

**The Temporary Deputy Speaker** (Mr. Imanyara): Mr. Minister, what did he say? Do you want him to complete his contribution?

**The Minister for Finance** (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, I had left it to your discretion to have three minutes for Mr. C. Onyancha and two minutes for Mr. Murgor, so that the latter can complete his sentence that was half-way.

**The Temporary Deputy Speaker** (Mr. Imanyara): Proceed, Rev. Murgor!

**Mr. Murgor:** Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would also like to thank the Minister for rescuing my neck.

I was talking about the infrastructure situation in the country, especially in Kapenguria Constituency which borders Uganda on the western side. There is rampant cattle rustling. It becomes very difficult to pursue those criminals without proper roads. So, it is also important that when we think of security in Kenya to also specifically think of security in such a place because sometimes we get invaded by Ugandans. Once they vanish into the bushes, it becomes very difficult to pursue them and bring back the animals. So, we desperately need good infrastructure along the border.

With those few remarks, I beg to support.

**Mr. C. Onyancha:** Thank you, Mr. Temporary Deputy Speaker, Sir. Thank you, Mr. Minister, for donating some of your time to me. I shall be very brief. I wish to support the Motion. I also wish to congratulate the Minister for a job well done as usual. I have not seen any Minister yet, while reading the previous copies of HANSARD, receiving so many accolades. So, I hope that it does not affect your future performance.

In supporting this Motion, I wish to draw attention to the recent events about the prison warders and hope that there is provision for their increased salaries as well as benefits. I hope that the Minister of State for Provincial Administration and Internal Security will look into the issue about the Senior Assistant Commissioners of Prisons who are now being prosecuted. Surely, the prison warders had a genuine case. As we view this scenario from outside, we believe that those



Assistant Commissioners of Prisons not deserve to be prosecuted for fighting for their rights and those of their colleagues.

Mr. Temporary Deputy Speaker, Sir, on the issue of debt restructuring, there is the issue about long-term and short-term debts. It has been talked about in the country for a while. I believe that we can save some money which can go towards development expenditure. We can restructure the payment period of the external debt, so that we can finance infrastructure. We do not know what the situation is at present. I hope that the Minister will come up with some information in due course, so that we may know where we are. We got a lot of the external loans when we were not quite accountable. Indeed, it is time we actually requested for a write-off or insisted on that debt to be written off because it is eating a lot into our resources. We have seen some highly indebted countries have their debts written off. However, our case is yet to be addressed.

Mr. Temporary Deputy Speaker, Sir, the Kshs3 billion which has been allocated for the resettlement of IDPs is very little. We hope that the amount will be increased to Kshs10 billion.

With those few remarks, I beg to support.

**The Minister for Finance** (Mr. Kimunya): Thank you very much, Mr. Temporary Deputy Speaker, Sir. Let me take this opportunity to thank hon. Members for their support and encouragement, not just to the Ministry of Finance, but also to the Government in terms of what we were doing and what we are intending to do.

I have picked up couple of things, which require some clarifications. But by and large, I believe that there was overwhelming support for the Motion. In terms of the IDPs, we agree that there is need for their resettlement. This matter must actually be speeded up. I have confirmation from the Minister of State for Special Programmes, and she actually confirmed to the House, that this activity has to be done at the earliest opportunity to make sure that people get back to their productive activities. We should avoid situations where a country that has been the beacon of hope and peace in the region is seen quarrelling with itself. We should make sure that we do not have a single tent for the IDPs, preferably within the next couple of months. That way, people will look at Kenya for what really it is. I also agree on the need to have enhanced security. This is not just for people within the camps or the areas that had flare-ups, but also across the entire country. That way, Kenyans can go to sleep knowing that they will wake up in the same condition or even better. Nobody should actually panic about what is happening to his child or house now that he is not there. I believe that is what we are aiming for. Part of these resources that we are asking for is to ensure that is actually done. This will enable us to recruit more police officers and also ensure that they have vehicles and resources. In terms of the wider issues of opening up the economy, as people get more money and move away from poverty to prosperity, they will have more resources. Rich people do not steal from one another. At least, we can contain criminals wanting to do fraud. But in terms of people stealing because of poverty, that is something we should all work towards eliminating within the wider framework of ensuring prosperity for all Kenyans.

I know that a couple of hon. Members raised the issue of ensuring that the money we are spending should translate into services being felt at the grassroots. I think that is what we have been working on. That is the brighter side of having many people within our Ministries; with 94 Ministers and Assistant Ministers. I believe the Government can never say: "We did not have somebody to go and see what was happening in Kapenguria or Kajiado". This is because now, there are enough people to move around to make sure that services are delivered. I think that is the brighter side of having many people in Government. Accountability in this House should not just be on written reports, but also in terms of what people have actually physically seen and witnessed. We can together work on these issues. With the new Membership in this House and the enthusiasm that we have witnessed, I believe that we will provide close follow-up and oversight that is

required to ensure that services reach the people and there is value for Kenyans.

Mr. Temporary Deputy Speaker, Sir, I also want to assure the House that we are equally concerned in terms of what happened. I can assure this House that, that issue of the assets of Miwani, the land owned by Miwani Sugar Mills - that is basically the precursor to the Miwani 1989 Limited--- We have been following that matter and it has received my close attention because we do not believe anyone had the right to do the things that they did. But the Kenya Sugar Board (KSB) and the Government Investments Department is following that matter. We will apprise the public and this House in due course.

Just a bit in terms of touching on the debt, I agree with the sentiments expressed by hon. Members. We may not be able to cry over spilt milk. Debts were incurred in the past and all the money may not have been used for the right purposes. But we have an obligation to pay. We are entering into bilateral discussions with some of the lenders and agreeing on how to reschedule; how do we make it soft and for some of them, how can we convert some of the repayment into development. But in terms of Kenya's rating as a country, the good thing to note is, obviously, if you went agitating for debt write-off, you are basically saying: "I am bankrupt! I am unable to pay my debts!" People do not respect you after that. Even investors cannot respect you.

So, it is something we will have to work on to improve on our use of the monies in the future and, hopefully, that could reduce the burden. We have also moved towards long-term debts and you will see, even within our borrowing of the Treasury Bills, that we are moving more towards the long-term rather than short-term to ensure that we can also bring down the overall costs and have some predictability in terms of what we do.

Mr. Temporary Deputy Speaker, Sir, as I mentioned last year, and we will continue, we are also working on ensuring that we do not borrow for our Recurrent Expenditure. We borrow for Development Expenditure so that, in future, we can tell our children: "This is the money we borrowed. This is what we did!" Rather than saying we borrowed and it was all consumed on consultancies and technical assistance that nobody can put a finger on and say what the money was used for.

Mr. Temporary Deputy Speaker, Sir, I want to also clarify something that came up in the course of the discussions about the CDF allocations. It is true that the CDF money is allocated based on population and the poverty indices. So, it takes into account some affirmative action. Again, it is something that we will continue with. I am very happy that, because of the targeted interventions we made over the last five years, poverty was reduced in terms of the number of people living under absolute poverty. We managed to reduce it from 56 per cent to 46 per cent which, to us, is a major improvement. If you see the pattern of that, again the poverty was reduced in some parts of Western and Nyanza provinces. I believe, in the Rift Valley, the incidence of poverty was reduced to far much more than in Central Province and Nairobi. In the Coast and the North Eastern provinces, we still have challenges and I believe that we will be moving in that direction. The creation of the Ministry of Development of Northern Kenya and Other Arid Lands is part of that realisation; that we need some targeted investments in that region. So, we are all moving together to ensure that it happens.

On the issue of security, I cannot re-emphasise. We need to ensure that, that happens and we all work together on that. There seemed to be some confusion on the role of the National Security Intelligence Service (NSIS) and I thought I may want to highlight this. They are actually not sleeping on the job.

Our NSIS is one of the best, not just within Africa, but on a global scale. It is highly technical and I believe that they are doing their job. What we now need is the other complementary services in terms of what we do with that intelligence once it has been gathered. We must give them credit for already having sustained peace and security in this country to date. The skirmishes we had were of our own making, as Kenyans. We stopped them when we started behaving. The signing of the National Accord seems to have brought down the tensions. We have

not witnessed the kinds of things we were doing. So, it is something we could do, as Kenyans, to ensure that we have peace and tranquillity within our borders as we let our intelligence services take care of the other threats coming from external sources. They have been doing a very good job on that. I just wanted to clarify this so that we do not think that we are giving them more money when they are not doing enough. They are actually doing quite a bit.

Another issue that I wanted to clarify came from Maj-Gen. Nkaisserry. I would have liked him to be here to hear this, because it is a pet subject of his. He keeps telling me that livestock to the Maasai people is not just livestock; it is like pets. It is something that he is very passionate about. Part of the money that we are seeking in these Supplementary Estimates for the Ministry of Livestock Development is for creating a revolving fund for re-stocking of livestock that gets lost due to droughts.

I am sure that the fund will benefit Kajiado District and other places. It is something that we have to continue doing. It is not just re-stocking that we will do, but also branding of livestock, so that we curb some of the cattle rustling, and be able to trace animals when they are stolen from another area. We also want to be able to assign value to beef, depending on whether it is from Kajiado or northern Kenya. Basically, I believe that there are so many issues; I am happy that hon. Members have picked on that, and we will be addressing them when we come to the main Budget.

All that I would like to state, at this point, as I said earlier, is that the demands on us needed upwards of Kshs62 billion. It could even have been more. We only have limited resources and limited time within which to absorb those resources. I believe that if we work together as Parliament or Government, and with the support the people of Kenya through paying their taxes and the international community---

I do hope that they will be able to transform their pledges to actual tangible cheques that will come in. If we work together, we will inspire this nation as far as the rate of growth is concerned. We will increase the revenues that we need to meet all our demands, create more employment and make sure that the youth are employed and productively engaged in the growth of this nation. I believe that we can eradicate poverty and move this nation to what it should be.

I give thanks to hon. Members for their support and encouragement. I assure them that we will continue to be prudent and to oversee the economy in the best interests of this country.

With those few remarks, I beg to move.

*(Question put and agreed to)*

## ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Imanyara): Hon. Members, tomorrow is a public holiday; so, there will be no Sitting. Therefore, the House stands adjourned until Tuesday, 6th May, 2008, at 2.30 p.m.

The House rose at 6.30 p.m.