

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 13th March, 2002

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PROCEDURAL MOTIONS

LIMITATION OF DEBATE ON THE PRESIDENTIAL ADDRESS

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

THAT, the debate on the Motion of Presidential Address be limited to a maximum of seven days, with not more than ten minutes for each Member speaking; excluding the Mover in moving and replying who shall be limited to 20 minutes in either case and the Leader of the Official Opposition who shall be limited to 20 minutes.

Mr. Speaker, Sir, I beg to move.

The Assistant Minister for Agriculture and Rural Development (Mr. Sumbeiywo): Mr. Speaker, Sir, I beg to second the procedural Motion. It is in order to allocate the time shown here because it will enable all hon. Members to contribute to the Presidential Address and highlight most of issues raised in it.

Mr. Speaker, Sir, with those few words, I beg to second.

(Question proposed)

Mr. N. Nyagah: Mr. Speaker, Sir, I rise to support this procedural Motion, that seven days be allocated to discuss the Presidential Address. It is my prayer and wish that this House will be able to have quorum within those seven days so that hon. Members can speak and focus on the issues raised in the Presidential Address. I hope that we will have enough hon. Members in this House, so that Whips will not have to run up and down looking for hon. Members to raise quorum.

Mr. Speaker, Sir, with those few words, I support.

Mr. Michuki: Mr. Speaker, Sir, while I do realise this is a procedural Motion, I believe that it also has some other implications. It is a debate on the policy relating to every aspect of this country. To that extent, therefore, I do wish to express the view that this Motion should have been allocated more time.

Mr. Speaker: Which one?

Mr. Michuki: This same procedural Motion should be allocated more time in terms of how many minutes a Member should speak in order to cover all these national issues. By the time this Motion is passed, I hope the Leader of Government Business will have introduced that amendment.

Mr. Speaker, Sir, I beg to support.

The Assistant Minister for Trade and Industry (Mr. Sankori): Mr. Speaker, Sir, I beg to support the procedural Motion. I strongly believe that seven days are enough for hon. Members to discuss the issues contained in the Presidential Address. I agree partially with hon. Michuki that ten minutes are not enough, but I think ten minutes are enough if an hon. Member will address himself to issues and facts. They cannot be enough if an hon. Member will address issues other than those contained in the Presidential Address.

Mr. Speaker, Sir, I beg to support.

Dr. Kituyi: Mr. Speaker, Sir, I listened to my friend, hon. N. Nyagah, explaining that we will have problems of quorum. As a Whip, I think I can understand his concern about that. But he is worried about the problem of quorum while, at the same time, he is talking about seven days to discuss the Presidential Speech. There are two problems here. If the Speech by His Excellency the President was so earth-shaking because of its content, policy direction and legislative agenda, it will be a great thing to dissect it all within a period of seven days. But if it is the same Speech that

I listened to and read, I have to struggle to understand how we can discuss it for two days. There is nothing in it. We just need this period to prepare other parliamentary business and allow it to mature. We cannot pretend we have to sit here for seven days discussing what President Moi presented here in 20 minutes yesterday. There is nothing to discuss for seven days. Reluctantly, I will accept we go on for seven days. However, half of that period will be without quorum because we will have finished discussing it after two days. After listening to hon. Saitoti and one or two other Members, there will not be very much for us to discuss in the Presidential Speech. We will be spoiling for some more substantive discussions which can come when business matures. I wish we could discuss it for two days.

Thank you, Mr. Speaker, Sir.

(Question put and agreed to)

LIMITATION OF DEBATE ON
PRIVATE MEMBERS' MOTIONS

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

THAT, the debate on Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover, 20 minutes for the Government Official Responder and 10 minutes for each other Member speaking, and that 10 minutes before the time expires the Mover be called upon to reply.

Mr. Speaker, Sir, in a way, these Motions are very similar to what we have always done; they are really a recitation of a ritual. Therefore, I beg to move.

The Assistant Minister for Agriculture and Rural Development (Mr. Sumbeiywo): Mr. Speaker, Sir, as has been said, this is a Procedural Motion which is self explanatory, and I think the two hours allocated to it; the 20 minutes for the Mover and 20 minutes for the Government's official responder, are adequate for both sides of the House to debate the Motion.

I beg to second.

(Question proposed)

Mr. Mwenje: Mr. Speaker, Sir, as I said earlier on, Private Members' Motions have become so useless that, possibly, we should do away with them. The reason is that, even after this House has passed a Private Member's Motion, no action is ever taken; Motions are never implemented. The House expresses the wish of what we would want done, but instead, the Government just keeps those resolutions in the national archives and nothing happens after that. It is now my wish that we do away with Private Members' Motions and bring to the House, Private Members' Bills. We should go straight to the Bills so that they become law and effective. We should not start off with the House giving an hon. Member leave to introduce a Bill because we are not even able to bring the Bill because it is very expensive, and the Government does not wish to co-operate with us and have a Bill brought before the House. At the end of the day, we waste two hours in this House debating a Private Member's Bill and nothing happens.

Mr. Speaker: Order! Order!

Mr. Mwenje: Mr. Speaker, Sir, I know the language may be improper---

Mr. Speaker: Order! The first thing you do is, you obey my order, and thou shall obey! This House does not waste time. Proceed!

Mr. Mwenje: Mr. Speaker, Sir, we may find better words to use, but at the end of the day, two plus two is four.

Mr. Speaker: Order, Mr. Mwenje! Thou shall stand guided by the Chair.

Proceed!

Mr. Mwenje: Mr. Speaker, Sir, I have taken your guidance. But when you spend two hours debating a particular issue here and at the end of the day it is not implemented, what shall we be doing? I may have to consult the concise English dictionary to find a better word for it, but the truth is that we--- I am still looking for a better word up to now.

Dr. Kituyi: I will give it when I stand up!

Mr. Mwenje: Maybe, I will get it from Dr. Kituyi when he stands up. Or may I use Kikuyu words? *Nigute mathaa!*

Mr. Speaker: Order, Mr. Mwenje again. There are only two languages known to this House, and those are

English and Kiswahili. The Kikuyu language is not one of them.

Proceed!

Mr. Mwenje: Mr. Speaker, Sir, I am only asking the Leader of Government Business to see to it that, if really this Motion goes through, though I feel we should go to Bills straightaway, then it is up to the Government to see to it that they are implemented. Otherwise, it does not make a lot of sense to do that.

With that, I beg to oppose.

Mr. Munyasia: Mr. Speaker, Sir, I beg to support this Motion because it does not distort the practice that we are used to. Thank you.

Mr. Parpai: Mr. Speaker, Sir, I support the Motion, but I have some qualification to make. I have no quarrel with the time allocated to the speakers; the Mover and whoever else will be allowed to contribute on this Motion. But I have reservations in the way private Motions are allocated time. There are Private Members' Motions that have been brought to the attention of the Speaker and the House Business Committee, but they have never been brought here. It is important that we get to know why other Motions, as well as Private Members' Bills, are barred from coming to this House. What is the problem? Why are we not allowed to express and bring our Motions at will? I would like to urge the House that Motions should be brought to this House, first in first out, and not for the House Business Committee or the Government to decide on which Motion or Bill should come before the other.

Mr. Speaker: Mr. Parpai, I hope you do consult your Whip.

Dr. Kituyi: Mr. Speaker, Sir, I just have three brief remarks. The first one is a reaction to Mr. Mwenje's sentiments. It is true that we get frustrated when a Motion is passed and nothing happens. But I think Motions are not just about implementation; many times they are statements of the moral position of the House, and as such, if the Government and the electorate hear that this House is seized by a certain mood, there is something positive about it.

The second issue is that, the fact that Government does not keep its promises does not mean that we should stop forcing it to make promises. It means you get mechanisms to force it to keep its promises. I hope, at the end of the current Session of Parliament, recommendations for amending our Standing Orders will have been made to pave way for the establishment of an Implementation Committee, the equivalent of what is called the Presidential Assurance Committee in the Ugandan Parliament.

Mr. Speaker, Sir, with regard to the problem of having very many Motions and very little time for debate, I think we should consider seriously, this being the last Session of the Eighth Parliament, that we have sittings on Thursday mornings, to take in more of the Motions than we are able to take under the current arrangement.

Finally, as I was listening to my friend, the good Prof. Saitoti, while he was Moving the Procedural Motion for the ninth time since I came to this House, and I was thinking, there are so many in the kindergarten for Presidency; pretenders to his office. I wish the Leader of Government Business could encourage more of them to sit in this House and go through these procedures. They want the privilege of being vice-chairmen of KANU, but they do not have the temerity to come and sit in Parliament. He should encourage them that if they want to compete with him, they should also come through here, heckle and support the Motions we are bringing to the House, and not just wait for 18th at Kasarani.

With those remarks, I beg to support.

The Assistant Minister for Tourism and Information (Mr. Sankori): Mr. Speaker, Sir, on the onset, I beg to support the Motion.

When debating Private Members' Motions, apart from the Chair, we should not have any other speakers giving part of their time to particular hon. Members. It should only be the Chair which should allocate hon. Members time, but, not, for example, Mr. Sankori to give his friend part of his time. I think that is unprocedural because Standing Orders do not allow us to have many Speakers in this House.

Mr. Speaker: Well, I suppose you are right! You should compete to catch my eye.

Mrs. Sinyo: Mr. Speaker, Sir, I would like to take this opportunity to support the Motion, that a Private Member's Motion takes the two hours allocated to it, except with this sentiment; because I understand it is historical that the Donde Bill was the first and only Private Member's Bill that has gone through and been assented by the President. But following the repercussions and reactions that have taken place since the Donde Bill came to light, I think it is very unfair that Private Motions and Private Bills are passed by this House and then, at the end of the day, we get ridiculed. I would like to beg this House that we treat the Private Member's Motions and Bills with the seriousness they deserve because there are laws that govern this country, and there should not be a repeat of what has been happening to the Donde Bill.

With those few remarks, I beg to support.

(Question put and agreed to)

LIMITATION OF DEBATE ON ADJOURNMENT MOTIONS

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

THAT, the debate on any Motion for the Adjournment of the House to a day other than the next normal Sitting Day shall be limited to a maximum of three hours with not more than five minutes for each Member speaking; provided that, when the period of Recess proposed by any such Motion does not exceed nine days, the debate shall be limited to a maximum of 30 minutes, and shall be strictly confined to the question of the adjournment.

I beg to move.

The Assistant Minister for Tourism and Information (Mr. Sankori): Mr. Speaker, Sir, I beg to second. It is actually a very normal practice that a Motion for the Adjournment of the House is given priority. Why? It is because the Motion is very important to the nation, and it should be treated like any other Motion in this House.

With those few remarks, I beg to second.

(Question proposed)

Mr. N. Nyagah: Mr. Speaker, Sir, I stand to support this Motion. This is the only occasion that I have seen, in my nine years in this Parliament and many more that will follow, that this House is full. I have never, at any given moment, had the opportunity of whipping people to come to this House. In fact, we should, maybe in future, in the next Parliament - for those who will be here with me - consider to put it as a two-day Motion, so that with an expanded Parliament, we are all able to discuss issues during the Motion for the Adjournment of the House.

With those few remarks, I beg to support.

(Question put and agreed to)

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

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

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday 12th March, 2002.

Mr. Speaker, Sir, before I go any further, I would want to, first of all, bring to the attention of this House, the fact that the Statement made by his Excellency the President to this House yesterday on matters touching on public policy is not supposed to be entirely exhaustive. It is supposed to trigger debate in our minds to discuss and deliberate on matters of public policy. Much more, we should take into account that Members have come back after a very long Christmas vacation. They have had the time to interact with wananchi and in the process, understood the stressing problems that face Kenyans. Therefore, we come here, hopefully armed with reflection on how we can deliberate or strategise to address those issues. It is, therefore, my hope that hon. Members will take that into perspective and understand that, more than anything else, it is a trigger-mechanism for us to discuss overall.

Mr. Speaker, Sir, this Motion is fairly comprehensive and it is not restricted, provided that hon. Members observe the Standing Orders of the House. One can discuss on everything and, indeed, you cannot expect one to cover everything for three hours. Having said that, I listened very carefully to the Speech by His Excellency the President. There are a number of issues which he touched on that are extremely important today. For instance, he broached on the matter of the general elections. He reminded us that this is the last Session of the Eighth Parliament. That is because once we end this year, this House will be dissolved. We, Members of Parliament, will then have to go back and seek fresh mandate from Kenyans. They only, will be the ones who will judge whether we have been able to accomplish the work or the task that they entrusted upon us. Those of us who will have been able to have met their demands will have their mandate renewed. Those of us whom it will be felt they did not complete their task will have it pretty bad.

But I think the most important thing - and I believe you, Mr. Speaker, Sir, in your Communication from the Chair, did remind us that elections are extremely important in any democratic process - for us Kenyans is that we should be proud that, since we became an independent nation, we have held elections every five years when they are due. The right of Kenyans to elect their leaders has not been taken away. That is very important and it is most timely

that this Parliament is the one that will deliberate the last leg of important issues. What I do believe is that we, in this House, at this most historical moment in our country - because we are going to accept it - believe that this is going to be a transitional period as required by the Constitution, if you bar some other incidents that could happen. I think we have an important obligation to ensure that things move smoothly, and to ensure that the whole transitional process is properly guided. It should not be interrupted by any acts of instability or conflict. We owe it to the people of this country and future generations to ensure that what we do between now and the time of the elections, and what we do in the process of the elections, will be proper and clear, to ensure that the future generations of this country, and the youth of today, will inherit a country and a society in which they can live in peace; a country in which they can be able to participate fully in decision making, so that this country can move forward.

Mr. Speaker, Sir, the elections will come, but we also have the constitutional review process in place. I have always agonized over the fact that too often we tend to tie the constitutional review process to the elections. In my own judgement, and this is a fact that is accepted universally, the constitutional review process is a much longer and continuous process of democratisation. Democratisation takes a long period. Even countries which have had a democratic tradition for a long time are continuously undertaking reforms. For example, in the United Kingdom we have seen a process in terms of the devolution which happened in Wales and Scotland. We have also seen some action taking place in the House of Lords and in many other countries. The issue of the constitutional review is broad and continuous, but the election is an incident in a democratisation process.

In essence, what I am saying is that, let us hope that the constitutional review process will be completed in time for the elections. This is extremely important because with that completion, we will become more democratic. Supposing the timing of the election falls slightly earlier; the crux of the matter will be this: Shall we then say that we will not carry out the elections and that we must wait until there is order? That will be a question for this House to debate. It is important to hold in perspective that one is an event and the other is a process. This issue was pointed out by His Excellency the President. It is so important because both the election and the Constitution underpin the political stability of a nation. If neither of them is right, the political stability of a nation cannot be assured and there will be problems. I truly believe that we should do everything possible to contribute to those two phenomena very carefully to ensure that the peace and stability of the nation are in place.

That brings me to the next point which was also broached by the President, and this is security. It was only the other day when we were shocked by the deaths of 23 Kenyans in the City. Whatever brought it on, it was a tragic act. Let us hope that all of us, leaders, will do whatever we can to ensure that, that ugly incident is not repeated again. I shall be the first one to concede that the Government has a duty to find out when such an incident is likely to happen and stop it. The Government also has a duty to ensure that those who are responsible for the act are apprehended. Security mostly depends on information from all of us and what views the leaders present to the people. I feel that at this important time, the way we talk to our people and behave will greatly influence whether we can trigger off violence, or prevent it. Why should we do so? This is because if we do not prevent violence this will lead to more violence and insecurity. The most important thing is that it implies more poverty and lack of development, and yet we are a country which is faced with very severe poverty today, which stands at 56 per cent. It is a very big problem! We have got many other challenges. We need to create an atmosphere which will allow us to address our difficulties.

Dr. Kituyi: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Would you like to be informed?

The Vice-President and Minister for Home Affairs (Prof. Saitoti): It is the first day. Let me allow it.

Dr. Kituyi: Mr. Speaker, Sir, I would like to inform the hon. Vice-President that in 1992, when Mrs. Wambui Otieno and Mr. Raila Odinga went to open a FORD(K) office in Ngong Town, a large group of young men, in the presence of police officers, beat them up, smashed the windscreens of their cars and chased them out of town. A similar group from Ngong came to this town to beat people who threatened to disrupt a Budget Day Speech. Any failure to condemn that action was nurturing the force that is translating into political hooliganism today. I agree with your condemnation, but also condemn those who do that from your constituency.

(Laughter)

Mr. Speaker: Order! I suppose a point of information means just that; to inform somebody of something. You should not interrupt an hon. Member on the Floor to put across your point of view. You should wait for your time. Proceed.

The Vice-President and Minister for Home Affairs (Prof. Saitoti): Thank you, Mr. Speaker, Sir. I am sure the hon. Member will be able to expound much more on what he said. We must stand firm and condemn violence regardless of whatever quarter it comes from. That should be the most important thing. What will also help us to move forward and hold this country together is a very sincere commitment to unity among us, Kenyans. In this last Session

of the Eighth Parliament, I hope that we can resolve ourselves to be Kenyans first and to consider every one of us as fellow Kenyans. We should consider each lady as our sister and gentleman as our brother. I really hope that we can minimise these terrible enemies of tribalism. The difficulties that are faced in many African countries mostly arise from none other than ethnic conflicts. This is the major problem and I really hope that we can now start reversing the trend which has become so disastrous to this country. The Government admits it. Its end result is hatred which is at its highest point. I have not seen it come down. However, it is fuelled by the leaders. If you go to the people, and I am sure each one of us lives with them, they cannot come to tell you how bad a certain ethnic group is. They are much more concerned about their peace, how they can earn a living, how they can feed their own family members, and how they can be able to educate their children. Those are the fundamental priorities of Kenyans. Why should we betray those very Kenyans who elected us here by going to preach to them ethnic hatred which can create a problem? I think this is the biggest problem.

Mr. Speaker, Sir, I also want to tell you that the only way of minimising that is to ensure that we embrace the virtues of equity and participation. That is what democracy, constitutional review and election are all about. I am saying this passionately here in the true belief that now, in this first decade of the 21st Century, we can leave this House with something that Kenyans will remember forever. I think we should leave a legacy here. Let us leave a legacy as the Parliament and Members of Parliament who were able to transform or bridge both the 20th and 21st centuries. Can we come up with something? Can we, at least, even be able to give them a vision and a hope? If we do that, we will have done the best thing for our people.

Mr. Speaker, Sir, I think there are important things that came out from your Communication from the Chair and which are very important in as far as this House is concerned. I would also want to commend you for the information you gave us regarding the important developments which are taking place, in order to be able to uplift the working conditions of the hon. Members. This is evidenced by the fact that now the Continental House, which is an office block, is more than 90 per cent finished, and what is remaining is purely a question of furnishing it. Of course, I do know as a Member of the Parliamentary Service Commission, that the tender for furnishing it has already been awarded. I believe the selection has already been made and so it is only a matter of time when it will become operational. So, hopefully, in the next two months or so, the offices will be ready for hon. Members.

An hon. Member: In a month!

The Vice-President and Minister for Home Affairs (Prof. Saitoti): Mr. Speaker, Sir, I am not talking of a month but two months or so. It could be ready within three months, but on the basis of the information I have, I am sure it will be complete within a very short time. I believe that this is a very great improvement and great progress in terms of ensuring that hon. Members can be able to have offices and work effectively.

Mr. Speaker, Sir, much more so, the efforts that are being made to recruit research officers is a recognition that today's Parliament has much more challenging work to do than was the case in the past. An hon. Member may not have the time to do research because some of the issues he or she would want to deal with are fairly complicated and technical. It is important to have a research assistant whom you can tell: "Please, go to the library and give me a summary of the information on a certain topic". If that is not done, you will have to spend a lot of time in the library and be absent from this Chamber. We are grateful for that. That is a recognition of the importance of this Parliament, and it will enhance the quality of debates in this House.

Mr. Speaker, Sir, while I am happy that the conditions of service of hon. Members will be looked into by an independent tribunal, taking into account the economic realities of this country, it is only fair that Kenyans who pay taxes say something about our salaries, as I heard you say.

Mr. Speaker, Sir, I beg to move.

Mr. Speaker: Is there anyone to second?

The Assistant Minister for Tourism and Information (Mr. Sankori): Yes, Mr. Speaker, Sir.

Mr. Speaker: Proceed!

The Assistant Minister for Tourism and Information (Mr. Sankori): Thank you, Mr. Speaker, Sir. I take this opportunity to thank His Excellency the President for his opening speech of the last Session of the Eighth Parliament. At the same time, I also thank the hon. Members of this House for the way in which they respected the Chamber. I say this because during the previous State Openings of Parliament, we have witnessed a lot of problems.

Mr. Speaker, Sir, since this is the first Parliament in this century, I must say that it has done a lot as already stated by the Leader of Government Business, and that it will go down in history as the Parliament that has passed a lot of Bills and Motions that are going to be implemented. Examples include the historical Donde Bill and the Parliamentary Service Commission Bill brought by hon. Oloo-Arango. These two Bills form a milestone of this Eighth Parliament.

Mr. Speaker, Sir, I do not need to dwell much on the issue of security because a lot has been said about it. However, as was said earlier, the security of this country needs all of us to put our heads together and make this

country a secure place to live in. It is not always the job of the police to provide security. The best security is that one provided by ourselves as the citizens of this country. The police just supervise to make sure there is no insecurity in this country. However, at the same time, I ask our courts not to frustrate the work of the police. I say that because you will find some criminals are arrested by police and charged in a court of law and they are either bonded or released. When they come out, they go back to the same police station to show the inspector and his policemen that they are free. That frustrates the work of the police. So, I will request our courts, especially on some of these very serious cases, to make sure that when somebody is arrested, justice is meted out to him or her.

May I also request the Attorney-General and the courts to put in full gear---

Mr. Mwenje: On a point of order, Mr. Speaker, Sir. With due respect to Mr. Sankori, is he in order to imply that when the courts bail out suspects, it is against the law, and yet it is guaranteed in the Constitution?

Mr. Speaker: Order! Mr. Sankori has a right to express his view.

Mr. Mwenje: He is out of order!

Mr. Speaker: Order! Order! I know it is in the Constitution that certain offences are bailable. Having practised law, myself, I know that it is in the discretion of the court to grant or not to grant bail. He is trying to express his views as to how that discretion should be exercised. That is perfectly in order.

Proceed!

The Assistant Minister for Tourism and Information (Mr. Sankori): Thank you, Mr. Speaker, Sir. I did not have any particular case in mind. I was only talking on general terms that policemen are human beings and if they realise that the suspects they had arrested are set free, they would be hurt.

Mr. Speaker, Sir, let me also talk about traditional issues. There are some practices that you might participate in, thinking that you are observing your traditions, only to hurt other people. There is a saying that as children play with water in a pond, they splash it not knowing that they are killing frogs. I am saying that because, the Mungiki, who have formed their own religion, are a security risk to this nation. As I said earlier on, it is a sect and I do not want to associate it with any tribe; I want to take them as Mungiki because they have got their own name. They are causing insecurity in this country.

Mr. Speaker, Sir, on the question of health, for a nation to prosper, her citizens must have security and be healthy. When you visit our hospitals, I am sorry to say that public hospitals are no longer the public hospitals we used to know. I want to thank God for giving us private hospitals; otherwise, a number of us would not be here. Let me ask the Minister---Unfortunately, there are no Ministers in the Front Bench; I do not know whether they have decided to sack themselves today. They should have been here to listen to what hon. Members are saying. Health facilities in this country should be improved. Taxpayers are paying money to get these services. If you visit a hospital like Kajiado District Hospital, you will be shocked. The kitchen which is there was built in 1940, and it is still being used in the 21st Century. This is very unfortunate. Some of the Government Ministers - I am sorry, I am one of them - do not go round the country to inspect these facilities. I am sure a few of them go, but a majority of them do not go. Therefore, there is need to pay much attention to health services in this country.

Mr. Speaker, Sir, on the question of registration of persons, it is so unfortunate that districts which are on the borders, including Kajiado, have to vet people who are applying for identity cards. These people are born in that district and a District Registrar of Persons who comes, maybe, from Ukambani or Busia, tells Maasais that they are not Maasais. So, he has to send their application forms to Nairobi to be vetted. Who will vet the Maasais in Nairobi when they have been vetted? The same thing applies to the Somalis and Boranas. There are some people whom we know are genuine citizens of this country, but because of corruption, the Registrar of Persons tries to make their lives difficult. Why is that so? If they are citizens, you only need to know who their parents are and then you issue them with identity cards. I am sure many Members in this House will support me because in some of these areas, we experience such problems. That will affect even the elections because you cannot get a voter's card without an identity card. As we move towards the general election, everybody who is entitled to be issued with an identity card should be issued with one so that they can register and get a voter's card. If one loses the election, he will not say that he lost because so-and-so refused to issue his people with voter's cards.

Mr. Speaker, Sir, on the question of infrastructure, and particularly on telephone services, I am happy to note that since we got mobile telephones, quite a number of things have improved. But we are not yet satisfied with that kind of service. We need more services in the rural areas. On the question of roads, this House voted Kshs5 million for every constituency. This was very unfair. There is a constituency with only about 100 kilometres of road and it was allocated the same amount of money as Turkana or Kajiado District which has got 500 or 600 kilometres of road. Where is the fairness here? Kajiado Central has got 500 kilometres of road, but I am sure some areas in Kisii have got less than 100 kilometres of road. They are also allocated Kshs5 million. Where are they taking that money? The same applies to Nairobi, where the City Council is doing all the roads. That is an issue that we should address and make sure that when we vote any monies in this House, we do so according to the needs and not according to what we think is the

need.

With those few remarks, I beg to second.

*(Several Members on the Opposition Benches
stood up in their places)*

Mr. Speaker: You must all sit down! The Question is not before the House.
Order, Members!

(Question proposed)

Who is the Official Respondent?

Hon. Members: We are here!

Mr. Maore: Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to this Motion. The fact that we are in the year 2002 is quite historic for this country. We would like to thank God for being there to witness and participate in the transition of so many things that are going to happen.

Mr. Speaker, Sir, as we begin the year, we note with disgust and outrage the resurgence of violence, apparently political violence, under the guise of ethnic violence or ethnic clashes. We do not want to have a government that comes to explain deadly explosions of violence between groups of people, but one that takes responsibility; sacks some officers; disciplines others, and also compensates victims of the violence. Those who have lived in Kenya know very well that by the time you organise more than 100 people, the security apparatus are always alert. Now we have an organised gang of 300 people who carry out wanton killings and then some politicians go there to shed crocodile tears, promising action when the real intention is to search for those who might have some clue on the source of the violence so as to harass and intimidate them into silence or submission. Those who participate in high-stake politics of succession, as the President said, should do it gently so that they do not cause a lot of commotion while they are trying to go up by stumbling on innocent citizens.

There are sections of the political elite or political leadership that would like to control, manipulate and dominate the rest of the country through the media. They do this by withholding licences to independent media houses. Indeed, it is not a coincidence that the radio or television stations which have got licences to broadcast out of Nairobi are those which are owned either by family members or top politicians who have shareholding in those stations or newspapers. This country belongs to all of us. You cannot dominate a people forever. We should liberalise the media. If the Nation Group of Newspapers would like to have a radio or television licence to reach every corner of this country, it should be issued with one. All citizens of this country should be treated equally, and we should not have a small clique of some family enterprise taking all the frequencies and trying to think that they can actually dominate people through communication in the 21st Century.

On insecurity, again, we would like the Government to make sure that the police are well equipped in order to perform their duties well. We would also like to ask the Government to ensure that the police are well remunerated so that they do not participate in petty crime, such as stealing for their livelihood. If you interview the residents of Nairobi, you will find that in a period of five years--- If you ask the people who have either been victims or know somebody who has been a victim of violence, you will find that they are many.

The excuse of population explosion, which was given by the Government, as the cause of the rise in poverty is a hollow one. In the 1970s, there used to be elaborate statistics stating the rate of population growth in this country, and every planner knew the projected population in 30 years to come. All those data and statistics are with us. It is wrong to use the rise in population as an excuse for rampant poverty. Lack of planning, misappropriation of human resources and massive corruption in the Government is responsible for rampant poverty in our country. If the Government would like to be trusted, when it gives a promise or signs an agreement, it should honour it. I have in mind the promise, contract and the deal which was negotiated in 1997 between the Government and the Kenya National Union of Teachers (KNUT). Many Kenyans remember that afternoon when they watched the news, and the then Secretary General of the KNUT was dancing on the lawn of State House to celebrate how they had made a breakthrough.

An hon. Member: They were dancing Ndombolo!

Mr. Maore: Mr. Speaker, Sir, I have heard somebody say that they were dancing Ndombolo. It is a shame if the Government entered into a contract for the sake of the election which was forthcoming in 1997, and knew very well that they had no intention to honour it. It is shameful for the Government to have entered into a contract which it knew very well it did not have the resources or the will to honour. Now that the Government signed the contract, it is important that it goes and holds Harambee, if it wants, and pays the teachers. We would like to hear that the

Government has kept its promises to those it has promised.

(Applause)

Very soon we will have Supplementary Estimates brought forward because there is a likelihood of a shortfall in revenue levels this year, which will end in June. The problem with the Kenyan economy, as I pointed out earlier on, is not about the shortfall of revenue, but about those influential people who carry out big business and do not pay their taxes because they have friends in powerful places. It is immoral, just as it is criminal for friends of senior people in the Government to refuse to pay taxes because they do not know that they are trying to bring down the same Government that they think protects them.

Lastly, the President said how the conflict within our region is likely to affect us. Let us hear clearly that the Government of the Republic of Kenya has nothing to do with the "blood" oil from Sudan, if they do not want to participate in the killing of our African brothers by the Arab colonists in that country.

(Applause)

Thank you, Mr. Speaker, Sir.

Mr. Sambu: Thank you, Mr. Speaker, Sir, for giving me a chance to contribute to this Motion. I would like to support the President's Address by requesting the Government to carry out its obligations to the citizens of this nation. For the last three or four years, Kenyans in certain areas have not been getting enough food because of drought which has persisted there. We have been importing yellow maize to feed our people. Thank God that last year, He gave us enough rain. We have also seen that we will receive enough rain this year. I come from a maize-growing region and I can say that last year we had a bumper maize harvest. If you go to Kapenguria, Kitale, Moi's Bridge, Webuye, Eldoret, Mosoriot, the North and even the South Rift, and some areas of Ukambani, you will find that farmers queue to deliver maize in lorries. These farmers are subjected to conditions which are impossible to meet. We are told that we are supposed to meet the International Standard Organisation (ISO), and yet the maize which we are now delivering to the National Cereals and Produce Board (NCPB) is one which we have grown from the maize seeds we bought from the Kenya Seed Company.

Mr. Speaker, Sir, the Kenya Seed Company is a parastatal from which Kenyan farmers buy seeds. We are told that we are supposed to buy specific varieties of maize seed for certain areas. Farmers in highland areas are supposed to buy 625, 626, 627 and 628 maize seed varieties, while those in medium-altitude areas are required to buy 512 and 513 maize seed varieties. There is a serious problem. The Kenya Seed Company does not conduct enough research. Somebody is just out there to make money. The company produces seeds which are unsuitable for the various ecological zones it purports to produce seeds for. The 62-series maize seed varieties which I have talked about have caused a lot of problems to farmers in the North Rift. The outer cover of the maize cob does not cover the whole cob.

Mr. Munyasia: On a point of order, Mr. Speaker, Sir. Could hon. Members who are campaigning for posts in the elections due for 18th March, 2002, go and do so outside? I cannot hear Mr. Sambu because of the loud consultations the hon. Members are engaged in around here.

Mr. Speaker: What campaigns are you talking about, Mr. Munyasia?

Mr. Munyasia: Mr. Speaker, Sir, KANU and National Development Party are scheduled to merge and form a new party on Monday, 18th March, 2002, and hon. Members from the two parties are campaigning for posts.

Mr. Speaker: Order! Hon. Members, the business of this House must not be interrupted by any party or side of this House, or any individual.

Could you proceed, Mr. Sambu?

Mr. Sambu: Thank you for the protection, Mr. Speaker, Sir. I was having a difficult time concentrating on what I had to say.

Mr. Speaker, Sir, as I said, the maize seed varieties developed by the Kenya Seed Company do not meet the requirements of the various ecological zones. For maize grown in high rainfall areas, towards the end of the rainy season, the maize cob is not properly protected. So, the maize cob soaks in some water, leading to colouring of the grains. Subsequently, buyers tell farmers: "We cannot buy your maize because it is rotten, diseased and coloured." It is not due to the fault of the farmers that such maize is coloured. Being a parastatal, the Kenya Seed Company must be asked to conduct adequate research and produce seeds which are suitable for the various ecological zones. It is time that the management of the Kenya Seed Company was changed. Some people have over-stayed there, and have converted the company into a personal property.

After farmers are subjected to very difficult conditions during the sale of their maize, after they deliver their maize to the National Cereals and Produce Board, they are not paid. I am, therefore, requesting the Government to set

aside about Kshs1.5 billion and pay the farmers. If maize farmers are not paid their dues, this country will face a very bleak situation next year. The farmers will not be able to plough their maize-growing fields and buy maize seeds. So, they will not produce any maize. We shall, consequently, have to resort to importing maize because we cannot pay our farmers the proceeds of their maize sales.

It is sad to note that as farmers' lorry-loads of maize queued at NCPB silos for purchase, people in Kapsowar area of Marakwet District were receiving a lorry-load of yellow maize. I can see the Leader of Government Business here. He should let the Ministers for Finance and Agriculture know that they should pay maize farmers for their crop wherever they are, from Ukambani to Laikipia, the North Rift and the South Rift. Farmers should be paid so that they can prepare their farms for planting and take their children to school. It is an obligation of the Government, through the NCPB, to maintain a strategic food reserve. Let us maintain our strategic food reserves through our locally produced maize. So, I would like to plead with the Government to urgently raise about Kshs1.5 billion and pay maize farmers as soon as possible.

Mr. Speaker, Sir, apart from the issue of the standard of seeds, there is also the question of the standard of fertilizers and other farm inputs. The Minister for Agriculture should establish mobile laboratories, so that the standards of fertilizers and other inputs can be checked. A lot of traders, some of whom are not citizens of this country, are selling fake farm inputs to our farmers. They, for example, grind stones and purport it to be diamonium phosphate fertilizers; they pack some white powder and claim that it is some coffee chemicals. The Ministry of Agriculture should, therefore, establish mobile laboratories, so that its officers can conduct random tests on farm chemicals stocked by traders countrywide. I also appeal to the Weights and Measures Department to verify the weights of packed fertilizers.

There is a notorious Indian trader in Eldoret Municipality who reduces the weight of every bag of fertilizers by about three or four kilograms. These are very serious matters, and farmers should be protected by the Government. The Ministry should simply establish mobile laboratories, so that it can check some of these malpractices by unscrupulous traders. Anybody found engaging in these activities should be prosecuted. We do not want mere television publicity, that some people have been found doing these things, and yet we never see them being taken to court.

Mr. Speaker, Sir, I would now like to discuss the issue of security for our people. It is very sad that so many people have been killed by so-called "*jeshis*". Why has the Government allowed a group of people to develop into a private army? This is a very sad situation. This is now the situation countrywide. If you tell a District Officer (DO) that something bad is developing in an area, he just turns away from you as if he heard nothing. The Government must ensure that the police force is well equipped. Also, Government security agents must listen when somebody informs them of an impending disaster; they must take action. Some people do not know that *busaa* is a legal brew. The police arrest people for drinking *busaa* and overlook serious issues. Gangs of people move from urban areas to the countryside where they terrorise people as the police sit idle; when they are informed of such impending attacks, they take no action. So, the Government should pull up its socks, particularly in security matters.

With those few remarks, I support.

Dr. Kituyi: Mr. Speaker, Sir, when I first read the Presidential Address, I was tempted to put it aside and go railing at the years of mismanagement and what the President could have done but did not do. However, on second thought, I decided that, for the first time, I should confine myself to the Presidential Address and see how much I can thank him for his exposition of public policy.

Mr. Speaker, Sir, yesterday, my President said that it was not normal for him to sound his own trumpet, but we should allow him to reflect a bit on what he has done, which basically meant that we should allow him to blow his trumpet. He started talking about the goals of his Government and particularly those of KANU, as the Governing party, since 1963. He said that the first goal is the fight against poverty, while the second is the fight against ignorance. I partly share the sentiments of the President that there has been a momentous achievement in the fight against ignorance, partly because of the Government and partly in spite of the Government. I say partly in spite of the Government because a substantial number of persons who are getting good education today are doing so outside the expense by the Government and outside the infrastructure provided by the Government.

Indeed, a lot of Kenyans are spending a lot of money in other countries on education to the extent that they would have improved the quality of education in Kenya if they were given the opportunity to invest that money in this country. Many people seem to decline our education system and spend money to send their children to schools in Uganda, the United Kingdom and the United States of America, among other countries. This is hardly something for the Government to celebrate. There is another little thing I would not like to celebrate about our education system. We can celebrate the statistics of how many Kenyans have good education today, but there are two things which were not said clearly. One, how much has the Government contributed seriously to matching the kind of education provided and the opportunities available in the labour market? We are seeing a grievous mismatch between education training and

opportunities in the labour market.

Secondly, what retention capacity have we demonstrated for professionals who are necessary in the country? How do you explain the fact that there are more Kenyan medical doctors in South Africa and Botswana than all the members of the medical profession who are employed by the Kenya Government and working in Kenya? How do you also explain the fact that the largest branch of the Kenya Medical Association is in South Africa? When that matter was brought here, the Minister for Public Health said that the massive emigration of doctors is good for the economy because it creates opportunity for employing the newly graduated doctors. In certain other countries, such a person would have been forced to resign, but in Kenya, we laugh about it and turn our backs, and the next day we would be celebrating the number of doctors we have. The fact that this economy is in crisis is not totally to be attributed to globalisation, like the President did yesterday. That is not telling Kenyans the truth.

Mr. Speaker, Sir, there is a conspiracy of factors of performance by the Government, which are contributing to the massive decline of the economy and growth of unemployment. One, the continued lack of investor confidence in Kenya is a vote of no-confidence in the economic management.

(Applause)

The fact that today there are more Kenyan shillings being invested in the Ugandan economy than in the Kenyan economy is a statement of Kenyan investors voting with their feet. It is not an accident that, after Britain, Kenya is the second largest foreign investor in Uganda. It is a relocation of capital stock, a depletion of our national wealth and a statement of no-confidence in the economic governance of the country. Secondly, when the former Minister for Finance, Dr. Francis Masakhalia, presented the Budget Speech in 2000 to this House, there was something very unusual. He said that we are having a one-off issue of the Treasury Bills through which the Government would pay contractors. That was a one-off exercise where the Government was borrowing future earnings to deal with the current expenses. Since then, it has become a regular feature of the Government, with schedules of borrowing from the future to pay expenses to date. When you live in a society where you can use Treasury Bills with high interest rates to pay pending bills, you are abusing the normal procedures of financial prudence management. Secondly, you are borrowing high interest money to pay interest-free debts. It does not make any sense economically.

This being an election year, we have to be very careful as a Parliament in checking how public money is going to be misappropriated. I have an anxiety over one example that is coming up, and I wish the Minister for Local Government is here. Well, he is rarely in this House, but I wish he was here to listen to this one. When the Kenya Government granted Kirinyaga Construction Company a contract for rehabilitation of the water and sewerage works for Bungoma Municipal Council, the quoted price was Kshs66 million. After the project stalled, Kirinyaga Construction Company went to the Ministry of Local Government and requested for a variation in order to be given an additional Kshs15 million. They promised that they would be able to complete the project. They have not completed the project, and they have sent an invoice to the Government right now of Kshs450 million as a variation of a contract price of Kshs66 million.

I would like the Minister for Local Government to assure this House that this is not going to happen as has been the case in the past, where variation of contracts is a conduit for transferring money from the Exchequer to finance politics; that Bungoma is an excuse, not a destination of investment, but a route through which money is moved from the Government to private pockets in order to finance political activities.

Mr. Speaker, Sir, there are about three issues that I would like to talk about. I liked what the President said yesterday; that, we have to fight insecurity, and we are going to rely on our ingenuity in order to revive the economy. But there are two related problems to these two statements. First, the mushrooming criminal activity of political armies, thugs behind tribal entities and politicians and paramount chiefs of different tribes and parties. That phenomenon was not born in Kariobangi. It has been with us for at least 11 years. The (Tounton Macoute)? of Kenyan politics was active in 1991 and 1992, and nobody raised a finger. We have witnessed private armies coming to Parliament in order to harass hon. Members who are coming in, whether pro or anti-Government. Nobody has systematically condemned this phenomenon. We have seen on national days that when people have tried to have rallies in Kamukunji, people have travelled in vehicles without registration plates and no uniforms, carrying guns and teargas, executing a function of the Kenya Police, but in civilian clothes and behaving like thugs. Nobody raised a finger. If we are going to be sincere in fighting political thuggery, we must look for its genesis and condemn it. We must be seen to be fighting it. The leader of that effort must be the Government.

I relate this to another problem of ingenuity in this sense. If the economy is performing badly, our ingenuity leads Kenyans to start operating kiosks. If we have a system that impoverishes the poor who are operating kiosks, and they get licences, and a politician stands up and says that we are going to flatten those kiosks so that those people go back to where they came from--- The next day, there are bulldozers and there are thugs without uniforms who do not

belong to any security apparatus, who burn the kiosks; who crush the kiosks, and go away with impunity. We have to decide: Are we trying to fight ingenuity or are we fighting poverty? Are we punishing people because we want to please Shariff Nassir or are we laying the ground for clashes again? We cannot come to Parliament and talk about security and ingenuity and go out there and condone criminal behaviour by persons in the Government. If criminal behaviour is wrong, a criminal should not be a Cabinet Minister. If you promote and reward criminals, and you let them fly the flag, then, you are a criminal Government.

Mr. Speaker, Sir, there are two little things that I would like to finish with. Whereas I celebrate the way the Kenya Government has embraced the African Growth Opportunity Act (AGOA), making Kenya the main beneficiary across the world today of these cheaper export opportunities to America, there is a major problem that has arisen. There is a major deficit of tailors in Kenya today for exporting textiles to America. Instead of the Export Promotion Centre starting a massive crash programme in order to train Kenyan tailors to fill this gap, they are now allowing Indians to import tailors from India. If we are fighting unemployment in Kenya, we should put money into a crash programme to train Kenyan tailors so that they can take advantage of the existing opportunities in textiles for export to America, instead of creating employment for expatriate tailors from India. That does not show a seriousness in fighting unemployment in the country and utilising emerging opportunities for our own country.

Finally, Mr. Speaker, Sir, I want to share the sentiments of Mr. Maore. I had a privilege over the past one month to tour parts of new Southern Sudan and see what Khartoum has done to persons whose only crime is to be Africans who refused to be Arabised and be governed by the Islamic law. This is a Government which drops bombs on hospitals and has torn down roofs on public buildings because it was defeated, and our Kenyan Government is pretending that we can buy peace in Sudan without having justice. We must, first of all, demand justice, and declare that we want a just peace for the people of Southern Sudan.

With those remarks, I beg to support the Motion.

Mr. Koskei: Thank you, Mr. Speaker, Sir, for giving me a chance to contribute to the Presidential Speech. When I was going through the Presidential Speech, I was struck by the fact that when our country achieved Independence, there were concerted efforts to fight poverty. But when you look at it critically, you will find that the Government has failed in its efforts to fight poverty. You will find that a lot of marketing bodies were set up to try and achieve this goal in order to try and help the farmers market their produce, but, unfortunately, they have not benefitted these farmers yet. Consequently, you will find that the Kenyan farmer is poorer than he or she was at the time of Independence. Hon. Sambu made a very eloquent contribution when he talked about the maize farmer. It is true that maize farmers in this country have had a raw deal from the National Cereals and Produce Board (NCPB). It is wrong for us to keep on talking about the "strategic food reserves"! Some years back, the NCPB had the money to buy maize from farmers. They did not depend on the Government to buy crops from farmers. But today, they cannot buy a bag of maize unless the Government gives them money to buy maize for the strategic food reserves, or to buy maize on behalf of the Government for famine relief distribution. An organisation like this one, without its own funds, does not serve any purpose! I do not think we should have such an organisation because it is of no use to the farmers.

Mr. Speaker, Sir, the Pyrethrum Board of Kenya (PBK) was set up to help farmers market their crop in that sector. The most interesting thing about the PBK is that all the equity belongs to the farmers. The Government does not own any equity in the PBK. The Government has been appointing the Board of Directors of the PBK and its management. Unfortunately, this interference by the Ministry of Agriculture has caused a lot of harm to the farmers. Last year, the PBK decided not to pay farmers bonuses for their crops. The explanation that was given was an unfortunate one. I wonder what kind of explanation the Government would have given if Osama bin Laden had not bombed the World Trade Centre. Because of lack of performance by the PBK, they are now attributing their failure to pay the farmers to the effects of the bombing of the World Trade Centre on 11th September, 2001. Instead of paying farmers their bonuses, the PBK decided to retrench its workers and carry out a modernisation programme for its headquarters in Nakuru. The costs associated with the retrenchment exercise and the modernisation programme amount to Kshs600 million. This money was supposed to be paid to the farmers!

Mr. Speaker, Sir, sometime back, I got into some arguments with the Minister for Agriculture because he had decided, for the sake of political expediency, to degazette a director who had been appointed to look into the problems of farmers in my constituency. As a result of this, he picked in place of that director, an old man who was viewed as politically-correct to represent our farmers in the Board. Consequently, our farmers have been getting a raw deal from the Board. When the President enumerated the Bills that the Government will bring into this House, I expected the Sessional Paper on pyrethrum which the Ministry of Agriculture has been working on to be among them. That would be the only way out for the pyrethrum farmer.

Mr. Speaker, Sir, the PBK has not been able to market the crop, despite the fact that the African Growth and Opportunities Act (AGOA) has been availed to us. We have not been able to export our crops! So, it is incumbent upon the Government to bring this Sessional Paper into the House, so that the farmers can take control of the affairs of

the PBK. The Government has no business appointing directors to the Board or appointing the management of the PBK because it has no equity in that Board.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, whenever we approach elections, we experience a lot of insecurity countrywide. We are appealing to the Government to make sure that law and order is maintained. For the last one month, areas around Molo and Rongai have experienced a lot of insecurity. Although that was not linked to politics, it is a fact that during such times, there is so much jostling because political parties are out to sell their political ideas. In fact, at one time, the Chair got incensed that a colleague of mine in this House thought it wise to go and lead a demonstration in my constituency. Courtesy demands that he should have informed me about the matter, even if he is a resident of my constituency. It is not only Members of Parliament who should be accorded security. The lives of all Kenyans, irrespective of their positions in life, should be protected. It is the duty of the Government to ensure that every Kenyan is accorded security.

Mr. Deputy Speaker, Sir, I would like to touch on the issue of settlement. This has to do with the settlement of squatters undertaken by the Government in my constituency. Despite the good intentions by the Government, the Provincial Administration in Nakuru District is not doing a good job. It does not pay for the Government to settle people on a piece of land and the next day, they are chasing them away. Those people were legally settled on that land by the Government and I do not see the reason why they should be chased away today. It beats logic for the Government to settle people on a piece of land and when they have put up houses on the same land, it now wants to move them elsewhere. What is more painful is that as they await the decision of the Government as to where they will be moving to, the same Government burns their houses. Even if they are resettled elsewhere, it will be difficult for them to build their new homes! I urge the Provincial Administration to show some restraint when carrying out such an exercise. They should hasten the resettlement of those people and stop burning their homes.

Mr. Deputy Speaker, Sir, the Government is losing a lot of revenue from the degazetted forest areas. This has been perpetrated by the Provincial Administration, in league with the local forest officers. The Government should look into this because a lot of money is actually being lost in that process.

With those remarks, I beg to support.

Mr. Ndwiga: Mr. Deputy Speaker, Sir, I would like to say a few things with regard to the Presidential Speech delivered yesterday. I was rather disappointed that the President did not, in his speech, touch on the main things that Kenyans expected him to touch on. He said that in 1963, the Government set itself to eradicate poverty, ignorance and disease. If you look around today, you will find that Kenyans are poorer than they were in 1963. So, that is a clear statement of the Government's failure, and the President yesterday was not talking about achievements of the Government, but about its failures. The Government has failed miserably to eradicate poverty. It has also, in the recent past, directly gone ahead to increase the level of poverty in the country. I have in mind the civil servants who were retrenched last year. What kind of a Government would send home a parent who has worked for it for so many years and only give him a paltry Kshs40,000? To date, nothing has been heard of the fate of the retrenched civil servants.

We know that most of the agencies which had pledged support to the Government for the retrenchment exercise, for example, the European Union, have already paid money to the Government. This money was meant to be given to the retrenched civil servants. But some of these retrenchees, a third of whom have already died from poverty and heart attacks, are languishing in poverty out there while the Government sings about poverty eradication programme. Such a Government cannot be taken seriously and I think that, that is one area where we need the Government to make a proper statement on what it will do about the poor people who, for no fault of their own, were sent packing before their retirement time and without benefits.

Mr. Deputy Speaker, Sir, since we went on recess, a lot of water has passed under the bridge. But what most hon. Members are focused on today is the area of security. I do not wish to repeat what has been said by the previous speakers, but it is worrying that apart from us having political gangs, we have in the last one month lost two senior policemen to gangsters. If you can have the third seniormost policeman, Mr. Kyanda, the late Deputy Commissioner of Police, gunned down by gangsters, who is safe? Nobody is safe, not even you. Nobody in this country is safe. If you can have the third seniormost policeman in the Republic gunned down like a dog by gangsters, then nobody in this country is safe. No wonder we are not getting new investors. No investors will invest in a country such as ours. Nobody will invest afresh and, therefore, unemployment will escalate because of lack of investments and principally because of insecurity.

One of the reasons why we have insecurity outside Nairobi is because the police force is being subjected to orders from the Provincial Administration. How do you explain a situation where security meetings composed of

members of the disciplined force are chaired by a civilian? That is a big lapse in our system which must be addressed. You cannot have a District Commissioner (DC), who is a former teacher or a clinical officer, chairing meetings of the District Security Committee. What does he know about security? That is why we have these problems out there. The policemen are now being used for political reasons, such as to break up rallies and follow up politicians, and are not doing their core job, which is to maintain security. That is an issue that must be looked into.

The other area which disappointed me in the President's Address yesterday is that Kenya is an agricultural country and I expected the President to talk about the collapse of the economy. He would have emphasised on what his Government will be doing for the remaining few months that it will be in power, in agriculture. As we speak now, more than 50,000 tonnes of powder milk is lying in Mombasa. This is at a time when farmers across the country are producing in excess of 250,000 litres of milk everyday. They are feeding their milk to dogs or pouring it all over. They cannot market their milk, yet this Government has the audacity to allow imports of powdered milk of that magnitude. This is a shame. So, this is a Government which cannot be trusted, and one which is not serious.

Mr. Deputy Speaker, Sir, Mr. Sambu mentioned in passing about the fake fertilizers and pesticides which are being delivered to the farmers. What is the Government doing about this? Farmers are buying ground stones and are being told that it is diamonium phosphate fertilizer. They are buying fake pesticides and fake seeds which are put in Kenya Seed Company bags. What is the Government doing about this? This cannot be a serious Government.

We in the House Departmental Committee on Agriculture, Lands and Natural Resources are rather disappointed. Most hon. Members want us to discuss pyrethrum, cotton and livestock, but we cannot do this because whatever we have discussed as a Committee and passed over to the Ministry, the Ministry has drafted the Bills but all those Bills are lying with the Attorney-General. The Attorney-General is holding this House to ransom and we cannot move forward. It is not possible to move forward. You cannot implement the Coffee Bill, for example, if you do not have the Co-operative (Amendment) Bill, and it is lying with the Attorney-General. As was suggested earlier, maybe we need to have an extra Attorney-General so that one will do the political work and the other one will do serious business. Perhaps that is what we should have.

As a Departmental Committee, two weeks ago, we overflowed the forest areas that are targeted for excision. The Committee would like to persuade this House to join it in rejecting that excision. It is catastrophic. Most of those areas are water catchment areas. Unlike what we were told in this House - in fact, a Minister of the Government told this nation untruth, that those areas are settled - apart from one area in Nyeri District, all the other areas are not settled. This Government will be held responsible by posterity if it goes ahead to excise those forests. We have aerial photographs which we took when we were there and we will tell you that this excision is criminal. The forest cover in this country is less than 2 per cent of the total land area, whereas the world requirement is that we should have 10 per cent forest cover. The Government should introduce a programme to reforest those areas.

Mr. Deputy Speaker, Sir, during our tour of forest areas that are targeted for excision, we found heavy logging going on even in areas which have not been excised. These are catchment areas and sources of major rivers.

Due to lack of time, I beg to oppose.

Mr. Keynan: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. This country is undergoing a very important transitional process. We need to put in place a sustainable, political and socio-economic framework to take care of the interests of the common mwananchi. Of late, there have been a lot of political activities that have contributed to lawlessness and insecurity, especially in urban areas.

*(Mr. Mbela consulted with
Messrs. Badawy and Kombe)*

Mr. Deputy Speaker: Order, Mr. Mbela!

Mr. Keynan: Mr. Deputy Speaker, Sir, I am glad to say that North Eastern Province, which has been considered as an area characterised by banditry, is today one of the safest areas in Kenya. That has come about as a result of the courtesy and hard work of our able Provincial Commissioner, contrary to the recent adverse Press reports. The North Eastern Provincial Commissioner has done a commendable job which his predecessors failed to do for the last 30 years. This is something that is being appreciated by the entire residents of North Eastern Province.

Mr. Deputy Speaker, Sir, the kind of political thuggery which has been going on in Nairobi is as a result of serious political activities of some of the aspiring candidates for national offices. There is no time Kenyans are going to accept political thuggery as a substitute for democratization. Anybody aspiring to lead this nation and to rise to the helm of political leadership, must be sober and be a man of the masses.

What happened in Kariobangi recently was a very ugly event. Two days later, they attempted to do the same in Eastleigh. Were it not for the vigilante groups formed by the residents in the area, they would have looted the whole of Eastleigh. These incidents are unacceptable in modern Kenya. These are things that have contributed to social and

political upheavals in our neighbouring country, Somalia. Some of these incidents can eventually turn to be chaotic.

Mr. Deputy Speaker, Sir, we need to check against such incidents thoroughly. We are really concerned with police harassment, and particularly in Eastleigh. Members of the Somali community are being harassed by the police force and very few of them are taken before court.

There is a police station called Pangani which has been turned into an "auction centre". Members of the Somali community are arrested in the evening, put in very crowded cells, and none of them is entered into the Occurrence Book. At the wee hours of the night, each one of them is asked to pay Kshs5,000 to be released. Within that police station, close to Kshs1 million is collected everyday. We are aware that the money ends up in the hands of senior police officers. If it is the issue of rooting out illegal immigrants or refugees in this country, that is not the best way to do it. You only need to go to Eastleigh in the evening to see the kind of harassment members of the Somali community are subjected to, yet very few of them are taken to court.

We are appealing to the Commissioner of Police and the Minister in charge of internal security to dismantle the cartel at Pangani Police Station. I even believe that the same cartel is involved in some of the highway robberies. Those policemen do a lot of things which are totally unacceptable. This is not the kind of Kenya we need!

Mr. Deputy Speaker, Sir, His Excellency the President talked about the issue of food security. As I speak here now, 87 per cent of the residents of Wajir West rely on relief food, yet the other day, I was shocked by the statement attributed to one of the Ministers, that Kenya has surplus food this year. I doubt whether that is true because we are still getting food supplies from the World Food Programme. So, where is this surplus maize the Minister was talking about? If it is in Trans Nzoia where there is surplus maize and it is not being bought by the National Cereals and Produce Board, then it does not assist Kenyans! It only exhibits the level of poverty, and yet everyday, we hear about good Policy Papers being written on poverty reduction and eradication. These are lullabies and theories that are not working at all! I want to concur with the hon. Member who said that we are in a worse state than we were in 1963.

Mr. Deputy Speaker, Sir, with regard to the pastoral communities, we have talked a lot about the Kenya Meat Commission (KMC). If there is any policy that does not address the revival of the KMC, then it has nothing to do with the pastoralist community or the livestock farmer. We have brought a Motion and a Bill before this House about the livestock farmer, yet every now and then, we have been promised that something is going to be done to KMC, and yet we have not seen anything. For five years now, KMC has been under receivership. How do you expect the livestock farmer to survive? I do not know whether we really share the national cake!

Mr. Deputy Speaker, in 1968, Botswana sent 35 officers to come and learn about livestock development in Kenya. Today, we have nothing to show that we continued to improve our livestock industry, and that is why the farmer is suffering. The Livestock Marketing Division which used to organise marketing of livestock on behalf of our farmers is no more. So, literally, the Ministry of Agriculture and Rural Development has nothing to offer to the livestock farmer. Though it is not said in public that anything short of the revival of the KMC will not assist the livestock farmer, we have talked about the issue and it is something we need to do. I am glad His Excellency the President mentioned the same issue during his Address to the House and it needs to be addressed further.

Mr. Deputy Speaker, Sir, with regard to the issue of peace in Southern Sudan, or even in Somalia, again this issue is not getting the right attention. Somalia as a country disintegrated 12 years ago, and one of the contributing factors was the interference by the Ethiopian Government. To date, while His Excellency the President has been struggling to reconcile the warring factions here in Nairobi--- Traditionally, Somalia and Ethiopia have been at war. So, whatever His Excellency the President is doing is just a waste of time, unless the international community pressurises Ethiopia to stop interfering with Somalia's internal affairs. Ethiopia has made it difficult for the transitional government in Somalia to work. Any resources that this Government directs towards Somalia is a waste of public resources, until and unless the international community stops the interference by the Ethiopian Government.

Mr. Deputy Speaker, Sir, I am talking from experience. We are neighbours to Somalia and we know what is happening there. We have been victims of the banditry menace along the border. If our Government is ever going to continue neglecting conflicts in Somalia---

Mr. Munyasia: Did you say you are an insider?

Mr. Keynan: Mr. Deputy Speaker, Sir, I am saying that we are neighbours of Somalia.

Mr. Munyasia: Okay.

Mr. Keynan: Mr. Deputy Speaker, Sir, they need to check because I know Ethiopia has close to 10 million idle soldiers, and the Ethiopian Government will not survive unless these soldiers are committed to doing something. That is why they fought Eritrea one time and they massacred soldiers along the Kenya-Ethiopia border the other day. Right now, they are involved in destabilising Somalia. They also fought Sudan the other time. This is a country with 10 million idle soldiers. They have nothing to do; they are interested in war and military conflicts. This is why they have a lot of interest in the issue of Somalia.

Mr. Deputy Speaker, Sir, I want to appeal to His Excellency the President to use the East Africa leadership to

pressurise the Ethiopian Government, through the OAU forum and the UN, to allow the transitional Government in Somalia to work for peace and tranquillity for the people of Somalia. Anything short of that is a waste of time.

On the issue of Sudan, there is need for peace and fairness. Whatever is happening in Sudan of late, we will fully support it. But one thing that should not happen is to silence those who are saying, "Oil for peace." I think it does not apply. That is purely a commercial issue! If anything, Kenya will gain more because we will be importing oil from Sudan at zero tariff rates, and that will save us a lot of money.

Finally, Mr. Deputy Speaker, Sir, this is the only country in the whole world that thinks of politics all the time. We have put everything else aside and we engage in politicking all day long. We think, eat and talk politics. The other day, my five-year old daughter was worried because, during every news bulletin, there is always a political issue. She asked me whether there is any other thing that happens in this country apart from politics, because KBC and other radio and television stations flash the same things every day. It is high time we concentrated on other issues affecting our country. As of now, it is politics at night, morning, lunch hour and evening. That is why the economic growth rate of this country will remain negative because we are concentrating on political activities. No investor will come to this country if everything we think of is politics.

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

Mr. Kitonga: Asante sana, Bw. Naibu Spika, kwa kunipa nafasi hii ili niweze kutoa mchango wangu juu ya Hotuba ya Rais. Hotuba ya Rais aliyoiwasilisha hapa jana ilikuwa ni porojo tu; hotuba ambayo si ya ukweli bali ya kisiasa. Hotuba hii ilikusudiwa kuwahadaa Wakenya kuwa kuna maendeleo fulani yanayofanyika nchini. Jambo hili si kweli.

Umaskini ni baadhi ya mambo ambayo Mtukufu Rais alizungumzia hapa jana. Umaskini katika nchi yetu ya Kenya umeenea zaidi. Watoto wetu wamehitimu shuleni na vyuoni lakini hawapati kazi. Ukosefu wa kazi ni shida kubwa inayochangia umaskini nchini.

Bw. Naibu Spika, tukizingatia nyanja ya ukulima, tunaona ya kuwa wananchi wetu wanaendelea kuwa maskini sana. Tunajua katika sehemu za Ukambani kuna upungufu wa mvua. Hata hivyo, Serikali haifanyi lolote kuwasaidia watu wa Ukambani ili waweze kunyunyizia maji mimea yao. Kuna mito mingi ambayo Serikali inaweza kutumia kuwasaidia wananchi ili waweze kunyunyizia maji mimea yao na wapate chakula cha kutosha. Kwa hivyo, ni mzaha kwa Serikali hii kusema inajishughulisha na upunguzaji wa umaskini nchini ilhali kwa muda wa miaka 40 haijafanya lolote. Sijui Serikali ya KANU itafanya nini kuimarisha hali ya wananchi wetu katika mkondo huu wake wa mwisho wa utawala.

Jambo lingine ambalo Rais Moi alizungumza juu yake katika Hotuba yake ni kutojua kusoma na kuandika. Tunajua elimu ni muhimu sana kwa wananchi wetu. Elimu pekee ndio urithi ambao mzazi anaweza kumpa mtoto wake. Hata hivyo, mambo ya elimu yamejaa siasa sana. Siasa zimeingilia nyanja ya elimu. Hata walimu wanaojaribu kuwaelimisha watoto wetu wanakabiliana na porojo na siasa. Kwa mfano, Serikali hii iliwaahidi kuwaongezea mishahara walimu. Lakini baada ya miaka mitano, walimu hawajapata nyongeza ya mishahara yao. Tunajua jambo hili ni siasa za KANU ambazo zimekuwa zikiendelea hapa nchini. Miaka mitano imepita sasa tangu Serikali hii kukubaliana na Chama cha Walimu (KNUT) kuongeza mishahara lakini hakuna nyongeza yoyote. Wakati huu walimu wanasema watagoma ili kushurutisha Serikali hii kuwaongezea mishahara yao. Nitaunga mkono kabisa mgomo wa aina hiyo kwa sababu hakuna maana ya Serikali hii kupendelea wafanyakazi fulani. Juzi Makatibu Wakuu Serikalini, waheshimiwa Wabunge na madaktari walipata nyongeza ya mishahara yao. Lakini walimu wanaochunga watoto wetu wananyanyaswa na Serikali hii. Jambo hilo halifai kabisa.

Bw. Naibu Spika, kusema tutaendelea kuipa elimu kipao mbele ni jambo ambalo haliwezekani. Sijui kama elimu inapewa kipao mbele katika sehemu fulani za Mkoa wa Bonde la Ufa au ni nchi nzima kwa jumla. Kule Ukambani kuna shule ambayo imeanzia darasa la kwanza hadi la nane lakini ina walimu wawili wa Serikali na wawili ambao wanalipwa na wazazi. Wazazi wako tayari kuwalipa walimu hao lakini Rais Moi anasema haifai wazazi kuwalipa walimu. Tunawagonganisha wananchi waliotuchagua. Walimu wakuu hawajui kama wachukue pesa kutoka kwa wazazi hao ili walipe walimu hao mishahara au kama Serikali itawapa walimu wa kutosha ndio elimu ipate kuendelea. Sisi kama viongozi tumeendeleza siasa za kujipaka rangi ya malaika na tunajua sisi si malaika. Tunasema jambo fulani halitafanyika, lakini tunajua ni uongo mtupu.

Rais Moi, katika Hotuba yake, alizungumza juu ya nia ya Serikali yake kupunguza magonjwa nchini. Hapa nchini, maradhi yameenea sana. Hakuna hospitali katika sehemu nyingi za nchi. Kwa mfano, Wilaya ya Kitui haina hospitali za kutosha na hatuna vyumba vya kuwahifadhia maiti. Mtu akifa ni lazima azikwe haraka ama sivyo atoa. Ukiwa na maradhi fulani na uende hospitali fulani utapewa tembe za aspirin ambazo ni za kumaliza maumivu. Naomba radhi, lakini hata kama ukiungua kisonono, utapewa tembe hizo za aspirin. Tembe hizi haziwezi kutibu kisonono. Ninajua hivyo hata kama mimi si daktari. Hospitali zetu zinatumiwa vibaya na hazina dawa au magari ya kuwabebea wagonjwa mahututi. Mambo haya yote yanafanyika hapa nchini.

Kuna ugonjwa hatari wa UKIMWI. Tunashangaa kuona pesa nyingi zinatoka nje ya nchi hii za kusaidia

kupunguza kuenea kwa UKIMWI. Tumeanzisha Kamati ndogo za kushughulikia UKIMWI katika sehemu zetu za uakilishi (Constituency AIDS Committees) ambazo hazipati pesa kutoka kwa Serikali hii. Je, Serikali ya Moi inaweka pesa hizi ili wazitumie wakati wa kampeini au wanataka kuzipeleka wapi? Wananchi wetu wana wasi wasi mwingi juu ya waheshimiwa Wabunge. Wanafikiria kuwa sisi waheshimiwa Wabunge tulipewa pesa hizo na tumeziweka katika mifuko yetu. Kwa kweli tunajua hakuna pesa ambazo zinakuja upande wetu. Juzi tajiri mkwasi, Bw. Bill Gates, aliipa Serikali Kshs156 milioni ili zitumike katika kupambana na kuenea kwa ugonjwa hatari wa UKIMWI. Hizo pesa hazitatumiwa kama vile Bw. Bill Gates alivyokusudia. Rais Moi alizungumza juu ya pesa hizo kule Kibera na huo ndio ulikuwa mwisho wetu kusikia juu ya pesa hizo kwa sababu zitatumwa katika shughuli za kampeini mwakani. Huo ni ukweli ambao ningependa unukuliwe katika rekodi zetu. Tunajua mambo hayo yanafanyika na Serikali, mara kwa mara, hupenda kuwahadaa wananchi wetu. Serikali haiwezi kusema katika kipindi cha miaka 40 imepunguza maradhi yo yote hapa nchini.

Bw. Naibu Spika, ningependa kuzungumza juu ya ulinzi. Waheshimiwa Wabunge wamezungumza juu ya kuzoroteka kwa usalama nchini. Hapa nchini kuna vikozi vya "majeshi" kadha wa kadha. Hata hivyo, kuna majeshi mawili tu halali; Jeshi la Kenya na Jeshi la Wakovu. Haya majeshi mengine ya *Kamjesh*, *Mungiki*, *Jeshi la Mzee* na mzee mwenyewe namuona pale, na wazee wengine, sijui ni "jeshi" la aina gani?

Mr. Munyasia: On a point of order, Mr. Deputy Speaker, Sir. You have heard Mr. Kitonga say there is *Jeshi la Mzee* and "mzee" himself is here in this House. Could I be in order to ask him to tell us who is this "mzee" he is talking about?

Mr. Kitonga: Bw. Naibu Spika, kwa ufupi, nilikuwa nikisema *Jeshi la Mzee* huundwa na wazee kama sisi. Kwa hivyo, ni majeshi ya wazee na wazee wenyewe wako hapa. Viongozi hawa ambao wanaunda vikozi hivi vya majeshi ndio wanaoleta uadui na chuki katika nchi yetu ya Kenya. Ni jambo la kusikitisha sana kuona wananchi wa Kenya wakiuana wenyewe kwa wenyewe. Siku hizi ni hatari kuwa na ngozi nyeusi kwa sababu itakuwa rahisi kutambulika kama Mjalu na utakatwa shingo. Siku hizi pia ni hatari kuongea lugha ya Kikuyu. Tunapiganisha watu wetu. Wale wanaofanya hivyo ni sisi viongozi. Jambo la kustaajabisha ni kuwa viongozi hao wako katika Bunge hili tukufu. Jambo hili linaonyesha kwamba hakuna usalama katika nchi yetu ya Kenya. Wakati mwingine tumeona vita katika Bunge hili. Viongozi wa Kenya wanaheshimiwa sana na ni aibu sisi kupigana wenyewe kwa wenyewe. Tunajua kwamba si haki kuja na silaha hapa Bungeni. Hata hivyo, jana Rais Moi aliingia hapa Bungeni akiwa amebeba rungu yake. Kiongozi mwingine wa kidini aliingia hapa Bungeni na bakora. Huo ni ukosefu wa usalama katika Bunge, na ni jambo la kustaajabisha kabisa, kwa sababu tulipitisha hapa Bungeni kwamba, jambo hilo halifai kufanyika. Jana nilijaribu kuongea, lakini nikakatazwa. Lakini wakati nitakutana na yule mzee nitamweleza kwamba hafai kuja hapa Bungeni na vitu vya aina hiyo. Inafaa polisi wa nchi ya Kenya wawe macho kila wakati kabla umwagikaji damu kutokea. Haina maana polisi kuingilia vita wakati ambao Wakenya wengi wamekwisha uwawa. Hiyo inaonesha kwamba uhalifu umeongezeka na inafaa Serikali hii ijiuzulu. Hivi majuzi, ofisia mmoja mkuu wa polisi aliuawa kwa kupigiwa risasi, na hata Mbunge mwenzetu Bw. Ndilinge aliuawa kwa kupigwa risasi. Kila mahali Mkenya anapotembea, hana usalama. Hata wewe Naibu Spika, huna usalama popote utembeapo. Hii ni kwa sababu ya umaskini, fitina na uongozi mbaya wa Serikali ya KANU.

Bw. Naibu Spika, inafaa Serikali ihakikishe kwamba tunafanya siasa kwa amani. Huwezi kupata kiti cha ubunge kwa nguvu. Pengine ni mtu mmoja tu aliyejaribu kuja hapa kwa nguvu. Lakini wengine wote watarudi kwa wananchi kuomba kura. Tutarudi kwa wananchi, tuwabembeleza na kuwaeleza yale maendeleo tungependa kufanya, ndipoas[rom tupate nafasi ya kuja hapa Bungeni. Inafaa tuendeleze siasa kwa amani. Ikiwa Serikali ya KANU ina mipango ya kuendeleza siasa kwa kutumia nguvu, wajue kwamba hata sisi katika Upinzani tuko tayari kung'ang'ana nao kutafuta kura kwa njia ya haki.

Bw. Naibu Spika, ningependa kumaliza kwa kusema kwamba, katika Hotuba ya Rais ya muda mfupi wa dakika 20, alitukosea sisi Wabunge kwa sababu hakutuaga. Sasa hatutaisifu hiyo Hotuba kwa sababu tunajua kwamba hana nafasi nyingine ya kuja hapa kuhutubia Bunge kama Rais wa nchi ya Kenya tena. Je, Rais Moi hana mipango wa kuondoka mamlakani? Kwa nini, hakutuaga wale tutakaobaki hapa Bungeni kwa miaka mingine 15?

Hatuwezi kuendelea kurekebisha Katiba ya Kenya ikiwa civic education providers hawatengewi pesa za kutosha. Kwa sababu, Kshs47,000 kwa constituency moja hazitoshi kamwe. Constituency nyingine ni kubwa kabisa. Kwa mfano, constituency yangu ya Mutitu ni kubwa sana. Nilipokuwa nikiongea na hao civic education providers, walinieleza kwamba kila kikundi kilikuwa kimetengewa Kshs1,800 kufanya mikutano sita. Hizo pesa hata hazitoshi nauli ya gari. Inaonekana kwamba Serikali imetengeneza Katiba yake na ikaificha mahali. Jinsi tunavyoendeleza hii Tume ya Prof. Ghai si halali kwa sababu hawasikizi maoni ya watu. Hiyo Tume itaendelea kukataliwa popote watakapoenda, kwa sababu wanataka kuchukua maoni ya Wakenya ilhali hawajatulisha ni nini katika Katiba inafaa kurekebisha ama kuongezewa. Ninastaajabu kwamba Kamishna mmoja akienda, kwa mfano, kule Kitui analipwa night-out ya Kshs20,000.

Asanteni sana, na Mungu awabariki.

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

to this Motion on the Presidential Address of yesterday, which I thought was very dull. I think the President knew very well that there was not much in it to excite anybody. It was a very dull and boring Speech, because there was not much that could excite anybody. Amongst the issues which were addressed yesterday was the security situation which is very fundamental for any country that wants to develop. As I stand here now, Kenyans are very worried about their security. When I came to this City about 32 years ago, the sort of houses in which people were living in were not burglar-proof, but if you look at the houses in Nairobi today, they are surrounded with steel all over, because of lack of security. We have witnessed the mushrooming of security firms with all sorts of names; vigilante groups like *Jeshi la Mzee*, *Kamjesh*, *Taliban*, *Mungiki*, *Msumbiji* and many others. These groups did not develop yesterday. They have developed over a long period of time with the full knowledge of this Government. What does that demonstrate? The Government has allowed these groups to come up because they are unable to provide security for Kenyans. Even if you look at the transport sector, the way *manambas* harass wananchi and girls going to school leaves a lot to be desired. It shows a vacuum in the security system which the Government is fully aware of. Now there has been a ban on vigilante groups. What has the Government put in place to replace them? Already the Government has accepted that these people are doing a good job and they are supposed to be left doing that job. Because of the incident in Kariobangi Estate, where 23 people were slaughtered, they have banned them. Does the Police Commissioner have enough manpower to do that? We would like to have a Ministerial Statement on that, so that we are aware that Kenyans can actually enjoy the security for which they are interested in.

Mr. Deputy Speaker, Sir, we heard the President talk about the intention of the Government to fight diseases. As we speak here, many Kenyans are dying. They are dying from very minor diseases which are curable, like malaria. This is because Kenyans have been impoverished. They are unable to buy drugs. The system of cost-sharing has failed in that sector. People die at home because they cannot cost-share. Our dispensaries and hospitals have no drugs. Why? It is not because they get no drugs. They get drugs, but they are sold to private pharmacies. Individuals take them from hospitals and dispensaries. What happens next is that Kenyans die mercilessly and nobody seems to care whatsoever!

Mr. Kitonga has just talked about the HIV/AIDS, which is a very serious pandemic in this country. We had a seminar in Mombasa where HIV/AIDS was declared a national disaster. If you look at what has happened since the Mombasa seminar, it is not true that HIV/AIDS is being taken as a national disaster as far as the Government is concerned. It is taking away hundreds upon hundreds of lives of Kenyans every day. Money is given by the donor community, but it is not used for the intended purpose; that is to provide medicines and services to the affected people. One wonders why we were drawn into the exercise of creating Constituency AIDS Committees, which are completely of no use to anybody! Members of Parliament have been accused of receiving money from those committees. I spent Kshs33,000 to set up the committee in my constituency and I have not been reimbursed a penny of that money! I hear that some constituencies got Kshs350,000 and bicycles. I am told that some areas even got over 50 bicycles, when some got nothing and yet, here we are saying that we want transparency! Here is a Government that says it is transparent!

Mr. Deputy Speaker, Sir, when we talk about health, we have seen our doctors move out of this country and go down-south, because of better terms of service, leaving Kenyans without the services of doctors. It is a shame that the Government is doing nothing about them. The Government should be in the forefront to make sure that we contain the situation, so that we do not lose most of the doctors who are now going southwards for better terms of service.

Mr. Deputy Speaker, Sir, ignorance was addressed by the President as well. If you look at our schools, the registration of school-going children has dropped over the years and yet, the population of Kenya has increased on an annual basis. Why? One main reason is that education is unaffordable. The cost-sharing business is unaffordable in the education system. That is why we have got many school drop-outs. The other day, we were treated to statements from one Minister to another, and even the Head of State, saying that nobody will pay any money in primary schools. That was purely for political gain and nothing more than that. There was no demonstration that the Government has put aside money to replace what the parents were paying. Nobody has come from the Government side, to tell us how the schools will be maintained, how teachers will be paid and how equipment will be bought, without the Government injecting any money. That was political, and I think sinful, for the Government to do what it did.

Mr. Deputy Speaker, Sir, teachers are the providers of education. The Kenya National Union of Teachers (KNUT) entered into an agreement with the Government to increase the teachers' salaries. Time has passed and nothing has happened! They have now even made the Secretary of the KNUT to write to every Dick, Tom and Harry.

Mr. Deputy Speaker, Sir, I am sure there was a letter in your pigeon hole from the Secretary of the KNUT, crying for your help to make the Government pay. Why should the Government of the day not honour the agreement of that type? Let me assure the Government that when the day of reckoning comes and the teachers stand against the Government, we shall be with the teachers. We shall not abandon them! So, you had better be ready for it as it comes. We on this side, and I am hoping I am speaking on behalf of my colleagues on this side of the House, shall be with the

teachers.

Mr. Deputy Speaker, Sir, the question of the economy was raised in the Presidential Speech, and I want to address one aspect of it. Late last year, before we went on recess, we passed in this House a Sugar Bill, to cater for those farmers who grow sugar-cane, because they are the worst hit in the agricultural sector. Recently, the Ministry has been doing all manoeuvres and, last week, they called us for a seminar in Kisumu. What was the intention of that seminar? The intention of that seminar was to carry this Parliament to the Tom Mboya Labour College to defer the commencement date of that Bill. We were asking them: "Who gave you the mandate? You cannot bring Parliament to the Tom Mboya Labour College in Kisumu!" You would have been amused if you were there. I am sure you would be very amused if you heard the argument presented in that seminar. The argument was hatched by the Ministry and the millers to make sure that the Act does not become operational. What we told them is that the Act was an Act of Parliament and any amendment to that Act must come to this House. It cannot be done elsewhere by anybody. So, the Minister for Agriculture should not be too clever for everybody. Let him know that what this House has passed will remain the way it is, unless he comes to seek mandate of this House to make any amendment. The sugar-cane farmers are suffering and we need to make sure that they are protected.

Mr. Deputy Speaker, Sir, to finish, because the time is short, we want airwaves to be liberated before we go for elections. The Kenya Broadcasting Corporation (KBC) is a tool of propaganda for KANU. We want the airwaves to be liberated.

Thank you.

The Assistant Minister for Energy (Eng. Manga): Ahsante sana, Bw. Naibu Spika, kwa kunipa nafasi hii kuchangia Hoja hii kuhusu Hotuba ya Rais wetu, iliyotolewa jana. Kwanza, ningependa kutumia nafasi hii kuwatakiwa Wabunge wenzangu na familia zao heri za mwaka mpya wa 2002. Kama unavyojua, tulikuwa tumetawanyika na hatukuwa pamoja. Kwa hivyo, ningependa kuchukua nafasi hii kuwatakiwa Wabunge wenzangu mwaka mpya wa heri, maendeleo na wa ushindi, kwa sababu kama unavyojua, huu ni mwaka wa uchaguzi!

Bw. Naibu Spika, ningependa kutaja mambo mawili au matatu yaliyo kwenye Hotuba ya Rais. Kwanza, ni Wakenya kuwa na umoja. Umoja wa watu wa nchi ni kitu muhimu sana. Ni chombo ambacho kinaweza kuongoza nchi kuendelea mbele. Pasipo umoja, uwe ni kutoka kwa ndugu hadi ndugu, kabila kwa kabila, wilaya kwa wilaya au kati ya sisi Wabunge wa Upinzani na KANU, kutakuwa na shida. Umoja ni muhimu sana. Umoja unaweza kutuweka pamoja tukawa wazalendo wa nchi yetu. Watu waliotuchagua tuwe Wabunge wanatuangalia ili waone tunafanya nini na kama tuna umoja. Wakati mwingine utapata kuwa Wabunge wa upande wa Upinzani wanafanya jambo zuri na sisi kwenye upande wa Serikali tunalikataa kwa sababu tunapingana nao. Pia sisi tunaweza kufanya jambo zuri nao wakataa kwa sababu tunapingana. Hapo umoja umekosekana. Ningependa tuwe pamoja ili tuendeshe nchi hii kama viongozi kwa hali nzuri kama vile Rais wetu alivyotambia jana.

Bw. Naibu Spika, jambo lingine ambalo ni muhimu sana ni usalama. Bila usalama hakuna mtu anayeweza kufanya kitu chochote. Nimeshangaa sana kwamba kuna watu wanaojitolea kuwanyang'anya wengine mali yao, kwa mfano hiki kikundi cha *Mungiki*. Watu hawa wameamua kuchukua pesa za watu wa matatu na kuziweka mfukoni mwao na huku hawajatoa jasho kupata pesa hizo. Utapata kuwa mwenye matatu amesumbuka kutafuta pesa na kununua matatu moja ili aweze kumlipia mtoto wake karo ya shule, halafu kunatokea mtu anayeona ni lazima apate kitu kidogo katika hizo hela. Ninaonelea kwamba watu kama hawa wanatunyang'anya usalama wetu. Wao ni wezi na wanyang'anyi. Ninakubaliana na hatua ambayo Kamishna wa Polisi alichukua juzi kwa kupiga marufuku makundi fulani.

Kundi kama *Sungu Sungu* linasaidiana na wazee na Serikali kuwafichua wahalifu wanaotembea na bunduki zisizo halali na wezi wa mifugo. Wizi wa mifugo umekuwa shida katika nchi hii. Mwaka jana tulisikia kuwa watu wengi waliuliwa huko West Pokot na Turkana. Damu inamwagika kwa sababu ya wizi wa ng'ombe. Miaka miwili iliyopita Wakuria waliamua kwamba hawataki wizi wa ng'ombe na wakaunda *Ilitongo*. Huu ni muungano wa watu wote katika kijiji fulani. Utapata katika mkutano wa *Ilitongo* tutasema: "Huyu Chacha ni mwizi wa ng'ombe na tunataka aache kuiba ng'ombe." Ataambiwa: "Kwa sababu uliiba ng'ombe wa fulani ni lazima ulipe" lakini hatutamua. Lakini ikiwa huyu Chacha atakataa kusikiza wasia wa hii *Ilitongo*, basi watamuadhibu lakini hawatamua.

Ninakubali kwamba, wanapomuadhibu, mtu anaweza kuumia au kufa lakini sikubaliani na wale wanaosema kwamba kikundi cha *Sungu Sungu* kinaua watu. Kikundi hiki huleta amani na kinajumuisha vijana wanaowasaidia wazee kuwashika wahalifu ili wahukumiwe mbele ya watu wote. Jambo hili limeleta amani katika sehemu ya Kuria ambayo ninawakilisha. Kumekuwa na amani na hakuna taabu yoyote kwa sababu wizi wa ng'ombe umekwisha. Hata kule Umaasaini, wizi wa ng'ombe umeisha kwa sababu Wamaasai walikua wanaiba ng'ombe na kuja kuwaficha Kuria. Watu wa Tanzania pia wanaiba ng'ombe kwao na wanakuja kuwaficha kwetu. Sisi tumekataa kwa sababu ukipatikana na ng'ombe wa wizi, wewe ni mwizi. Jambo hili limefanya wizi wa ng'ombe uishe Tanzania na kule kwa majirani wetu wote; Ujaluoni, Umaasaini na kadhalika. Kwa hivyo, tumekuwa na amani.

Ninashangaa kwamba Kamishna wa Polisi hawezi kutambua kazi hiyo. Ilisemekana kwamba alitaja *Sungu Sungu* kama moja ya makundi ambayo yanapigwa marufuku. Ningetaka kumwambia Kamishna wa Polisi kwamba amejiongezea kazi ngumu kwa sababu wale wezi wa ng'ombe waliokuwa wamekimbia wameanza kurudi kule sasa. Hii ni kwa sababu hakuna *Sungu Sungu*. Hivi karibuni wataanza kuleta shida tena. Hawa watu waliwaua watu wengi sana. Ninaona kwamba jambo kama hili halisaidii kudumisha usalama, bali linavunja usalama. Ningependa Kamishna wa Polisi achunguze jambo hilo kwa makini sana ili aweze kutambua umuhimu wa kuwa na *Sungu Sungu* kule Kuria.

Ugongwa wa UKIMWI umesambaa katika dunia nzima. Miaka miwili iliyopita Serikali ilifanya mipango na wafadhili na wakasema watatusaidia. Wabunge walianzisha vikundi vya kupambana na ugonjwa huu. Waziri katika Ofisi ya Rais alisafiri katika kila Wilaya na kuanzisha vikundi hivi. Lakini sasa tunashangaa nini kilitokea kwa sababu hakuna pesa zozote za kutumika katika kupambana na ugonjwa huu. Wale wafadhili ambao walisema watatusaidia wamenyamaza. Vile vikundi vya vijana na askari waliokua wameanza kupambana na UKIMWI sasa wamepoa moto na UKIMWI unaendelea kuenea. Ningependa Serikali iangalie jambo hili kwa makini sana. Wale wafadhili waliotoa ahadi kwamba watatusaidia wanafaa watusaidie.

Bw. Naibu Spika, ninaona kwamba wakati wangu umekwisha, kwa hivyo ninaunga mkono. Asante sana.

Mr. Thirikwa: Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to this Presidential Speech.

Mr. Deputy Speaker, Sir, this is a very usual Speech. In fact, this is a Speech that we have listened to for six times since we were elected to Parliament. It is the same both in style and character. It is full of wishes. If wishes were horses, beggars would ride. It is a Speech full of hope. Kenyans have accepted to be taken for granted for a very long time. Kenyans have all the time been kept hoping that tomorrow will be a fine day for them. The question is: For how long will Kenyans be kept hoping? However, more importantly, I also ask myself: Why have Kenyans accepted to be taken for a ride for so long?

Mr. Deputy Speaker, Sir, therefore, sometimes when we talk about poverty and the problems which face our country, we must realise that we have a Government. This is a Government which has been elected by the people themselves. This is not a Government that walked to Parliament. This is a Government that has been elected by people. So, the people themselves must question themselves. That is a fact; that Kenyans must now start asking themselves: If we are in so many problems, what is the problem and yet we have a Government that we have put in place for the last 40 years? So, we need to ask ourselves such questions.

Mr. Deputy Speaker, Sir, before 1963, we wanted our Independence because we wanted political, social and economic freedom. We wanted political freedom because we wanted to govern ourselves. However, have we learnt from history? Yesterday, the President went back to 1963 and that is why I want to do the same. The President acknowledged that the main challenges in 1963 were poverty, disease and ignorance. Later on, he went ahead to state the achievements of his Government, or rather the KANU Government, since it has been there since 1963.

Mr. Deputy Speaker, Sir, however, let us sometimes qualify what we read. Let us not just read it from its face value. This is because, if we qualify this statement, I cannot really see the achievements we have made because we need to ask ourselves: When were Kenyans able to access education? Is it now or in 1963? Some of these hon. Members seated here were graduates in 1963. They have been able to go through school. Some of them came from very poor families but they were able to go to school. How many Kenyans today, even from well-off families, are able to access university education if we have to qualify this statement? The truth of the matter is that most Kenyans today are worse off than they were in 1963. We need to qualify this statement to exactly know that.

Mr. Deputy Speaker, Sir, how many Kenyans are at risk of death because of diseases? Is it today or 1963? To give a very honest answer, most Kenyans are at higher risk today as far their health is concerned than in 1963. That is a fact! Therefore, I really do not see what achievement we need---

*(Hon. Mudavadi crossed the Floor
without bowing to the Chair)*

Mr. Deputy Speaker: Order, hon. Mudavadi! Go back to the Bar!

*(Hon. Mudavadi went back to the Bar
and bowed to the Chair)*

(Applause)

Mr. Deputy Speaker: That is better. Proceed, hon. Thirikwa!

Mr. Thirikwa: Mr. Deputy Speaker, Sir, I really do not see what kind of achievements we need to talk about

as a Government. I think what we really need to do now is to go back to our past and, possibly, realise our mistakes. Once we have realised our mistakes, we can possibly be able to know where we are going. However, before we realise our mistakes and accept them, Kenya will continue being a political field and nothing is going to happen. I really do not have to talk about the period Moi has been the President since this has been the scenario since 1963. Kenyans live politics, eat politics and sleep politics. That has been the case since 1963. Therefore, if Kenyans are truly willing to improve on the economy, security and the social set-up of this country, we must accept the mistakes we have made since 1963. I believe that is the only time that we can be able to make decisions that will carry us to the future. However, if we continue arguing about the past, mistakes and so on, possibly we will live in that past. I personally believe that I belong to the future and I want to go to the future. I do not want to remain in the past.

Mr. Deputy Speaker, Sir, if you really want to know that the President's Speech is a very usual statement, you only need to look at the House. If truly this was, indeed, a public policy statement, where is the Government to listen to it? Where is this Government? Do these three hon. Members form the Government? Is it right for us to come here and be paid salaries and the Government is not even bothered? This is why I am saying this is a very usual statement. The Government knows that it has been happening and it is nothing unusual. That is why they are not here!

QUORUM

Mr. Munyasia: On a point of order, Mr. Deputy Speaker, Sir. Hon. Thirikwa has drawn our attention to the fact that there are very few hon. Members in the House. Is there a quorum?

Mr. Deputy Speaker: Hon. Munyasia, if you want to draw the Chair's attention to the fact that there is no quorum, then say so.

Mr. Munyasia: There is no quorum.

Mr. Deputy Speaker: Thank you. Ring the Division Bell.

(The Division Bell was rung)

Mr. Deputy Speaker: Order! We now have a quorum.
Proceed, Mr. Thirikwa!

Mr. Thirikwa: Mr. Deputy Speaker, Sir, on the question of security, it is time we took stock. This Government must explain to us clearly, and in no uncertain terms, who is behind *Mungiki*? Why do I say this? Why does the Government have to run after one man called Waruinge every day? Who is *Mungiki*? *Mungiki* does not live in Kenya in isolation. Last year, we were reading in newspapers about *Mungiki*. They were involved in major talks with some of the fellows in the Government. Let us put the blame where it belongs. Who owns *Mungiki*? Who is behind *Mungiki*? Who finances *Mungiki*? We want to know these things. But we are not going to allow a situation whereby particular communities are going to be attached to particular gangs. These gangs have been created by some particular people and they are known. Let the Government deal with those particular people, but not pick one particular person all the time. One man, by the name Waruinge, has been arrested for the last one year more than ten times. Every time he goes to court, he is released. Do we not question this? Why do we have to shed crocodile tears when we know clearly what is happening? How can we have a Government that allows such gangs to operate freely?

Mr. Deputy Speaker, Sir, about two months ago, we knew what was happening in Kariobangi. People were taking over matatu routes by force. What did the Government do? We were promised by the Provincial Commissioner that the situation was going to go back to normal and nothing went back to normal. The other day, 23 people were massacred. Who is to carry the blame? Is it particular communities? I want to submit here that it is time we knew the people who are behind these gangs. It is also time the Government took this matter seriously and prosecuted the people who are behind these gangs. But the mere issuance of statements by the Commissioner of Police is not enough. Putting people into cells--

Mr. Mwenje: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member on the Floor says he knows those who are behind *Mungiki* and so many people have suffered because of this name. Could he name those people who are behind *Mungiki* because, as he says, they are well known?

An hon. Member: Mwenje!

Mr. Thirikwa: Mr. Deputy Speaker, Sir, my assertion is that *Mungiki* leaders must be known by the Government and that is why we have the Government. Those gangs are not new in this country and if we have a serious government, then we should know who are the leaders. If they cannot establish this, then they have no business claiming to be a government. But we cannot have a situation where gangs operate freely in this country and nobody can clearly tell you who they are. Therefore, the Government knows!

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

Hon. Members: Tell us!

Mr. Mwenje: Thank you, Mr. Deputy Speaker, Sir. I want to begin by saying that the Speech that was given here by the Speaker carried more public policy than the one that was read by the President. That is the truth and that is clearly known. I hope what the Speaker said, that in two months' time Continental House offices will be ready for use by Members of this House, is real.

Mr. Deputy Speaker, Sir, Commandment No.8 in the Bible says: "Thou shalt not bear false witness against thy neighbour." Today, the Government of Kenya continues to break this commandment by giving false witness against other people. I want to remind them that they will be answerable to God.

Mr. Deputy Speaker: But, Mr. Mwenje, we are debating the Presidential Speech. I do not know whether I know you as a lifetime preacher!

Mr. Mwenje: Mr. Deputy Speaker, Sir, the truth is - I will even tell you more. When Jesus Christ was taken before Pontius Pilate, he was accused of so many other things, but at the end of the day, Pontius Pilate said: "This man is not guilty." But he asked him one question: "Are you the King of the Jews?" Jesus said: "You have said it," and Jesus Christ was crucified for saying so.

Mr. Deputy Speaker, Sir, I want to refer to the Kariobangi incident. I have been made a victim of the Kariobangi incident. I was not anywhere in Nairobi when that incident happened. I do not belong to *Mungiki*.

Mr. Deputy Speaker: I do not understand the analogy with Jesus Christ going before Pontius Pilate!

Mr. Mwenje: I will show you the connection. I was arrested and taken to court on grounds that I am a *Mungiki* adherent. But when we reached Machakos, I was charged with other frivolous charges. This coincides with the way Jesus Christ was treated during his time.

Mr. Deputy Speaker: Order! Order, Mr. Mwenje! You may have suffered a lot, but you are not Jesus Christ!

Mr. Mwenje: Mr. Deputy Speaker, Sir, I am very serious. I was treated in that manner, and that is why I am saying that this ungodly Government of Kenya must now be told that they are repeating what Pontius Pilate said many years ago, and they now want to crucify me. They want to continue harassing me. The other day, the

[Mr. Mwenje]

President went to Kibera and said: "It is Mwenje," when I was not involved. Then the following day, they went to Kariobangi and said: "It is Mwenje" so that when the President was arriving at the Airport he could read the newspapers and say: "It is Mwenje!" I will not accept any more harassment from this Government! If they feel I am not a Kenyan, let them tell me where I came from. But I am a Kenyan and I am very bitter. Do not think that sleeping in the cells is like sleeping in a five-star hotel. It is a serious matter. I am getting fed-up with this Government. The Commissioner of Police must tell us why he proceeded to have me arrested when he knew very well I was not involved. They continue interrogating and asking me who *Mungiki* are. I told them that the financiers of *Mungiki* are President Moi, Uhuru Kenyatta, Waruinge and a Mr. Maina. I am not anywhere there. I dare say in this country that time is up and I am not going to accept this any more!

Mr. Katuku: On a point of order, Mr. Deputy Speaker, Sir. Is Mr. Mwenje in order to allege that the Chairman of *Mungiki* is President Moi without substantiating that claim?

An hon. Member: He is the financier!

Mr. Mwenje: I never said that, Mr. Deputy Speaker, Sir. It appears Mr. Katuku is sitting on the wrong side. Could he come back to his normal place, because he is trying to get absorbed by power?

Mr. Deputy Speaker: Order!

Mr. Mwenje: Mr. Deputy Speaker, Sir, I am saying this with a lot of bitterness. It is not a joke any more. I want everybody to understand that being kept in the cell every now and then is not good. I am getting fed up and I will not accept this any more. It is time we said this.

Mr. Deputy Speaker, Sir, I have been locked in for offences which I never committed nor was I anywhere near. Those who arrested me simply wanted to please the President when he was arriving here. I challenged them to check the newspapers and see who has been conducting Harambees for them. I have never done any Harambee. In any case, why has the Commissioner of Police not told us up to now why, after those people who call themselves *Talibans* killed the two *Mungiki* followers, they were not arrested? I am very bitter!

Mr. Wamunyinyi: On a point of order, Mr. Deputy Speaker, Sir. Every hon. Member is responsible for the accuracy of what he says here. You heard Mr. Mwenje say that Mr. Uhuru Kenyatta is the one financing *Mungiki*. He cannot get away with it. Is he expressing an opinion or is he serious that Mr. Uhuru Kenyatta is the man behind *Mungiki*? Could he substantiate?

Mr. Mwenje: Mr. Deputy Speaker, Sir, it is common knowledge! That same weekend, they had come from

Laikipia where Mr. Uhuru Kenyatta was the guest of honour and his vice-chairman in Thika, Mr. Paul Hato, took Kshs300,000 there. That is the truth.

Mr. Deputy Speaker: Order, Mr. Mwenje! One can understand your bitterness. Police cells are not the most comfortable places, but you have made your point. The Motion before the House is on the Presidential Speech and not on Mr. Mwenje's harassment! So, revert to the subject now!

Mr. Mwenje: Mr. Deputy Speaker, Sir, the Presidential Speech is a general Motion.

Mr. Deputy Speaker: Order, Mr. Mwenje! I will---

Mr. Mwenje: Mr. Deputy Speaker, Sir, I am responding to the hon. Member's point of order.

Mr. Deputy Speaker: Order! You are not responding to anything! Proceed and discuss the Motion before us!

Mr. Mwenje: Mr. Deputy Speaker, Sir, when we talk about insecurity or the security of this City and this country, we have to know---

The Minister for Science and Technology (Mr. Ndambuki): On a point of order, Mr. Deputy Speaker, Sir.

Mr. Mwenje: Mr. Deputy Speaker, Sir, I do not want to be distracted by people who do not appear to understand anything in this country!

Mr. Deputy Speaker: Order, Mr. Mwenje! The Chair can only protect you if you obey the rules. The rules say that if you are on the Floor and another hon. Member rises on a point of order, you yield the Floor to him. You do not have the power---

Mr. Mwenje: Mr. Deputy Speaker, Sir, he is wasting my time! Where was he when I was being---

Mr. Deputy Speaker: Mr. Mwenje, this is Parliament and not a street! You can go and preach in the streets, or go and harangue the Commissioner of Police in his office but not here. We must follow our rules, which require us to behave in a civil manner towards one another.

The Minister for Science and Technology (Mr. Ndambuki): Mr. Deputy Speaker, Sir, I think this is a very serious allegation. The hon. Member has said that Mr. Uhuru is a financier of Mungiki. If he cannot substantiate, could he withdraw and apologise?

Mr. Mwenje: Mr. Deputy Speaker, Sir, I have clearly stated where the Harambee was held and I do not have to withdraw or substantiate beyond that. If the hon. Minister does not understand what I am talking about, it is up to him; I did not bring him here! Therefore, we are saying that every Kenyan should be treated fairly.

Mr. Achola: On a point of order, Mr. Deputy Speaker, Sir. Is the Chair satisfied that Mr. Mwenje has actually substantiated the allegations he has made because, according to me, he has not? He should be called upon to substantiate his allegations.

Mr. Deputy Speaker: Order! What does substantiation, in fact, mean? It does not mean proof beyond reasonable doubt. Essentially, you should disclose to us your source, and the House has to judge whether it is correct or not. Mr. Mwenje has told us that he read in the newspapers, or somehow got to know that there was a Harambee for *Mungiki* and the guest of honour on that occasion--- What you should really ask Mr. Mwenje is to tell us the connection between that Harambee and the activities at Kariobangi and not to substantiate what is public knowledge.

Proceed, Mr. Mwenje!

Mr. Mwenje: Mr. Deputy Speaker, Sir, all I am saying is that if the Harambee was held for *Mungiki* and somebody claimed that because of that it was the same sect which committed this offence, it is not fair. But I would like to say that nobody can say for sure that it was *Mungiki* followers who killed those people. This is also an allegation made by the police. I would like to urge people not to claim that---

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

Mr. Deputy Speaker: What is it that you want to do, Mr. Njakwe?

Mr. Njakwe: Mr. Deputy Speaker, Sir, we have read in the newspapers that the Harambee which was held was for a school.

Mr. Deputy Speaker: On which Standing Order are you rising?

Mr. Njakwe: Mr. Deputy Speaker, Sir, I would like to ask the hon. Member to substantiate his allegation.

Mr. Mwenje: Mr. Deputy Speaker, Sir, unfortunately, Mr. Njakwe does not know our Standing Orders. He will need to refer to them.

The other issue I would like to raise is about registration of voters, which is not going on well. I would like to point out that there is shortage of documents at the registration centres and I would like to ask the Electoral Commission of Kenya (ECK) to supply enough documents to the clerks who are registering people. There will be need to extend time because the hitch is caused by the ECK because they have not taken enough documents.

We have seen a lot and we will see a lot this year, being the year of elections. I know we will have those people who will panic. Let me tell them that this is the year that we will not compromise with anybody, whether in

Parliament or outside Parliament.

Mr. Wamunyinyi: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Presidential Speech.

Sugar-cane farmers in Bungoma have not taken their children to school. The children who are supposed to join Form One have not gone to school. Likewise, those ones who were to join colleges have not gone to college because the farmers have not been paid. I am saying this because the President has emphasised that we should encourage farmers to improve their farms in order to improve production. When we talk about improving production and on the other hand the farmers are not being paid, or the small person continues to get poorer, we are not helping the ordinary mwananchi. As I speak here, about Kshs600 million has not been paid to Bungoma sugar-cane farmers. The reason for this delay is that the people who had been holding management positions in Nzoia Sugar Company (NSC) squandered the money which was due to the farmers. There has been a restructuring programme which Parliament has discussed but has been pending before the Cabinet. I would like to appeal to the Government to restructure the financial statement of NSC to rid it of the heavy indebtedness so that it can operate on a healthy financial footing.

Mr. Deputy Speaker, Sir, about two weeks ago, the House's Departmental Committee on Education, Research and Technology visited Bungoma and toured one of the institutions which was supposed to be constructed. This learning institution is called Kibabii Teachers Training College. This project was funded by the African Development Bank (ADB) and the total cost of the project was supposed to be about Kshs380 million. The contractor, one, Stephen Kinyanjui, who was awarded the tender to construct this college, was paid Kshs40 million in 1997, but to date nothing has taken off and the project has stagnated. It is understood, and we are informed that Mr. Kinyanjui, who is a brother-in-law to Mr. Joseph Kamotho, used the money to campaign for KANU in Kinangop in 1997 at the expense of Kibabii Teachers Training College. Now that the merger will take place on the 18th of this month, the new blood joining KANU should ensure that this project is revived and takes off. This project is for the benefit of the Kenyan people because we still need to train more teachers. I am sure that even Mr. Achola and Mr. Munyasia's Committee will find that we require more trained teachers. Therefore, it is important that this project, Kibabii Teachers Training College, is revived so that we can have more teachers being trained.

On the same note, the Kenya National Union of Teachers (KNUT) petitioned Members of Parliament to assist the teachers to get the remaining phases of their salary increment. I would like to point out that Mr. Achola's Committee is also working on this issue. We would like to urge that Committee to move with speed, bring a report to this House for adoption and ensure that the Government implements the remaining phases of the teachers' salary increment. Teachers are very important to this country. We need education for our children. There is no other way of motivating teachers for the good work they are doing apart from compensating them adequately. If you consider the number of hours teachers put into their work per day, you will realise that they are the worst paid lot of public servants in this country. While officers in some departments work for only a few hours in a day, teachers have to prepare schemes of work and plan their lessons during their free time.

Mr. Deputy Speaker, Sir, some time back, Mr. Munyasia told us that he gets home at mid-night, after his political work, only to find his wife, who is a teacher, planning lessons and preparing schemes of work for her classes. He sometimes goes to bed and leaves her preparing schemes of work. She wakes up at 5.00 a.m. and embarks on her books. What I am saying is that teachers in this country are doing a lot of work. So, what we need to do is to support them.

Mr. Deputy Speaker: What do you mean by "scheme"?

Mr. Wamunyinyi: Mr. Deputy Speaker, Sir, you know what it means. We need to motivate them. We can only do that by having the remaining phases of their salary increment, which was negotiated and awarded to them some time back, implemented.

(Applause)

Mr. Deputy Speaker, Sir, while in Bungoma District last week, I toured the offices of the Registration of Persons Department. I was shocked by the revelations that were made to me on conditions imposed on young men who had applied for national identification cards. The District Registrar of Persons went as far as asking applicants to produce their parents' land title deeds to prove that they are people of Bungoma, and that they own property in that district, so that they could be issued with national identification cards. This is total madness! This Government is mad! It is unbelievable that an officer of the Government could demand title deeds in order for him to issue national identification cards to applicants. Every qualified Kenyan should be issued with a national identification card without unnecessary conditions, which may only make it difficult for him to get the document. Of course, Bungoma District is dominated by FORD(K). We are aware that those in the Government would not like FORD(K) to get all the votes from

that district in the next general election. That is why the Government has put in place very difficult conditions for national identification card applicants.

This country has very many qualified persons. We recently nominated Members to the East African Legislative Assembly (EALA). There was, indeed, a search for highly qualified persons to represent Kenya in the EALA. Those who were nominated are now serving in that Assembly. However, one of them, Prof. Kamar, who has been a principal of one of our colleges, has not tendered her resignation. She still holds the position of principal in that college while serving as a Member of the EALA. Is the Government looking for another person from Mr. Biwott's village, or family, or clan, or tribe, to replace her? Why can the principal of that college not be replaced? We have very many highly qualified Kenyans who can perform the functions of college principal. Why should Prof. Kamar, who now sits in the EALA, continue to hold the position of that college's principal? Even if she can only be replaced by somebody else from her village, let us replace her with him or her. Really, we cannot have one person holding several public offices when there are other persons who can hold those offices. Even if it means having somebody else from Mr. Biwott's clan to replace his wife as the principal of that college, let it be so. We should not have his wife doubling as a Member of the EALA and the principal of the college.

With those few remarks, I support.

Mr. Mwalulu: Thank you very much for this opportunity, Mr. Deputy Speaker, Sir. I have been trying to catch your eye since 2.30 p.m. I am very grateful that you have at last seen me.

The Presidential Address would have made more sense to me if it had adequately addressed the issue of poverty eradication, particularly landlessness. I happen to represent a constituency with three-quarters of its inhabitants being squatters. So, I would have preferred that the President addressed the question of landlessness since this was his last Address to this House as President. If we address the question of poverty and landlessness, especially in Taveta Constituency, we would not have to do anything more. Land in Taveta Constituency is owned by two individuals, who call the shots. The rest of the people in the constituency are squatters. So, I would like the Government to urgently address the question of landlessness in Taveta Constituency.

Mr. Deputy Speaker, Sir, we cannot ignore the issue of teachers' salaries. Teaching is the most noble profession in this country. Ironically, teachers are the most doomed lot of professionals in Kenya. Despite the fact that teachers in this country are literally starving, we expect them to teach our children well so that they can proceed to university and get employed afterwards. So, if this House is to be taken seriously, we must support teachers in their effort to have the remaining phases of their salary award implemented. Since they have appealed to us directly, as hon. Members of Parliament, to support them in their struggle to have the remaining phases of their salary award implemented, I would like to give my personal commitment to support them when the time comes, even if it means their going on a strike.

We are talking about how to streamline this country's politics and economy. However, we cannot achieve this objective with the level of brain-drain this country is experiencing currently. You heard hon. Members lament the mass exodus of doctors among other professionals from this country. This situation has been created by KANU over the 40 years it has been ruling this country. Therefore, if we are serious about starting afresh, let us address these concrete issues and ensure that our country sets off a new. My prayer is that, since we have just begun this century, we will also begin to appreciate the conflicting issues and address them appropriately, so that our country's economy can be revived.

With those few remarks, I beg to support.

Mr. Mwiraria: Thank you, Mr. Speaker, Sir. Let me start off by supporting the point made by the last speaker, regarding increase of salaries for teachers. We do need to support the teachers, and I am sure when the matter comes up in this House, we shall all be supporting it. But I want to make it known that the Democratic Party of Kenya (DP) fully supports that position.

In the Presidential Speech, the question of insecurity was mentioned, but the President did not attempt to give us any policy changes which would make the country a little more secure. In my constituency, in November last year, things were so bad that people ran away from their homes; in the environs of Meru. They used to go and stay in hotels, but the DC and his security team took certain measures and things went back to normal. So, we enjoyed Christmas. At the moment, insecurity has cropped up again in full force. On the 2nd of this month, for instance, armed robbers attacked Gitimeni Market in Lari Location of Buuri Division. Between 7.00 p.m. and 8.00 p.m., they shot two young men, but, fortunately, the bullet went through the chest and arm and they are lucky to survive. They stole a lot of goods and cash from the people. In this same market, during the last few years, several people have been killed in the evening, including three police officers who were drinking in a bar with the rest of the public. Some of them were on holiday.

One of the reasons why this was happening is that there were no armed police officers in this market. The question that I want to pose is: Why do we have chiefs without Administration Police Officers? This is one of the

problems that I have in my constituency. Gitimeni Market is the headquarters of Lari Location, where its chief has no askaris. The Kirwa Location next door, in the same Buuri Division, used to have APs. They were removed, about a year and a half ago. In that place, we have a safe for guns. We have houses for askaris. Why were they removed? Was it done so that people could be butchered at the will of the bandits? I do hope that the treatment of Kenyans would be the same; uniform throughout the country, so that all chiefs get APs attached to their units.

There is another rather unusual problem in my constituency. Someone had established a police post on his farm. We do not mind that, provided that the police work for everybody. They call themselves "*Utumishi kwa Wote*," but when neighbours are attacked, a 100 metres away, those police officers do not bother to answer the calls of the distressed people. So, what is the point of having the police post on somebody's farm if it is going to protect him alone?

Mr. Speaker, Sir, regarding education, the President should have told us what Government policy is. Should Kenyans pay school fees or should they not? There is still confusion, and the sooner this matter is resolved the better for all of us. In my constituency, once again, I have three divisions; Timau, Buuri and Miriga Mieru East, and they do not have enough teachers, although overall, in Meru Central, we have adequate numbers of teachers. In fact, we were one of the districts singled out for transfers to other districts. It is unfortunate that the District Education Officer does not have the guts to do the work she is appointed to do. Somebody else seems to be doing this work for her; somebody from outside, the KNUT Executive Secretary. I think the Ministry needs to ensure that the children of North Imenti get fair treatment. There are schools today, where, because we have a shortage of teachers, teachers have got double classes, so that you find that one teacher teaches between 70 to 80 children, just because of the artificial shortage of teachers which need not be there.

Let me turn to roads. In districts where the terrain is bad, like Meru, where the land slopes, and where there are many rivers, roads were totally destroyed during the *El Nino* rains. Those roads have not yet been repaired, and due to climatic changes which we expect, another *El Nino* phenomenon is on the way this coming season. How does the Government expect the people of Central Meru and other places on the slopes of Mt. Kenya to be travelling if these roads are not repaired?

Mr. Speaker, Sir, let me just mention two roads which are crucial to our development, the Meru-Timau-Nyanyuki tarmac road. It got destroyed in 1997 by *El Nino* rains, and it has been getting worse and it is almost now worse than a murrum road because the potholes are very difficult to negotiate. I would urge the Government to look at this matter and do emergency repairs to this road. The second is the Meru-Maua Road, which carries all the traffic for *miraa* transport. This road has also been so badly battered and destroyed that, within Meru Municipality, parts of it were completely removed, and today it is no longer a tarmac road. Once again, I think, because of the need for good roads to transport our perishable *miraa* to the world market, the Government should look at this road. But, all in all, we have sensitive crops like tea, coffee and pyrethrum which need to be moved on a regular basis. As I talk now, it is harvest time for wheat, and the combine harvesters cannot reach the farms of most of the farmers in North Imenti. We expected to hear the policy from the Government regarding what they are going to do to give Kenyans better roads.

To conclude, let me thank His Excellency the President for admitting to this House that yesterday was his last day here and he is quitting at the end of this year. I think he will do this country a great service if he was to come out soon and tell us who his successor is going to be so that the anxiety which is now seizing the entire country comes to an end.

Thank you, Mr. Speaker, Sir.

Mr. Njakwe: Mr. Deputy Speaker, Sir, the President's Speech dwelt on generalities but we had expected something more concrete about his departure from the political scene. It is important for us, and investors, to know about the future of this country. The President should have given us guidance on what to expect in the days to come. Unfortunately, that is not what we got from him yesterday.

Mr. Deputy Speaker, Sir, our forefathers fought against poverty, ignorance and disease. But instead of moving forward as a nation, we have been moving backwards. We have been talking about dangerous vigilante groups in this country; for instance, the *Talibans*, *Mungiki* and many others. These groups are a creation of the State. They are young, unemployed youths. You cannot get somebody who is employed being a member of the *Mungiki* Sect or any other group. Unfortunately, the Government has done nothing to contain these groups.

Mr. Deputy Speaker, Sir, for our economy to grow even at the rate of 10 per cent, which is very difficult to achieve, we will require about 18 years. But that is difficult to achieve in this country, given the present circumstances. We need to bring the economy to where it was in 1975! We should realise that the *Mungiki* and the *Talibans* are a part of our society. Leaders should be extremely careful in their utterances. The President, in his Speech, clearly stated that we should avoid making outrageous statements that are likely to divide the country and cause more problems. Whenever leaders in this country make inflammatory statements, we send the wrong signals to investors that this country is in turmoil. Under such circumstances, investors will shy away from investing in our country. I sympathise with the *Mungiki* and the *Talibans* but it does not mean that we should tolerate those groups. But you cannot point at

individuals, for instance, Mr. Njakwe, as members of the *Mungiki* Sect. It is evident from contributions emanating from the Presidential Speech that some people have already been condemned. It is wrong for people like hon. Mwenje to brand others, like my friend Mr. Uhuru, as members of the *Mungiki* Sect. The *Mungiki* Sect is not linked to anybody! It is an opportunistic group! If you have money, that group would be willing to be identified with you. It is unfortunate that some hon. Members are smearing mud on one another! I do not think that is good.

Mr. Deputy Speaker, Sir, to reduce poverty levels in this country, we need to improve our agricultural sector. For instance, in Coast Province, we need to improve cashewnut production and resuscitate Ramisi Sugar Factory. In Central Province, we need to improve on coffee and tea production. But this has already been catered for in the Coffee Act. In the Rift Valley, we need to get money to assist people in the maize growing areas. The National Cereals and Produce Board should be enabled to serve farmers better. We should also run our sugar factories in a prudent manner so that the people of Western and Nyanza provinces can improve their lifestyles. Those are the things which we expect this Government to do. Unfortunately, all that they do is to lament about poverty. Such lamentations cannot help this country! The only solution here is to change the leadership of this country. With that, we shall get a new face.

Mr. Deputy Speaker, Sir, the international community today regards us as thieves. We cannot develop as a country without credit from our development partners. If I were the President of this country, I would organise myself and make an early exit for the sake of this country. It is for the benefit of the present leadership if the President makes an early exit and leaves the leadership of this country to credible leaders. Those who have been involved in scandals like the Goldenberg should stand aside when it comes to the leadership of this country.

With those remarks, I beg to support.

Eng. Kiptoon: Thank you very much, Mr. Deputy Speaker, Sir, for allowing me to contribute to the Presidential Speech.

Mr. Deputy Speaker, Sir, the President's Speech, as it were, was brief and to the point. I think it was meant for hon. Members to fill in the facts that were not stated. I expected, that when the President issues such a policy statement, it would pay for the Government Ministers to be in the House to listen to the views of hon. Members, so that they can take them into account.

Mr. Deputy Speaker, Sir, the President raised two issues of great importance to our nation. He touched on the issue of the need for security and peace for us to be able to develop. Insecurity has been rampant throughout the country. One of the reasons why we have had this insecurity in the recent past is because when an incident occurs, such as the tribal clashes, reports are made and nobody is taken to task as to why such incidents occur. We have heard of tribal conflicts, which we call in some cases cattle rustling or fights over the few resources that we have, but at the end of the day, these conflicts just end up there. Nobody tells us exactly who was responsible for these incidents and we do not hear of any people being taken to court to answer charges related to those incidents. In fact, people tend to conclude that these incidents are part of everyday life. People are encouraged to venture also into such activities because nobody is punished for them. The issue of the economy having collapsed has also contributed to this insecurity in that we have a lot of our people who have been retrenched or are unemployed, trying to create some occupations for themselves. Through that way, we end up with a lot of struggles amongst our people. If the Government addresses the issue of reviving the economy more seriously, security will be enhanced.

One sector that has deteriorated in the recent past is the agricultural sector. Our farmer has been abandoned by the Government. We know that 80 per cent of our people are employed in the agricultural sector, but we have been told that cotton, sugar and dairy farming has collapsed. We are also told that coffee and tea farming is also about to collapse and even now maize farmers cannot sell their crop, and it is only the other day when we were importing very expensive maize from outside. We have a Ministry called the Ministry of Agriculture and Rural Development and we wonder what its employees, who are paid salaries every month, do.

Long ago, we used to have the Kenya Meat Commission (KMC) and our livestock farmers had a market for their animals. We used to slaughter the animals when they became many and export meat. But what has happened is that those who are in charge of the agricultural sector have become lax. It is time the Government was restructured. It is time people were taken to task for whatever they fail to do. Everybody in this country seems to have abandoned his duties and is looking after his selfish interests. We have forgotten about our country. This country is good and it is endowed with a lot of resources. But we, as the managers, the people of this country, have abused the authority that God gave us. We have fertile land, forests and rivers, but we just carelessly mismanage these resources. A country such as Kenya, which receives a lot of rainfall, still suffers from shortage of food because we have not learnt how to store that water that comes from Heaven. We let the water run into the seas and the lakes and then we cry that we do not have water. We should have learnt from a country such as Israel, which does not receive as much rainfall as we do, but is still self-reliant in food production. We should have learnt from a country such as Egypt, which just relies on one river and still can sustain its people without any problem. Our country has many rivers which flow from the mountains into the Indian Ocean and Lake Victoria, but we are not making use of their waters. We just rely on rain. We do not

stop the water from running into the seas and the ocean. We have learnt how to store maize and other little grains, but we have not learnt how to store water. Had we, from the beginning, specialised in constructing dams and initiating irrigation schemes, we should not be crying now that we do not have enough food.

Mr. Deputy Speaker, Sir, we have exposed ourselves to vagaries of nature, especially of weather, in that whenever we have enough rainfall, we produce enough food and then we do not have a market for it. The Government has not learnt how to prepare itself so that when we have produced a lot of maize, we can export it to some other countries or even store it for future use. We do not seem to have any plans at all. We wait and when we have produced a lot of crop, we cry that we have a surplus and then the following year, we import the same crop from another country. We should learn how to store and manage our produce.

The farmer needs to be given proper attention if this country is to go back to where it was before. As you know, in this country we participate in agricultural production and the next stage is processing of goods, or what we call industrial activity. Finally, we sell our produce and buy some of these processed goods. But if you look at the banking sector, you will find that all the banks in this country are commercial banks. We do not have agricultural banks. If this country is truly an agricultural country, why do we not have agricultural banks dealing specifically with the farmer? We should have banks dealing specifically with dairy production. We should have banks that are specialised in specific areas. I think we have one industrial bank which I do not even know what it does. Most of our banks are commercial banks and we keep saying that we are an agricultural country. We seem to have our values upside down.

Mr. Deputy Speaker, Sir, it is time we got people who are properly trained to plan for this country's development. What we have at the moment are nothing but grabbers and looters, who are there to waste our resources. This country runs the risk of collapsing if we do not appoint qualified people in the right places. You have heard several hon. Members talk about education. It would have been possible for us to remunerate our teachers properly if we had managed our resources properly. We have not put our resources where they should be. Instead, we have glorified the thieves. We have ended up giving more money to the thieves than to those who deserve it. We have not properly remunerated the teachers, yet we have raised the "looters'" remuneration.

Commercial banks keep on declaring a lot of profits, yet our people are suffering. Why have we allowed this to happen in the name of liberalisation? What is this liberalisation? If there was true liberalisation, then whoever is able to open a bank should have been free to do so. We have rules which state that the Central Bank of Kenya must be the one which should license the opening of banks. How can it license the opening of banks if it cannot regulate the flow of money? If it allows looting, what is it regulating? It is time that we as Kenyans thought more of the country. We must be patriots and plan for our children. We are currently living as if we are the last generation. We are busy satisfying our selfish interests. It would have been better if we looked at this country more as our mother than just as a provider.

With those few remarks, I beg to support.

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, there is really no hon. Member wishing to contribute to this debate and we must now adjourn. The House is, therefore, adjourned until tomorrow, Thursday, 14th March, 2002, at 2.30 p.m.

The House rose at 6.20 p.m.