

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 19th March, 2002

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:-
The National Development Plan, 2002 - 2008.

*(By the Assistant Minister for Finance and Planning
(Mr. Marrirmoi) on behalf of the Minister for Planning)*

QUESTIONS BY PRIVATE NOTICE

TERMS OF KWS/RANGERS HOTEL LEASE

Mr. Kiunjuri: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) What are the terms of lease between the Kenya Wildlife Service (KWS) and the proprietors of M/S Rangers Hotel Limited?

(b) Which companies bided for the lease of that facility in Nairobi National Park and what were the quotations by each company?

(c) What is the monthly rent for that facility?

The Minister of State, Office of the President (Mr. Nassir): Mr. Speaker, Sir, I beg to reply.

(a) The lease period is for a term of six years from the first day of August, 2000, which is the effective date of the lease. The payment terms are as follows:-

Fixed rent payable quarterly with effect from the first day of August, 2000, at either Kshs300,000 per month payable as the minimum fixed rent at the beginning of each quarter, or 8 per cent of the gross receipts, whichever is higher. Minimum fixed rent is to be increased by 5 per cent per year throughout the lease period. All rent due to the KWS in the lease must be paid within the first 15 days of the first month of the next quarter. As I mentioned, the monthly rent is about Kshs300,000 per month.

Mr. Kiunjuri: Mr. Speaker, Sir, may I, first of all, congratulate Mr. Nassir for---

(A mobile phone rang)

Mr. Speaker: Order! Who is that? Where is that gadget? Who is it?

Mr. M.A. Galgalo: Mr. Speaker, Sir, I apologise! I had forgotten it in my pocket!

Mr. Speaker: Maybe, Mr. Galgalo and the whole House, we have just come back from recess and, maybe, you have forgotten my attitude towards that thing. I will forgive you, but that is the last time I hear that thing in this House!

Proceed!

Mr. Kiunjuri: Mr. Speaker, Sir, I was congratulating Mr. Nassir for having been elected in the consummated marriage yesterday. However, the reason why I am asking this Question is because that is a public institution. The KWS is run through public funds and we cannot allow anybody to use those facilities without paying! The hotel is under the management of Ms. Rosana Moi, the wife of Mr. Phillip Moi. She has never paid rent for the last two years to the KWS!

Mr. Speaker: Would you put your question?

Mr. Kiunjuri: Mr. Speaker, Sir, my question is: Could the Minister lay on the Table the cheques that have been made towards the payment of rent for the Rangers Hotel?

Mr. Nassir: Mr. Speaker, Sir, I have never been a cashier in my life, but if you want to see the cheques, we can bring them next time. Everybody in Kenya, whether it is President Moi's daughter or son, a chief's son, a Minister's son, or even a Member of Parliament's son, is free to operate a business in Kenya. Everybody has a right to do that. But if you have anything to prove that she did not pay any rent, please, let us have it!

Mr. Muchiri: Mr. Speaker, Sir, the question here is: Has the rent been paid? If it has been paid, could the Minister lay on the Table, documents to prove that the rent has been paid?

Mr. Nassir: Mr. Speaker, Sir, if I have to go back again to the Kenya National Park to produce the documents, could he also bring documents to show that they did not pay the rent?

Mr. Muite: On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to refuse to answer a very specific question? Has the rent been paid or not?

Mr. Speaker: Order! To be fair to Mr. Nassir, the Question did not demand of him whether the rent was paid. What it demanded is the amount of rent paid for the facility. If he knows whether the rent has been paid or not, he can go ahead and tell us. But Mr. Kiunjuri did not ask whether the rent was paid or not.

Proceed! Do you want to answer them, Mr. Nassir?

Mr. Nassir: Mr. Speaker, Sir, I know that the rent has been paid. There is no segregation that others must pay the money and others do not. We have correct and properly audited accounts.

Mr. Obwocha: Mr. Speaker, Sir, could the Minister tell this House who the directors of Rangers Hotel Limited are?

Mr. Speaker: You can find that out! Do not answer that! That is the rule! It is a public company and you can "search"! That is the rule of the House!

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. I am asking that question because it was implied here that one Kenyan owns the hotel. So, we want a confirmation from the Minister as to who owns the hotel!

Mr. Speaker: Proceed, Mr. Kiunjuri!

Mr. Kiunjuri: Mr. Speaker, Sir, although the Minister might try to run away from answering this Question properly on the Floor of the House, we shall still remind him of it. Four companies bided for this facility and all of them belong to Mr. Philip Moi. Once he was awarded this building, they sacked Mr. Rotich who was in charge of ensuring that the payments were made. This is a public institution and we have a right to know whether this person is paying rent or not. Could the Minister tell us whether Mr. Philip Moi and his wife are paying rent for the restaurant or not?

Mr. Nassir: Mr. Speaker, Sir, we do not run this Government by relying on speculation because people usually say whatever they want. If the hon. Member has any proof of these allegations, then he should table it. The issue is not to whom this building belongs. Even the head of this country has a right to own property. As the Minister in charge of that docket, I know that all the payments were made accordingly.

Mr. Kiunjuri: On a point of order, Mr. Speaker, Sir. We only want to know if the person who owns this building, whether he is the son of Mr. Nassir or Mr. Moi, is paying rent for the restaurant or not.

Mr. Speaker: Order! Mr. Kiunjuri, there is no guilt involved in any person being the son of anybody, including your own. So, please, do not make it a crime for anybody to have been born by anybody. If you want to ask the Minister of facts pertaining to his docket, please, do. His docket is the Kenya Wildlife Service (KWS) and not the parentage of any person.

(Mr. Kimkung stood up in his place)

Mr. Kimkung, what are you up to?

The Assistant Minister for Environment and Natural Resources (Mr. Kimkung): On a point of order, Mr. Speaker, Sir!

Hon. Members: He is an Assistant Minister!

(Laughter)

Mr. Speaker: Next Question, Mr. Musila!

Mr. Musila: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) How much did it cost to repair the Nuu-Nguni Road (E749) under the *El Nino* Emergency Programme?

(b) Is the Minister aware that despite the expenditure, the road has been rendered impassable during the current rains?

(c) What urgent measures is the Minister taking to ensure that the road is repaired to a satisfactory condition?

The Minister of State, Office of the President (Mr. Nassir): Mr. Speaker, Sir, I beg to reply.

(a) The cost of repairing Nuu-Nguni Road (E749) was Kshs7,993,450.

(b) This was constructed and completed in a satisfactory manner on 5th June, 2000. It was handed over to the beneficiaries and the public works office. However, like all other roads, it needs maintenance which is the responsibility of the Minister for Public Works.

(c) The *El Nino* Project was for a specific period and does not include maintenance. Routine maintenance of roads is the responsibility of the Minister for Public Works.

Mr. Musila: Mr. Speaker, Sir, I wish to thank the Minister for his reply. This is a case of a Minister who has been misled by those responsible for the type of shoddy job that has been done. If the Minister has been told that the road has been handed over, which I do not think is the case, could he tell us the date when this was done? I have been to the Ministry of Public Works and they said that the road was shoddily constructed and therefore, they refused to take it over. If the Minister says that it was taken over, could he tell us when this was done?

Mr. Nassir: Mr. Speaker, Sir, I would not like to argue with my colleagues in Parliament on the long procedure involved in road construction. If they are not sure and they want more information, could they then come to my office and I will give them my officers to fly to wherever the road is to check and see if it was properly done?

Mr. Mbela: Mr. Speaker, Sir, most *El Nino* projects, particularly roads, were shoddily done. We had one from Salaita to Taveta which was poorly done. Would I be in order to ask the Minister to visit the project, maybe, with the Departmental Committee on Energy, Communications and Public Works?

Mr. Nassir: Mr. Speaker, Sir, all things in the Republic of Kenya belong to the Government. If anything has gone wrong, with pleasure, I am ready to accompany them to correct it so that we can do a better job for our people.

Mr. Musila: Mr. Speaker, Sir, I have a lot of respect for hon. Nassir, who is a Minister of State in the Office of the President. Here is a very serious matter where the Government has spent Kshs7.9 million. For the Minister's information, someone called Mbuthia from the engineering department was involved in most *El Nino* projects in my constituency, including the Mwingi District Hospital and Migwani Health Centre, and I have raised these complaints so many times. Could the Minister tell us what he will do about this matter? I do not think it is right to go to his office. Will the Minister or the Chairman of the Energy, Communications and Public Works Committee spare time to go with us and verify the situation of the road on the ground?

(A mobile phone rang)

Mr. Speaker: Order! Where is that one now?

Hon. Members: In the gallery!

Mr. Speaker: Even in the gallery? Very well. Proceed.

Mr. Musila: Mr. Speaker, Sir, I was asking my very good friend, the Minister, to realise that his officers are not being truthful to him. Could he spare time to go on the ground and verify the situation for himself because he will be surprised that he has given us this type of answer?

Mr. Nassir: Mr. Speaker, Sir, since I joined this Ministry I always take time to go with my fellow hon. Members to wherever they have a complaint, to ensure that it is sorted out.

Mr. Anyona: Mr. Speaker, Sir, it is very kind of the Minister to offer to go with the hon. Member and the Committee to inspect this project. If every time we ask a Question we get the wrong answer, will the Minister keep going round the country doing the job of his officers? What will the Minister do to ensure that his officers do the right job and that they give him correct information so that when he comes here, he is able to satisfy the House because I am sure he has good intentions?

Mr. Nassir: Mr. Speaker, Sir, I always take the trouble not only to reply to Questions, but to also do the job that is required. The aim of going to inspect the project with the hon. Member is that since he is the area Member of Parliament, he knows the problems involved much better and he can tell me more so that I can do my job effectively. You cannot expect a human being to be 100 per cent perfect like God. We all make mistakes.

Mr. Speaker: Next Question!

SHOOTING OF MR. MWAVI BY FARM MANAGER

Mr. Mwalulu: Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) Is the Minister aware that Mr. Mutua Mwavi was shot and killed on 30th November, 2001, by the farm manager of Gicheha Farm in Taveta Sub-District, and the matter reported at Taveta Police Station?

(b) Is he further aware that the body was picked up by police before inviting officers of scene of crime?

(c) Why has the said manager not been arrested?

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Mutua Mwavi received gunshot wounds and died of the same on 30th November, 2001, at Taveta Sub-District Hospital. The incident occurred at Gicheha farm in Taveta Sub-District, and the matter was reported to Taveta Police Station.

(b) No.

(c) The farm manager was not arrested because an inquest file No.5/2000 was opened to establish the cause of death. The inquest file has been placed before the court for determination.

Mr. Mwalulu: Mr. Speaker, Sir, I do not have the written answer to that Question. However, I want to differ with what the Minister has said because the deceased did not die at the hospital, but he died on the spot. The police collected his body very fast and took it to the mortuary. So, why collect his body in a hurry and dump it at the mortuary without inviting the scene of crime police?

Mr. Speaker, Sir, secondly, this man---

Mr. Speaker: Mr. Mwalulu, ask one question at a time!

Mr. Sunkuli: Mr. Speaker, Sir, the facts that the hon. Member has just stated are, of course, different from the ones I have stated. This is because my information is that this person was shot when some people were being chased as a result of a theft. I have referred this case to a magistrate so that those who have evidence similar to that one of the hon. Member can give it in a court of law. If it is found that there is somebody who was illegally responsible for the death of this person, then that person will be properly charged.

Mr. Muchiri: Mr. Speaker, Sir, the Minister is saying that the person was shot as a result of some people running away after committing a crime of theft. Was this man shot from the front, behind or from both sides?

Mr. Sunkuli: Mr. Speaker, Sir, this will be one of the matters to be referred to in form of evidence to the magistrate so that when he makes his ruling, he has all the facts in his knowledge.

Mr. Mwalulu: Mr. Speaker, Sir, there are several disturbing factors about this incident. One, the culprit was using a gun which he was not licensed to carry. Two, what law allows somebody to shoot another person under the pretext that he is a thief?

Mr. Sunkuli: Mr. Speaker, Sir, actually, if I can narrate the facts, it is stated that on the material day at about 12.30 a.m., an unknown number of thieves armed with bows and arrows went to Gicheha Farm and stole a flock of 100 goats. The herdsmen reported the matter to the farm manager, Mr. Tom Linson. They started pursuing the thieves into the thickets and came into contact with the them after walking for about five kilometres. The thieves were challenged to stop but started shooting with arrows as they fled. The farm manager responded by firing three rounds of ammunition, and that is how this death occurred.

Mr. Omingo: Mr. Speaker, Sir, if this Minister is supposed to provide security to Kenyans and these deaths are occurring all over in Trans Mara District, Kariobangi and the like; now that the KANU elections are over, could he assure this House that there is going to be sanity and Kenyans will get security and no incidences of people shooting each other on suspicion will occur?

Mr. Speaker: Mr. Omingo, by the way, what has that got to do with the KANU elections?

Mr. Sunkuli: Mr. Speaker, Sir, I can answer that question for him. As you know, the hon. Member comes from my neighbourhood, next to Trans Mara District, and since he does not speak positively, that was his way of congratulating us.

(Laughter)

Mr. Speaker: Next Question, Dr. Murungaru!

CONSUMPTION OF UNHYGIENIC MILK BY WANANCHI

(Dr. Murungaru) to ask the Minister for Agriculture:-

(a) Is the Minister aware that many unsuspecting *wananchi* are consuming unhygienic milk peddled by milk hawkers?

(b) Is he further aware that some of the hawkers have conned innocent small-scale farmers of their hard-earned money by way of unpaid milk supplies?

(c) What action will the Minister take to regulate the industry with a view to protecting the interest of farmers, consumers and other stakeholders?

Mr. Speaker: Is Dr. Murungaru not here? The Question is dropped.

(Question dropped)

Next Order!

BILLS

First Reading

THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS BILL

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to move that in accordance with Standing Order No.101 (A), the Kenya National Commission on Human Rights Bill, 2002, be referred to the relevant Departmental Committee.

Mr. Speaker: It is so ordered.

*(Order for First Reading read - Read for
the First Time and committed to the
relevant Departmental Committee)*

THE DOMESTIC VIOLENCE (FAMILY PROTECTION) BILL

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to move that in accordance with Standing Order No. 101 (A), the Domestic Violence (Family Protection) Bill, 2002, be referred to the relevant Departmental Committee.

Mr. Speaker: It is so ordered.

*(Order for First Reading read - Read for
the First Time and committed to the
relevant Departmental Committee)*

THE PETROLEUM BILL

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, on behalf of the Minister for Energy, I beg to move that in accordance with the Standing Order No. 101 (A), the Petroleum Bill, 2002, be referred to the relevant Departmental Committee.

Mr. Speaker: It is so ordered.

*(Order for First Reading read - Read for
the First Time and committed to the
relevant Departmental Committee)*

THE CRIMINAL LAW (AMENDMENT) BILL

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to move that in accordance with Standing Order No. 101 (A), The Criminal Law (Amendment) Bill, 2002, be referred to the relevant Departmental Committee.

Mr. Speaker: It is so ordered.

*(Order for First Reading read - Read
the First Time and committed to the
relevant Departmental Committee)*

Mr. Speaker: Next Order!

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

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

*(The Vice-President and Minister for Home
Affairs on 13.3.2002)*

(Resumption of Debate interrupted on 18.3.2002)

Mr. Speaker: Prof. Anyang'-Nyong'o!

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, I rise to contribute to the Motion on the Presidential Address from the Chair on Tuesday, 12th March, 2002.

Mr. Speaker, Sir, we live at a very momentous time when the whole world is focusing on Africa as a continent challenged by many things. We are not only challenged by the tremendous poverty of our people, 50 per cent of whom do not know where the next meal is going to come from, but also by a world where information moves very fast, and subsequently governments cannot get away with murder. The Republic of Kenya has always prided itself to be an island of peace in a region tormented by conflicts. However, we are fast becoming a Republic tormented by internal conflicts, both actual and potential, and a country that may develop fast into the precipice of disaster if we do not recognise that we need a stable political community in which democracy and the rule of law prevail.

Mr. Speaker, Sir, just a couple of days ago, there was heinous murder of Kenyans here in Nairobi under the guise of irrational urban thuggery, but under which we can discern the causes as lying within the very framework of the injustice of our political and economic systems. We are a nation that has focused too much on the welfare of the 5 per cent at the top, which owns 80 per cent of the wealth and manipulates the political system for its own selfish interests in disregard of the plight of the majority of Kenyans. Unless the Government of the Republic of Kenya re-invents itself as a Government that is nationalistic and democratic, the shenanigan of political arrangements which we engage ourselves in from time to time will come to nought.

Mr. Speaker, Sir, we have been given the responsibility of being Chairman of the Inter-Governmental Authority on Development (IGAD) because this region recognised us as a country of stability, peace and progress. But we are losing that responsibility because in spite of the fact that IGAD passed the declaration of principles, which recognised that the people of Southern Sudan should be given self-determination, our own representative in the IGAD Secretariat signed a document reneging on these principles and declaring that Southern Sudan should be governed under the principles of self-administration and not self-determination. This is very indicative of our own regard to our own people that the regime would rather survive by itself and sacrifice its people in the same manner in which it is prepared to sacrifice the people of Southern Sudan. Unless we become democratic internally, and also become democratic within the region by pushing for regional integration in the East African Community and the region as a whole, and ensuring that democracy prevails not just in Kenya, but in Sudan as well, I can see that within ten years' time, this country will be in a lot of danger. Tanzania is a country that is endowed with natural resources and land. As a member of the Community, and if, indeed, the Community's principles of free movement of labour and capital are implemented, many of our people who are looking for land and employment can find refuge in Tanzania and Sudan as well. But the way I see our Government behaving leaves a lot to give it responsibility both internally and externally.

Mr. Speaker, Sir, I am glad that there is the Petroleum Bill on the Order Paper and I do not want to jump the queue and begin discussing it, but let it be said that at no time will the people of Kenya stand by and see our Government importing oil from Sudan to give more revenue to the Khartoum regime to murder our people in Southern

Sudan. That money from oil is blood money and there is ample evidence that it was not until the Khartoum Government started receiving revenue from that oil did they develop the capacity and capability of bombing the Southern Sudanese with Antonov Bombers which fly high up in the sky and cannot be traced by anti-aircraft guns in the south. This Government decided that it wants to give revenue to the Khartoum regime by importing oil from Sudan. My three colleagues and myself just visited Southern Sudan or the New Sudan last week and an old man in the town of Rumbek told us in no uncertain terms: "If the Kenya Government wants to do an honourable thing, let them not import oil from the Khartoum Government. Let them take soldiers and guns to Khartoum to fight us directly. We shall meet them in the field and we will show them what fighting is." There is a Swahili saying which says that men meet at midday to understand who the man is. The Southern Sudanese are also telling us that there is no need hiding behind oil importation; let us meet them at midday by sending our soldiers and guns to the disrespectful regime in Khartoum which has declared war on its own people. It is not even worth calling itself a member of the Organisation of African Unity (OAU)!

Mr. Speaker: Order! Order! Prof. Anyang'-Nyong'o, you are a Kenyan Member of Parliament and not an ambassador of some foreign country. Could you now come to the debate?

Prof. Anyang'-Nyong'o: This is part of the foreign policy of the Sovereign Republic of Kenya. We are a member of IGAD and the Chairman of IGAD. I cannot desert my responsibility as the ambassador of humanity in this House!

(Applause)

Mr. Speaker, Sir, it is known for certain that as we sit here today, if we took together the wealth of Sudan, Kenya, Tanzania, Uganda, Rwanda, Burundi and Somalia, both in terms of human and natural resources, we would be at the same level the USA was in the year 1860. In other words, we would have the same potential of industrialization; of uplifting the standard of living of our people. If we had regional integration in this part of Africa as the Americans did in 1860, and if, indeed, we used our natural and human resources for the sake and benefit of our people--- The trouble is that we always think small. Two weeks ago, I was in Addis Ababa attending the African Development Forum which is held only once a year, where all African governments send their representatives and all civil society organizations are also represented. The ECA and OAU which organized the Third African Development Forum had sent four tickets to the Kenyan Government to send representatives there, but because we think small, and because there was something in Kasarani coming up on 18th March, called "merger", this Government never sent anybody to the African Development Forum, forsaking its responsibility as the Chairman of IGAD and forsaking the dignity of the people of Kenya who should have been represented there by the Government of the Sovereign Republic of Kenya. Kenyans are very patriotic people and we would like to be governed by a patriotic government. We would not like to be governed by a government that thinks small and which thinks that a merger in Kasarani takes precedence over an African Development Forum at the OAU Headquarters in Addis Ababa, when this Government, in a couple of months, is going to Pretoria and become signatory to the African Union. They have just missed an extremely important discourse regarding the establishment of the African Union.

Mr. Speaker, Sir, I stand to be corrected.

Mr. Kamolleh: Asante sana, Bw. Spika. Ningependa nami pia nichangie kidogo kuhusu mjadala wa Hotuba ya Rais wakati wa kufunguliwa Bunge hili.

Bw. Spika, kuna mambo fulani yaliyozungumzwa, lakini ninataka kugusia mambo matatu tu. Mambo haya ni usalama wa nchi na usalama wa wananchi wa Jamhuri hii ya Kenya. Usalama wa nchi hii, hasa mwaka jana na mwanzoni mwa mwaka huu, umedimidia kiasi kwamba wananchi wanauwawa kiholelaholela. Maisha ya binadamu hayana thamani tena na kwamba ni lazima uzungumze lugha fulani, la sivyoyote, utakatwa kwa panga. Hayo ni mambo tulikuwa tukiyasikia, lakini hatukuyaona ijapokuwa tulisikia kutoka kwa wale watu waliolishuhudia jambo hili. Hili ni jambo ambalo lilitusikitisha sana. Ikiwa hakuna usalama, hali hii inaathiri elimu ya vijana na watu wote katika Jamhuri hii. Ni bora kama usalama utaimarishwa ili wasichana na wavulana waweze kutembea bila shida wanapoenda shuleni. Tutaweza kutayarisha watoto wetu vyema kwa siku zijazo tukifanya hivyo.

Ningependa kusema kwamba ukosefu wa usalama umeathiri uwekaji wa rasilimali katika nchi hii kiasi kwamba hata kama watu wengi hawajaondoka, wamepunguza rasilimali zao. Jinsi watu hao wanavyozidi kuondoka, ndivyo uchumi wa nchi yetu unavyozidi kudidimika. Ni jambo la huzuni kuona kwamba wale watu ambao wamepewa jukumu la kuhakikisha kwamba kuna usalama katika nchi hii, hawafanyi hivyo. Wakati umefika kwa Serikali hii kuangalia mambo haya kwa undani. Ninazungumza juu ya usalama ambao umepangwa au kudumishwa. Tukifanya hivyo, tutakuwa na usalama katika sehemu za Mathare, Kibera na hata Mishomoroni, Mombasa. Usalama ni muhimu na ni lazima Bunge hili lihimize Serikali yetu iudumishe ili watu waishi huru. Tulipata Uhuru ili tuwe na usalama mahali popote tulipo. Sasa hivi, hatuna usalama nyumbani, barabarani na hata kazini. Tumeanza kuona kwamba

magari ambayo yanabeba mizigo yameanza kushambuliwa na majambazi. Majambazi wameanza kuweka misumari katikati mwa barabara ili waweze kusimamisha magari haya. Usalama umezorota. Ningependa kuhimiza Serikali ilitilie mkazo jambo hili. Waziri anayehusika na jambo hili la usalama alikuwa hapa lakini ametoroka. Hili ni jambo ambalo tunataka litiliwe mkazo.

Pia, ningependa kuongea juu ya ugawanyaji wa mapato katika Serikali yetu. Mapato ambayo yanakusanywa kutoka kila sehemu ya nchi hii ni lazima yagawanywe kwa watu wote sawa sawa. Usambazaji wa mapato hayo umekuwa ukilegea upande mmoja na hata wakati mwingine watu wengine wanakosa kabisa.

Ningependa kuongea juu ya maji ambayo ni muhimu sana katika maisha ya kila binadamu. Tunakusanya ushuru kutoka kwa makampuni na watu binafsi, lakini licha ya hivyo, bado tunakosa maji. Watu wataishi namna gani bila maji? Mfano mwema ni Ukambani, Mkoa wa Kaskazini Mashariki na hata Mkoa wa Pwani. Maji hayapatikani katika mikoa hii na hali binadamu wanatarajiwa kuishi huko. Wataishi vipi kama hakuna maji? Maji hupatikana katika mto ambamo mamba wanaishi na wanapoenda kuteka maji, wanaliwa na mamba hao. Ningependekeza kwamba ni heri Serikali iwe na mawazo ya kuwasaidia wananchi kutatua shida hii. Hadi wakati huu, shida ya ukosefu wa maji haijatatuliwa. Ni pendekezo langu kwamba kati ya mwaka huu na mwaka ujao, Serikali izidishe juhudi zake mara dufu kwa kusambaza maji nje ya miji.

Jambo la pili ambalo ningependa kulizungumzia ni barabara. Katika sehemu zetu za mashambani barabara ziko katika hali mbaya. Nyingi ziliharibiwa na mvu ya *El Nino*. Hata daraja hakuna. Unatarajia hospitali zipate dawa; wananchi wapelekewe vyakula na walimu waende shuleni hali ya barabara ikiwa hivyo? Wakati umefika wa kuikumbusha Serikali yetu kamba haitoshi kuja hapa na kuzungumza mambo matamu na kisha kusema kwamba barabara zitarekebishwa tukipata pesa. Tutapata pesa siku gani na hali tunakusanya ushuru kila siku? Pesa ziko na ni lazima zitumike kwa mambo ambayo ni ya maana. Ningependa kusema kwamba barabara ni muhimu sana, sio tu katika maisha ya binadamu bali hata kwa uchumi. Mizigo yetu itasafirishwa kupitia wapi ikiwa hakuna barabara, au daraja zimevunjwa na mvua ya *El Nino*? Waziri ambaye anahusika na pesa za *El Nino* pia hayuko; ametoroka! Tutamwambia nani mambo haya? Serikali ipo, na kuna Mawaziri ambao wameketi hapa. Sisi tunahimiza Serikali itilie mkazo jambo la ukosefu wa maji, urekebishaji wa barabara, udumishaji wa usalama, usambazaji wa umeme na mambo mengine mengi. Tumeambiwa tupitishie jambo hili la usambazaji wa umeme katika District Development Committee (DDC), lakini bado hatuna umeme katika sehemu zetu za mashambani. Ningependa kusema kwamba Shimba Hills ni mji ambao ulikuwa tayari mwaka wa 1948, ukiwa na watu zaidi ya 50,000 na hadi wakati huu hakuna umeme. Angalia janga hilo! Miji ambayo ina watu 200 katika sehemu zingine ambazo sitaki kutaja hapa, kwa sababu mimi si mnaa, ina stima. Si hayo ni maajabu?

Bw. Spika, ninafahamu kwamba Wizara ya Biashara na Viwanda imeondoa mikopo kwa wananchi wadogo na hali benki nazo zimezidisha riba zao za mikopo. Hali ikiwa hiyo, wananchi watachukuwa mikopo wafanye biashara? Ningependa kuiomba Serikali irudishe mambo haya ili iwafaidi wananchi wadogo ambao hawawezi kuhudumiwa na benki. Ni heri wananchi kama hawa wapewe mikopo ya Kshs20,000 au Kshs30,000 ili wafanye biashara zao na wasije mjini kuiba mali ya watu. Haya ni mambo ambayo ni muhimu, lakini ninapozungumza, watu wengine wanasema kwamba ninapiga kelele. Ninapiga kelele na watu wakija mjini mnasema kwamba wamezidi? Ninazungumza haya kwa sababu tukiwaangalia wananchi mahali waliko hawatatupatia taabu, lakini tukiwaacha, watakuja kukaa katika Bunge hili bila sisi kutaka. Ningependa mambo hayo yaangaliwe kinaganaga.

Mwisho, ningependa kuongea juu ya ufisadi. Ningependa kusema kwamba ufisadi umedimiza nchi hii mpaka inanuka uvundo sasa. Katika Hotuba yake, Rais alisema kwamba ufisadi uangamizwe. Ufisadi hauwezi kuangamizwa ikiwa sisi wenyewe hatujakubali kwamba sisi ni wafisadi. Ni juu yetu kukubali kwamba sisi ni wafisadi ndipo tuweze kutafuta mbinu za kumaliza ufisadi. Ikiwa mpaka leo hatujakubali---

Bw. Spika, ninakushukuru kwa kunipatia nafasi.

Mr. Ndicho: Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to this Motion. I was not here when the President officiated at the State Opening of this Session. I was invited by some friends in Harare, Zimbabwe, to witness the election of my friend, President Robert Mugabe.

I wish to take this opportunity to congratulate President Moi for joining other Heads of State to defend President Robert Mugabe when the British Prime Minister called the Heads of State who attended the recently concluded Commonwealth Heads of State and Government Summit in Australia one by one into a room, and tried to convince them to endorse a move to expel Zimbabwe from the Commonwealth. When I learnt that President Moi refused to be arm-twisted, I felt elated. I am glad that President Mugabe won that country's presidential election.

The issue in that country is not the election of the President, but rather about land ownership amongst the whites and the black. What is bedeviling us in Africa is that the West is trying to impose their democracy on Africa. It is high time African Heads of State said "no" to such imposition, just like Presidents Moi, Mugabe, Thabo Mbeki, Olosegun Obasanjo and Mkapa, among others, stood up and started preaching African values.

Mr. Speaker, Sir, I was stunned by the stand taken by the Government of the United States of America (USA)

on the recent Zimbabwe presidential election result. The Government of the USA said that the recent election in Zimbabwe was rigged. As we all know, it was not the people of the USA who decided who their current President should be; it was the Supreme Federal Court. The court was prevailed upon to determine the country's President after the election results failed to give the Americans a clear winner. So, you will realise that we have reached a point where we now want to propagate home-grown democracy. Our democracy should not necessarily be moulded along the lines of the West's democracy. So, the issue of land is pertinent.

I prayed for my friend, President Mugabe, to win the election, so that the land problem in that country can begin to be tackled, and the same spirit spread across other affected countries in the continent. I am happy that he has declared that the issue will start being tackled and be pursued to its logical conclusion. I urge that after the problem is solved in Zimbabwe, other African countries where the white man still sits on land which belongs to the black man, should follow suit. I am sure that this country also has a similar problem. There are individuals who own 100,000 acres of land, and yet they are not Kenyans of African origin. This is among issues which need to be addressed. I am happy that President Moi---

Mr. Munyasia: On a point of order, Mr. Speaker, Sir. I wonder whether Mr. Ndicho is not being a racist when he talks against the white man instead of talking about citizens owning land. He seems to be very happy about whites in Zimbabwe being killed, like the one who was killed last night, even though they are citizens of that country. Is he not being a racist, and should he not stop taking the particular line of racism in his contribution to this Motion?

Mr. Ndicho: Mr. Speaker, Sir, Mr. Munyasia is the one who has introduced the issue of a white man having been killed in that country. I have not even talked about it myself. I am not being a racist. The black man is being sat on, and people like Mr. Munyasia do not want Africans to stand up and say "no" to the white man.

Mr. Speaker: Who is Mr. Munyasia?

Mr. Ndicho: Of course, I know who Mr. Munyasia is. I do not know what "racism" means. Is it racism when the white man is allowed to own what belongs to the black man? Does the issue of racism arise only when the black man demands to be given back what belongs to him?

(Mr. Ndicho faced Mr. Munyasia as he spoke)

Mr. Speaker: Mr. Ndicho, address the Chair.

Mr. Ndicho: Mr. Speaker, Sir, I am, of course, addressing the Chair.

Mr. Speaker: Order! Mr. Ndicho, probably, Mr. Munyasia is as black as you are. So, could you now address me?

Mr. Ndicho: That is the point I wanted to make.

Mr. Speaker, Sir, the issue of poverty must be addressed in this country. Poverty is one of the issues contributing to insecurity and many other problems bedeviling this country. We have many people who do not own land in this country. All that I am asking for is that if there is anybody who has land which he is not using, it should be given to the landless people, so that they can also have something to talk about in their own country. That is all we are talking about. This is also the issue being talked about in Zimbabwe. I, therefore, wish to congratulate President Mugabe and President Moi for getting together; they are now speaking the same language. The entire African continent is going to rally behind our leaders who have stood up for the rights of their people.

Since I was not here when the President addressed the House, I do not wish to say much about his Address. When I arrived from Zimbabwe yesterday, I found that the merger between KANU and the defunct National Development Party of Kenya (NDP) had already taken place. I learnt that fundamental changes had taken place. Now that KANU has held its national elections, I call for sanity to prevail amongst Kenyans. We should now look ahead to the development of our country. Of all the changes that took place during yesterday's KANU elections, what fascinated me most was the replacement of my friend, Mr. Joseph Kamotho, as the party's Secretary General with Mr. Raila Odinga. What befell Mr. Kamotho yesterday was exactly what he did to other people previously. That was what he did to Messrs. Matiba and Kiano in 1988. He was the architect of the manipulation of the list of delegates. So, as the Bible says, we shall all pay for our sins here on earth.

Mr. Kamolleh: On a point of order, Mr. Speaker, Sir. Is Mr. Ndicho in order to discuss Mr. Kamotho instead of contributing to the Presidential Address?

Mr. Ndicho: That is not a point of order!

Mr. Speaker: Order! Order! Mr. Ndicho, I was here when the President presided over the State Opening of the Sixth Session of Parliament. He never talked about Mr. Kamotho. Your comments about Mr. Kamotho are, therefore, irrelevant to this Motion. So, talk about the Presidential Address.

Mr. Ndicho: Mr. Speaker, Sir, I am also congratulating the President for having been elected the Chairman

of the new KANU. Is it wrong for me to do so?

Mr. Speaker: Order! You may be perfectly right to congratulate the President on being re-elected the Chairman of KANU, but you should not go into the subject of the elections. Forget about what befell hon. Members at yesterday's KANU delegates conference.

Mr. Ndicho: Mr. Speaker, Sir, this is my tenth year in this House. I understand that when an hon. Member contributes to the Presidential Address, he may speak generally about any subject so long he does not breach the rules of the House.

Mr. Speaker: Order! Order! Mr. Ndicho, you certainly breach the rules of the House when you discuss the conduct of another hon. Member, either within this House or outside, without a specific Motion in that regard. You are totally out of order. So, please, could you maintain order?

Mr. Ndicho: Mr. Speaker, Sir, I stand corrected. I intend to bring a Motion here to discuss the conduct of---

Mr. Speaker: Order! Order! Mr. Ndicho, I have said that this House will not be used to settle personal differences. Until you bring that Motion, and until I approve it, you will not talk about it.

Mr. Ndicho: That is right, Mr. Speaker. I will follow your instructions. I will bring the Motion to you for approval and once you have approved it, we shall discuss it. So, I thank you for that advice.

(Laughter)

Mr. Speaker, Sir, since the KANU elections, which had generated a lot of heat countrywide, are now over, we should steer the nation towards development. We should focus on maintaining peace and making this country a good place for all of us to live in. But I cannot conclude my speech without giving a word of caution to my colleagues in the Opposition, that we do not need to discuss what KANU is doing, but rather discuss about our own affairs. If we do not get united now and concentrate on what KANU is doing, they will ultimately beat us during the forthcoming elections. So, we, in the Opposition, should forget what KANU has done and concentrate on whom we are going to field against the KANU presidential candidate. That should be our preoccupation right now. Otherwise, if the Opposition fields four presidential candidates, the KANU candidate will beat them. That is what happened in 1992 and 1997. If we, in the Opposition, repeat this mistake for the third time, we will be failing Kenyans. So, it is high time that my friends, Messrs. Muite, Nyachae, Kibaki and Mrs. Ngilu united and fielded a single Opposition presidential candidate in the forthcoming election.

Thank you, Mr. Speaker.

Mr. Twaha: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: To who now?

Mr. Ndicho: Mr. Speaker, Sir, I need it. It is important.

Hon. Members: Time is up!

Mr. Ndicho: No, Mr. Speaker, Sir. It is important; I accept it.

Mr. Speaker: Order! What is it, Mr. Twaha?

Mr. Twaha: Mr. Speaker, Sir, I would like to inform Mr. Ndicho that the door is open to the winning team. It is open, and he is invited to join us.

Mr. Nyang'wara: Thank you, Mr. Speaker, Sir, for giving me this opportunity to talk about the Presidential Speech. First, before I talk about it, I have the opportunity to tell the House that I have been in KANU for the last one year, but I now confirm to the House that I am not there, because it has brought a lot of suffering to the people of my constituency.

(Applause)

The Minister for Energy (Mr. Raila): On a point of order, Mr. Speaker, Sir. I think we need your guidance on this particular issue.

Mr. Speaker: By the way, what has he said?

The Minister for Energy (Mr. Raila): He has said that he is no longer in KANU because KANU has brought a lot of suffering to the people of this country.

Mr. Speaker: Order! Order!

Mr. Obwocha: He has not written to the Speaker!

Mr. Speaker: Order! He has not written! I will look at the HANSARD. If that be what he has said, I will be constitutionally bound to declare his seat vacant. But I will check it in the HANSARD.

Proceed!

Mr. Nyang'wara: Mr. Speaker, Sir, as I know the---

Hon. Members: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! I am, in fact, sending for the HANSARD transcript now.

Proceed, Mr. Nyang'wara.

Mr. Nyang'wara: Mr. Speaker, Sir, I have not officially written to you, but, technically, I am not in KANU because of the suffering that the KANU Government has brought to my people. I am technically in KANU, but my heart is in the Opposition.

(Applause)

Mr. Speaker: Order! I just want to make this clear. I think we have a Constitution which must be obeyed by everybody because you all swore to uphold the same. If an hon. Member stands on the Floor of this House and declares that he has quit his party, then, the Speaker has no choice but to implement that statement. I promise the House that I will do it if that be the position.

Proceed, Mr. Nyang'wara.

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

Mr. Speaker: Order, Mr. Obwocha! I have not read what he has said; I will read what he has said. I was not, in fact, attentive. So, I am not sure whether what Mr. Raila has told me is correct. But if it be correct, then, I will deal with it.

Mr. Obwocha: But, Mr. Speaker, Sir, it is not in connection with that. But it is a constitutional matter.

Mr. Speaker: Order, Mr. Obwocha! Will you sit down?

Mr. Nyang'wara: Mr. Speaker, Sir, I am saying that I am already technically in KANU, but my heart is in the Opposition. So, therefore, you can wait until I write to you, that, I am not in KANU, and that is when you can take such action.

The Minister for Energy (Mr. Raila): On a point of order, Mr. Speaker, Sir. This House will need a proper interpretation and ruling by you on this particular matter. I happen to be one of the hon. Members who resigned my seat and went and contested. Is resignation literal only or is it also conductive? If somebody shows by his conduct that he has quit the party that sponsored him to Parliament, is that also not resignation?

Mr. Speaker: Order! In fact, the Chair should not be bombarded on any further points of order by hon. Members who are not sure of their political parties. That is not my headache. My headache is what statement you make on the Floor of this House. If you are so uncertain, that you do not know which party you stand on, please, do not say in this House that you have left your party. This is because that will be taken under the Constitution. But I will look at what he has said. Please, now, hold your horse.

Proceed, Mr. Nyang'wara.

Mr. Nyang'wara: Mr. Speaker, Sir, if I can now turn to the Presidential Speech, it lacked a lot of things. First, this is the last term of President Moi as the Head of State. The President himself failed to tell Kenyans whether he has prepared to retire or he will be in office and will continue ruling this country. That is what most Kenyans expected the President to say, but he never said it. At the same time, the President never promised Kenyans what kind of legacy he is going to leave to Kenyans.

Regarding education, the President never assured us on how poor families are going to educate their children. At the same time, in 1997, the President promised teachers, when he was looking for votes, that he would pay them. But after receiving votes from teachers, he changed his mind and refused to pay. There is enough money in this country which is collected in the form of revenue; over Kshs200 billion, so that we should only remove Kshs3 billion from that kitty and pay teachers. But after receiving the votes, and after realising that, maybe, this is his last term in office, the President decided not to pay teachers. It is necessary that the President, who is due to retire, keeps to promises that he makes to Kenyans. Let him prepare on how he is going to pay teachers because there is enough money.

People have said that the Government has no money; former Ministers for Finance have said that the Government is broke. If the Government is broke, it should pack and go home. We should go for elections so that we can elect new leaders who can salvage this country from the economic mess that was created in the past. This country needs a new leader who can move forward and protect the revenue that is being collected from Kenyans, so that it can be put into proper use to develop this country.

On the issue of security, if the Government and the President himself have failed to protect Kenyans, it is important that they transfer that responsibility to Kenyans, so that they can protect themselves. The best example I can give here is of some people from my constituency who were killed in the presence of six policemen and there was no action taken by the Government. The Government has failed to provide

security to the people of this country. Since the Government has failed to provide security, it is important that those groups they declared illegal are given guns in order to protect their own people.

Mr. Speaker, Sir, it is difficult to understand how the President can appoint one to be a Minister in charge of internal security when people are fighting and killing each other in that Minister's constituency! Those who advise the President should tell him that a Minister in charge of internal security should be a responsible and mature person, who can protect the lives of Kenyans. In some parts of Kisii and Trans Mara districts, people are killing each other while the Government is watching!

With those remarks, I beg to support.

Mr. Muite: Mr. Speaker, Sir, in contributing to the Presidential Speech, I would like to start by congratulating KANU and NDP for the historic merger, which they were able to bring about. In particular, I would like to congratulate the National Chairman of KANU for being able to shepherd that merger. It is not for nothing that the National Chairman of KANU extols himself as a professor of politics.

Mr. Speaker, Sir, I would like to extend a word of caution to my friends, the hon. Member for Langata Constituency and Nominated Member of Parliament, Mr. Uhuru Kenyatta. As they relish their success, and they are entitled to relish it, I caution them to study carefully, the political histories of Messrs. Charles Mugane Njonjo, G.G. Kariuki and the late Member for Parliament for Kajiado South, Mr. Stanley Oloitipitip. They should also study the political histories of Mr. J.J. Kamotho and the present Member of Parliament for Kajiado North.

Mr. Speaker, Sir, I wish to pay tribute to the courage of certain individuals like Messrs. ole Ntimama and Kamotho. They should continue with that courage when issues affecting this nation come up for debate in this House. They should contribute and vote for the interest of the nation. For example, there is the issue of teachers' salaries. We do not have to wait until the teachers go on strike in June. They have already given notice that they will go on strike. We would like the Minister for Finance, who is in the middle of preparing the Budget now, together with the Minister for Education, to make statements to this House that there will be adequate budgetary provisions to meet the salary increments for teachers. This House should decline to have that Budget read or debated in this House if it does not include adequate provisions to meet the legal requirements of the terms that were agreed upon by this Government. Although we may have lost the services of the Member for Limuru in terms of interruption of the Budget, we still have the services of the Member for Embakasi. Therefore, we do not want to be drawn into a situation---

(Mr. Mwenje stood up in his place)

Mr. Speaker: Order, Mr. Muite! You cannot stand up on the Floor of the House, given the opportunity by me, the guardian of integrity and order in this House, and incite your colleagues to disobey the rules of the House! How dare you do that?

Mr. Muite: Mr. Speaker, Sir, I am doing the opposite of that! I am pleading that statements be made in this House, so that we are not pushed into that corner. In any case, hon. Members are incapable of being incited. One cannot incite elected Members of Parliament. We do not want to interrupt!

Mr. Speaker: Mr. Muite, I wish it were so. But I saw Mr. Mwenje standing to attention when you mentioned his name!

Proceed, Mr. Muite.

An hon. Member: He was excited but not incited!

Mr. Muite: Mr. Speaker, Sir, I am raising a serious issue here. There were agreements. The Government should implement what it agreed to pay to the teachers. That is all I am saying! We should include adequate financial provisions in the Budget to meet the cost of primary education in this country. You will remember that we enacted the Children Act in this House, which makes primary education free of charge and, in fact, creates offences against parents who do not take their children to school. We should be serious in this House, so that when we enact laws, there must be the corresponding financial provisions. It is not good for the Government to sign an agreement and then fail to implement it. It is of no use saying the Government does not have money. If the Government does not have money, let the Attorney-General advise the teachers to petition for the Government to be wound up! It is not just Members of Parliament who should be taken to court for bankruptcy petitions. If the Government is bankrupt, why can it not be wound up, so that whatever assets are available can be distributed to the creditors? This is a serious matter, and all I am saying is that, when the teachers realise that senior civil servants are increasing their salaries, and I saw the Head of the Civil Service in a meeting that was purely a KANU affair--- I wish to congratulate the Speaker of the National Assembly because he was not there. He maintained the neutrality of the Chair. What was the Head of the Civil Service doing in a KANU meeting, together with the Commissioner of Police and the Provincial Commissioner, Nairobi? Where do you draw the line between KANU the party and the Government? What happened to the neutrality of the Civil Service? Even the Attorney-General was there, and yet his office is supposed to be an office in the Civil Service.

If, indeed, there is no money, where do we get the money from?

The Minister for Energy (Mr. Raila): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to single out the Head of Civil Service, when, in fact, there were diplomats and leaders of political parties who were invited to that meeting as observers, including the Commissioner of Police?

Mr. Muite: Mr. Speaker, Sir, the excuse that they attended that meeting as observers does not help them. Next time, when they are inviting the Commissioner of Police as an observer, they should also extend that invitation to leaders of Parliamentary political parties. I never saw my invitation to go to Kasarani as an observer. The senior civil servants---

The Minister for Energy (Mr. Raila): On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Would you like to take that challenge, Mr. Muite?

The Minister for Energy (Mr. Raila): Mr. Speaker, Sir, we did invite leaders of all other political parties as observers.

Mr. Muite: Mr. Speaker, Sir, I challenge hon. Raila, the former leader of NDP, to table the written invitation to the Member for Kabete Constituency as the leader of SAFINA.

(Mr. Haji stood up in his place)

Mr. Speaker: Order, hon. Members! This is time for debate. I allowed a little jocular exchange, but we cannot take all the time of Mr. Muite!

Proceed, Mr. Muite, but do not invite too much interruption.

Mr. Muite: Mr. Speaker, Sir, I am talking about the civil servants because, recently, they increased their salaries and emoluments by over 1000 per cent. Even doctors, the other day, also had their salaries and other emoluments increased. Even we, hon. Members of Parliament, increased our emoluments. Teachers are asking how it can happen that they are the ones who teach our children and when it comes to their emoluments, they get no increment. We are destroying very tender lives of our children. Teachers are very important in moulding the society. So, this Government must this time round truly make budgetary provisions so that we can implement the four remaining phases of the teachers' salary increment by June this year.

Mr. Speaker, Sir, I wish to say that one of the serious omissions from the Presidential Address was the issue of the way forward on the constitutional reform process. This is a matter of long history and acrimony. A lot of work has been done from the Bomas of Kenya to the Safari Park Hotel in building up consensus. I stood here and said that you cannot have an independent Commission if it will depend on the Executive arm of Government for its funding. Funding should have been provided independently because whoever pays the piper calls the tune. I said that the lack of financial independence of Prof. Ghai's Commission made it totally dependent on the Executive, and that it would only succeed to the extent that it is permitted by the Executive. We want this matter to be clarified. We do not want to be told in May, June or July, in the eleventh hour, that this Commission will not complete its work. If the Commission will not complete its work within the given period of time, we should be told that today. In fact, we should have been told that yesterday. We should be told what the options are, so that they are known to everybody. We do not want anybody to be ambushed.

With those few remarks, I beg to support.

Mr. Kajembe: Thank you, Mr. Speaker, Sir, for giving me an opportunity to contribute on the President's Address.

I would like to touch on poverty. If you compare the gap between the rich and the poor people in this country, you will find that it is very wide. Children of the rich get quality education in this country. They get good clothing and also get three meals a day, whereas children of the low-income earners go without these basic needs. Time has come for the Government to set up funds and introduce programmes to fund women and youth groups, and ensure that all citizens from all walks of life, at least, earn an income. If a group of children, who are expected to be future leaders do not get quality education, then this means that the children of the rich who get quality education will be the ones to take the leadership of this country in future. I know we passed the Children Bill in this House, but education in its totality should be provided free of charge. This is to say that education should be provided free, right from primary school, through secondary to college level. If we continue like this, then we will end up being a country for the rich and the rich will take over the leadership of this country.

Mr. Speaker, Sir, it was announced by the Chairman of the Electoral Commission of Kenya (ECK) that today is the last day of the voter registration exercise. But there are so many Kenyans today, who have attained the age of 18 years and above, who have not been issued with identity cards even though they have applied for them. So, if today is the last day of the exercise, then we will bar these Kenyans who have qualified to vote during the forthcoming general

election, from voting. I want to suggest that the registration of voters in this country should be a continuous exercise so that every Kenyan is given an opportunity to vote. I would request the Chairman of the ECK to extend the period of the voter registration exercise, otherwise, he will bar many Kenyans from voting. It is a sad affair that for a Kenyan to be issued with an identity card, he must go through difficulties. Some young men and women have applied for identity cards, and it has taken them a long period of time to acquire them. Some have had to wait for a period of six months, while others have waited for a period of one year. The issuance of identity cards should not be centralised in Nairobi. The exercise should take place at district headquarters where young men and women can get them on time, and can then look for jobs and become eligible voters.

Also, I would like to touch on the retrenchment of civil servants. We may talk about the ailing economy and say that there is no money in the country, but to terminate the services of an employee, be it in the public or the private sector, is very bad.

It is like telling somebody to go home and die. The Head of the Public Service should stop this retrenchment exercise. In addition, I want to suggest that those whose services were terminated by the Government and who have not attained the age of 55 years be reinstated in their jobs. Life in Kenya is very difficult, and having some unemployed citizens is creating a very bad situation in the country.

All the time, we talk about donor funding. We talk about the World Bank and the International Monetary Fund (IMF). Every time we are told to comply with the requirements of these institutions. The Government has told us that it has complied with these requirements, but donor funding has not been forthcoming. We earn revenue as the Kenya Government, and for over ten years today, we have not received any donor aid. The Government should come up with a programme of doing away with the IMF and the World Bank funding and spend the locally generated revenue.

Mr. Speaker, Sir, other countries of the world, for example, India, have done away with the World Bank, and yet they are surviving. It is important for Kenyans, starting with leaders, to become transparent and accountable to this nation. If corruption is going to be practised, as it is going on now, then it is going to be a culture that some of our friends cannot do away with. Therefore, we will stay for another ten years without getting aid from the International Monetary Fund (IMF).

With regard to water in Kenya, be it in the big towns of Nairobi, Mombasa, Kisumu and Nakuru, there is a problem of water and there is water rationing. Why should we have water rationing in Kisumu City when we have Lake Victoria there? Water should be treated in order for Kenyans to have clean water for drinking. Even sea water from the Indian Ocean should be treated and be made available for drinking. There should be a mechanism to make fresh water available for drinking.

Mr. Speaker, Sir, there are problems in this country and these problems, combined with the situation that we are trying to create, will only get the children of the rich people going to school, becoming professors, lecturers *etcetera*. One day this country's leadership will be taken by the children of the rich people. The example is already with us! Let us create a situation where every Kenyan enjoys the fruits of Independence. If you go to the rural areas today, you will find children doing without food, clothing and even water! That should not happen!

Mr. Speaker, Sir, none of the irrigation schemes, which were started when this country achieved Independence, is functioning today. Why are they not functioning?

An hon. Member: That is because of KANU!

Mr. Kajembe: Mr. Speaker, Sir, if we had maintained those irrigation schemes, Kenya would have had a lot of food. But because of corruption, and since some of the people are untouchable, everything has gone under! Irrigation schemes are no longer functioning and the projects which were meant to benefit the public are not operational and nobody has been brought to book.

Mr. Kihoro: Mr. Speaker, Sir, thank you for giving me this opportunity to contribute to the debate on the Presidential Address. Unfortunately, I was not here on 12th, March, 2002, when the President gave the Speech, but I have read it.

Mr. Speaker, Sir, I went to Southern Sudan because I was invited by the people who live in the new Sudan. Sudan is a country which is devastated by war; there is a humanitarian crisis and Kenya should assist that country. I remember last year Parliament voted some money in the Budget to facilitate the Inter-Governmental Authority on Development (IGAD) programme, which is supposed to assist in bringing about a peace agreement in Sudan. That Programme is important and I went to Sudan deliberately because of the suffering of the people the New Sudan are going through. It is important for our Government, which has all our support, to give the IGAD programme a priority so that we can ameliorate the suffering of the people of the New Sudan.

Mr. Speaker, Sir, we do remember the times when Tanzania was of great assistance to countries like Mozambique, Zimbabwe, South Africa, Namibia and Angola, in their liberation. Kenya can play the same role in the emancipation of Southern Sudan from a process that has goes back to the founding of Islam 1,400 years ago. The

people of Southern Sudan have resisted "Islamization" and "Arabization" for a period of 1,400 years. They have got a right to exercise their freedom to be what they want to be. Nobody should force their thinking and ideology on others, be they white, semi-white or yellow people. They must allow the people of Southern Sudan to exercise their rights to self-determination and that is very important.

Mr. Speaker, Sir, the new Sudan is a country which is bigger than Uganda and Kenya combined; with a population of only 12 million people. This is a clear proof that a genocide war has been waged over the years through slave trade and, ultimately, the "oil weapon" now. It is important that Kenya refuses to import oil from Southern Sudan under any circumstance because that oil has been mined after displacing people in Southern Sudan.

We have always had permanent sources of oil in the Arabian Peninsular. If Kenya wants a new source of oil, they can go to Angola where we are also praying for peace. It is important that Kenya refuses to import oil from Sudan because importing oil from Sudan means giving Sudan money to buy guns and, therefore, the consequences of that are disastrous. Kenya and Uganda today have got a population of 60 million people. This is a matter which is urgent; let us not look the other way and pretend that it is not there, but this is a time for action.

Mr. Speaker, Sir, during the Presidential Address, His Excellency the President talked about poverty, ignorance and disease. These were the objectives that were set by the new KANU Government in 1963, and if you go through the economic measures today, to see whether the Government has succeeded or failed, you will find that the Government has failed. The Government has failed because the per capita income, that was at one time nearly US\$1,000 per year, has gone down to US\$400 per year. Ignorance levels have increased because at one point this country was able to take nine children out of ten to school and, today we have six out of ten.

Mr. Speaker, Sir, life expectancy has declined in this country. At one point we had 60 years as life expectancy, and even 65 years. Today, life expectancy levels have gone down to 45 years for men and 49 years for women. There is a crisis in this country!

Mr. Maundu: It will still continue to go down!

Mr. Kihoro: It is good my learned friend who did not succeed in getting any opportunity to go high--- He is a "Young Turk", though they did not give him anything!

Mr. Speaker, Sir, the mismanagement of the affairs of this country has overtaken us and that is why there is declining per capita income, declining literacy and life expectancy levels.

Mr. Speaker, Sir, one very important area is the question of fighting HIV/AIDS in this country. In 1999, I remember the President went to Mombasa and, 165 Members of Parliament attended the HIV/AIDS meeting and they declared HIV/AIDS a national disaster. That is where we are still today. None of all the Constituency AIDS Committees that were formed more than 18 months ago is functioning. HIV/AIDS was never a disaster. If it was, action would have been taken that is commensurate with the occasion. That has not happened. It is important to note that, as we talk, about the decline in life expectancy, we are really talking about how much HIV/AIDS has devastated the rural areas of this country. We talk of 700 people dying every day from HIV/AIDS-related diseases. That is not sufficient to make a nation to fight HIV/AIDS and take the message everywhere in all corners of the Republic. It is important that the campaign against HIV/AIDS, whether the President has forgotten it or not, must be at the top of the agenda in this country. That is the only way we can try to save our people from an irreversible situation which they cannot overcome.

Mr. Speaker, Sir, I also take this opportunity, and it looks to me as if I must speak a bit about foreign affairs, to congratulate the President of Zimbabwe, Mr. Robert Mugabe, for playing the "black" Cecil Rhodes. One hundred years after the whiteman Cecil Rhodes took over the land, President Robert Mugabe, in the third *Shimurenga*, is reversing the process. I say this deliberately because, in the present world, a man without a job, land or property is a man who is a eunuch. President Mugabe is bringing honour to his people and it is important that we also think along the same lines, not in terms of using violence to empower our people, but in terms of reclaiming what is rightfully theirs. In this country, we need to look at our land ownership laws. I know there is a Commission that is supposed to function, and one Mr. Charles Njonjo, who used to be the Attorney-General, is the Chairman. Two years after it was formed, nothing has come out of it. Maybe the only change there is could be the amount of money in the Consolidated Fund because I know members of that commission continue to earn their allowances. It is important that we look at the example of Zimbabwe and consider what has happened in Zimbabwe in terms of trying to reverse this unfortunate situation that was first initiated by the colonialists. Let us not play the man but play ball. Playing ball here means that, unless we do something similar to what happened in Zimbabwe, where only 4,000 whites own more than 70 per cent of the arable land, there is no way that situation can be reversed through money, capitalism or financial aid from Western donors.

Equally, Mr. Speaker, Sir, my own country needs a remedy in terms of empowering so many people who are landless. Fifty per cent of the people in Coast Province are landless or squatters who live on public or private land, and there is no solution to this very sad situation. Let us empower our people in the Coast Province. I can see one of the

Vice-Chairmen of KANU, Mr. Ngala, looking at me very hard. It is important that we try to reverse this process in a way that will empower our people through land ownership. Employment has gone out of the window, but there must be a solution that will be found in this country. I have said that 50 per cent of people in the Coast Province are squatters in their own country. That situation pertains in Central and Eastern Provinces. We need a solution quickly because we do not want a solution Zimbabwe-style. We want a solution Kenya-style. This is a country that must be proud to get a solution to land issues.

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

Mr. Ochilo-Ayacko: Mr. Speaker, Sir, thank you for giving me an opportunity to contribute. A couple of weeks ago, I had occasion to go to the warehouse of Sony Sugar Company and I discovered that they are unable to sell about 10,000 tonnes of sugar. They had 10,000 tonnes of sugar that had been processed from the sugar-cane purchased from farmers. These farmers had not been paid. Four days from my visit at Sony Sugar Company, I also had occasion to attend a seminar at Kisumu. This seminar was sponsored by Kenya Sugar Authority (KSA). In that seminar, I learnt that Mumias Sugar Company had, in their warehouse, 70,000 tonnes of sugar that had not been sold. The cost of this unsold sugar amounted to over Kshs2.5 billion. According to the Chief Executives of those companies, the reason why they were finding it difficult to dispose of their sugar is that there is imported sugar in our market. They suspected that unscrupulous business persons were also re-bagging imported sugar using local wrappers or labels. This is a very sad situation. I represent a sugar-cane growing community and when they stream into to my home asking for school fees and showing me delivery notes of the sugar-cane they have delivered to factories, it is a very sad situation. Their children have passed and have been selected to join Form one places in wonderful schools and some have been selected to join wonderful universities, but they are unable to send these children to those schools or universities because we are unable to protect or defend our own industry. There is need on the part of the Government to re-look at the COMESA Agreement in respect to sugar. There is a very serious need because the primary objective of a Government is to protect its own citizens and industries. This idea of flooding our market with imported cheap sugar from abroad is going to render us destitute. I believe that if this problem is not addressed quickly enough, then we have no business being both in this House or out of it because we are not defending our own interests.

That brings me to the real issue. To be more closer home, in December, this House deliberated and passed the Sugar Bill. That Bill was assented to by the President of this country. That Act had a clause which specified that the commencement date would be 1st April, 2002. All of us know that 1st April is Fool's Day. I do not believe that the coming into effect of that Act on 1st April was intended to fool farmers.

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

As I speak now, there has not been any step taken by the Government to put into effect the Sugar Act. What it means is that come 1st April, 2002, the KSA will be illegal. In fact, it will be the right of any member of this society to seek the winding up of the KSA because come 1st April, 2002 it will have been taken over by another organisation called the Sugar Board. This Sugar Board is supposed to be made up of farmers who are supposed to be elected from their various zones. Elections of any kind usually require elaborate organisation. The Government, particularly the Ministry of Agriculture and Rural Development, seems to be doing nothing to conduct election of farmers that will lead to the establishment of the Sugar Board. This Sugar Board is the one charged with the onerous responsibility of making sure that our markets are not flooded by imported sugar. Now, I do not know where this Government policy is failing, but I think, in an election year, for Government to have Bills passed and assented to, thereby making them Acts of Parliament, and failing to implement them, sells the Government wrongly. An example is what has transpired with regard to the Donde Bill which is an Act of Parliament but nothing is being done about it. If the Minister for Agriculture was here, he would do this country some good; by moving with due speed and putting into effect the Sugar Act which is supposed to put in order the entire sugar sub-sector that is threatened with closure because of cheap imported sugar and other factors that are not an issue right now.

Mr. Temporary Deputy Speaker, Sir, the other issue is what people call "free education". In this House, we passed the Children Bill which became an Act of Parliament, and it is now a law that must be followed. In this House, we agreed, and I heard the Minister and the Assistant Minister say very well, that education is now free. To say that education is free is very populist and is something that is wonderful when you say it. But out there, there is nothing that has been put in place to ensure that this promised free education is being implemented. What has happened is that this is a school term where we have extra- curriculum activities. These activities have monetary implications. The fact that levies or fees were banned from being charged on parents, guardians or people who stand in *loco parentis* has had the effect of impeding these activities. So, what is happening is that, these activities, like ball games or athletic events are

supposed to be going on, but they have not been sponsored financially. So you find school boards or school organizations running left right and centre to the homes of politicians looking for money. If Government is unable to provide the free education that they enacted into law or promised, then I think it is only fair that they reinstate these levies so that we do not have haphazard funding or subject those who run schools into the agony of trying to look for councillors and hon. Members of Parliament to support what Government had put into place as policy. Our neighbours, Tanzania and Uganda, have done very well. They knew that they wanted to provide what they call free education, so they liaised with the World Bank and they were able to procure funding for that kind of programme. What is going on in our neighbourhood - Tanzania - is very good. They are building schools and also employing teachers from an official stand point.

Mr. Temporary Deputy Speaker, Sir, about two weeks ago, I attended the DDC and we were informed by the District Education Officer that Migori District lost 140 teachers to diseases and other forms of life threatening issues. Now, Migori District was allowed to recruit only 147 teachers. We have lost 140 teachers in one year. In other words, the living teachers that we have by way of surplus are seven. If you take into account the number that may have retired, I think that employment opportunity did not help us. Now, in the Speech that we are debating, or from any Government policy stand point, we have not been promised recruitment of teachers this time. We do not know who will teach our children, particularly those of us who come from Migori District. We do not know how our children will perform in the national examinations when we have lost so many teachers to diseases.

Mr. Temporary Deputy Speaker, Sir, the last issue I would like to address is insecurity. The level of insecurity in this country is alarming. As I speak here today, my friend and colleague, hon. Wamunyinyi, has been attacked by thugs and he is currently hospitalised at the Nairobi Hospital. That is a Member of Parliament, and you remember the incidences of insecurity in places like Kariobangi and all over the country. There is very little that is being done to curb insecurity in this country, and if that is not addressed, then nobody is safe in this country.

With those few remarks, I beg to support.

Mr. Obwocha: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to make very brief remarks on the Presidential Speech. I would like to start with the agricultural sector, and I can see the Minister for Agriculture has just walked out. I would have wished he stayed here.

The Pyrethrum Board of Kenya is one of the best managed parastatals in this country equivalent to KTDA. But what is happening on the ground is very sad. The farmers have delivered pyrethrum to that organization. The pyrethrum has been crushed to pyrethrin, but what is happening is that, we have a Board of people who do not know how to sell the product. Kenya is, in fact, second in the production of pyrethrum in the world. When pyrethrum production in the world was 20,000 tonnes, Kenya was producing 16,000 tonnes. You can see how much we were getting. If we leave this crop to perish, it is going to be a very sad affair. What is now happening is that, there is a caucus of fellows who have been destroying industries and buying them at a loss. This is what is going to happen. I would like to tell the Minister for Agriculture to be very careful about liberalization in the pyrethrum industry because this is a specialised crop which should be handled very carefully. It is not like maize and other crops. I believe and hope that the Ministry of Agriculture will handle the issue of liberalization very carefully so that we do not destroy this crop.

Mr. Temporary Deputy Speaker, Sir, I would like to join my colleagues in saying that teachers must get what is due to them. We all appreciate that the economy of this country is at its lowest, but the Government promised to raise the teachers salaries, and until they come up and explain the promise, they cannot escape this. They have run down this economy. The other day I was reading an economic journal on Africa and Tunisia, which is desert like, and from 1999 to 2001, its economic growth was at 5.3 per cent while inflation was at 3.2 per cent. The production stood at 2.5 per cent of their GDP. This is a prosperous country which I can compare with Botswana, and yet this Government has run down the economy of this country. There is a challenge to hon. Members of Parliament, that this year, if we are serious about the teachers plight, in examining the next Budget, the Finance Committee must make sure that Phase II of that agreement is included in the Budget. It must be included in the Budget. I am saying this, because the Government collects Kshs190 billion per year and sometimes Kshs200 billion. We can afford to deduct that money from other Ministries like the Office of the President, the National Security Intelligence Service and other areas. We can get Kshs1 billion to Kshs3 billion to give the teachers one phase. We must do that this year. It is a challenge and we must make sure that we do it for the teachers.

Mr. Temporary Deputy Speaker, Sir, I was a very sad person when I heard one Member here, whom I respect so much because he is a lawyer, congratulating Zimbabwe. I was, indeed, shocked a bit, that our President was the first one to send a congratulatory message to President Mugabe. I knew that what he had in mind is what Mr. Mugabe did in Zimbabwe. The colleague of mine went ahead and said that the whites in Zimbabwe are few and they have taken the farms from Africans. I agree with that, but Africans must be more intelligent than what is being done in Zimbabwe. We must do our things properly. We must take those farms in an intelligent way using proper procedures.

We cannot condone what is happening in Zimbabwe! Africans must be more intelligent than whites. You cannot stand up here and say: "Oh! Mugabe has done wonderful things!" He stole votes there and he is taking those farms in a very crude manner. Africans need to do their things more intelligently. I cannot over-emphasise that.

The only other thing that I can say is that the Government has continued to neglect some areas of this country. In this year's Budget, the Government promised those of us who come from Gusii that the famous Kisii-Chemosit Road C21 will be done from October. We are still waiting and, up to now, nothing has happened! They cheated us in 1992. They brought tractors and put up a camp at Ikonge and nothing happened. In 1997, they brought them to Kimera and nothing happened. Now, I do not know whether they are going to put them at Sironga! I do not know what is going to happen but they want to take us for a ride. We have said no!

Mr. Temporary Deputy Speaker, Sir, on the Constitution of Kenya Review Commission (CKRC), nothing is moving! They came to the ground with no money. We have said that the civic education providers should start their work. That is not happening because there is no money. They now want to collect the views from the people. Now, what time do we have in collecting the views, coming up with a draft constitution to be debated, then taken to the National Constitutional Conference to be agreed upon and if not agreed upon, put to the people of Kenya on a referendum and then, coming back to draw the final constitution to be passed by Parliament? Do we have that time? We must de-link the issue of the constitutional review from the life of this House. The contract of this House is between ourselves and the electorate. We must respect our electorate. Let us begin the elections on schedule. Let us make no mistake about it because we want to prepare a Constitution for posterity and our children. That must be handled separately from the life of this House. I am urging Members--- I do not know why we are not standing up for our rights, so that we can address the issue of Sections 58 and 59 of the Constitution, so that the life of this Parliament could go up to its logical conclusion, so that the President does not wake up - like he woke up the other day and dropped his Vice-Chairman--- It is a very sad issue! At least, we sympathise with the Vice-President and Minister for Home Affairs. He should have done it in a more intelligent way than humiliating the Professor in that manner! He is a man who has served him so diligently! I hope he can read the signs of the times. He is the Vice-President but there is no ground. I hope he will read the signs of the times.

Mr. Temporary Deputy Speaker, Sir, finally, I want to say that the registration of voters must be continuous. It is very sad because, personally, I brought a Motion which was passed by this House, that we should have a continuous registration of voters exercise going on. The Attorney-General sneaked in some amendments in the Statute Law (Miscellaneous Amendments) Bill, which was put in abeyance. We want the Attorney-General to bring that Bill here, so that we can have a continuous registration of voters in this country.

With those few remarks, I beg to oppose this Motion which has no substance.

Mr. Badawy: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii. Katika Hotuba ya Rais wakati wa kufunguliwa kwa Bunge hili, alitaja mambo muhimu sana. Mwanzo, alitaja mambo yaliokaririwa hapa na wenzangu; yakiwa ni umaskini, ugonjwa na ujinga. Lakini hayo mawili ya mwisho, yaani maradhi na kutojua kusoma, yameambatana na jambo la kwanza la umaskini. Mtu akiwa maskini hana namna ya kunufaika au kujimudu akiwa mgonjwa ili apate matibabu sawa sawa, au aweze kuwaelimisha watoto wake na jamii yake sawa sawa. Kwa sababu hiyo, mada kubwa sana iliyokuwa katika Hotuba ya Rais ambayo yafaa kuzingatiwa kwa uzito sana ni umaskini na jinsi ambavyo tutapambana nao.

QUORUM

Mr. Mwalulu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is there a quorum in the House?

The Temporary Deputy Speaker (Mr. Musila): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Musila): Order! We have a quorum now. Just before Mr. Badawy proceeds, I would like to point out that we have had too many interruptions over the issue of quorum. Therefore, the Chair wishes to appeal to hon. Members to ensure that we do not have this recurring again because we have had too many interruptions since last week. May I request that hon. Members make a point of ensuring that we have quorum.

Dr. Kituyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. When I was making my contribution to this debate last week, I raised concern that there might be very little to skim out of that 20-minute Speech by the President and that there will be no quorum. It looks like the Opposition is reading much more in what the President said because you can see us making contributions. The KANU side does not find anything in what President Moi said. Could we force them to comment on their President's Speech?

Mr. Temporary Deputy Speaker (Mr. Musila): Order! I think hon. Members have taken note of what the

Chair said. Could you proceed, Mr. Badawy?

Mr. Badawy: Bw. Naibu Spika wa Muda, nilikuwa ninazungumza juu ya shida tulizokuwa nazo kutoka wakati tuliponyakua Uhuru, yaani mambo ya umaskini, ugonjwa na kilimo. Ni lazima tuzingatie kwamba tukitaka kuondoa maradhi na kulifanya taifa hili liwe lenye mwelekeo wa kilimo, ni lazima tuondoe umaskini. Masikitiko makubwa ni kwamba hii kampeini ya kuondoa umaskini ni moja katika mambo mapya yaliyozuka takriban sasa miaka miwili au mitatu iliyopita na imeongezeka katika ule msamiati wa maneno yanayopendwa sana kutumiwa sasa kufanisha mazungumzo kama vile, transparency, accountability, demokrasia na kadhalika. Msemu huu wa "Poverty eradication" pia umeingia katika ule wimbo. Mambo ya AGOA, COMESA na nadharia za uchumi ni milki za wasomi na waajiriwa katika sekta ya Utumishi wa Umma. Hizi si lugha au misemo ambayo mwananchi wa kawaida ambaye ndiye maskini zaidi anaelewa.

Kitu ambacho maskini anaelewa ni kuona kwamba anapofanya kazi yake ya jadi kama vile uvuvi, kilimo cha kujipatia riziki au biashara ndogo ndogo kama uchuuzi, ataweza kuifanya kwa raha na kuzaa faida. Hata tukiangalia mabaraza ya Wilaya, kwa sababu yamekosa mwelekeo kutoka katika Wizara mpaka mabaraza yenyewe, njia pekee ya kutengeneza ile bajeti ya makadirio ya matumizi ya mwaka ya mabaraza ya miji ni kama Wizara imewaachia uhuru wa kuangalia kadiri watakvowakamua na kuwanyonya wananchi wa tabaka zote; bora watengeneze bajeti itakayokubalika katika Wizara. Utastaajabu ukisikia kwamba mchuuzi analipa leseni zaidi kuliko mfanyabiashara ambaye ana duka lake. Hii ni kwa sababu anatozwa ushuru wa Kshs50, Kshs60 na hata Kshs100 kwa siku; kutegemea biashara anayofanya. Kwa hivyo, utapata mchuuzi analipa ushuru zaidi kuliko mfanyabiashara aliyestahili.

Wafanyabiashara maskini, wakulima na wavuvi wamewekewa vikwazo vingi sana vya leseni. Hii shida inayozungumziwa ya uchumi, kwamba Serikali haina pesa, imeelekea hata kutozingatia kuwahurumia na kuwafikiria wafanyabiashara, wakulima na wavuvi wadogo; kuangalia jinsi wataathirika na kuumia kwa kulipishwa leseni fulani. Kwa mfano, hivi sasa Wizara ya Uchukuzi na Mawasiliano kupitia kwa Halmashauri ya Bandari, inawalipisha wavuvi walio na mashua ndogo karibu US\$5.50. Hiyo ndio bei wanayotozwa kwa mwaka. Mbali na hayo, mvuvi hulipishwa leseni ya kuvulia baharini. Inabidi pia yule mvuvi anayetumia kimia alipe leseni. Mambo kama haya yanawaumiza na kuwakimbiza wafanyabiashara na wale wanoatafuta riziki zao za kawaida.

Huko Mkoa wa Pwani tunazingatia uchumi wa sekta ya utalii. Tumesema hapa mara kwa mara kwamba sekta ya utalii ni milki ya wageni na sio wananchi wenyewe. Inaendelea kuwa shida kila siku kwa wananchi halisi wa nchi hii kuingia katika sekta ya utalii kwa sababu ya vikwazo upi. zilizowekwa na kukosekana kwa mwelekeo na mwongozo utakaomsaidia mwananchi halisi wa hapa kuweza kujua kwamba mwongozo na mwelekeo wa Serikali katika sekta ya Nattabari ni kadhaa. Tuna Kenya Tourist Board (KTB) na kwa sasa hatujaona mwelekeo au mwongozo ambao utafanya KTB ishirikiane na Wizara ya Utalii katika kuelekeza na hasa kurekebisha dosari, athari mbaya na kuanguka kwa sekta ya utalii kutokana na sababu yoyote ile. Leo ni miaka mitano tangu KTB ilipoundwa na haijaunda mwelekeo wowote wa maana wa kuelekeza sekta ya utalii ili ipanuke. Utapata kwama mwananchi wa kawaida ambaye anashughulika na mambo ya utalii kila siku anakandamizwa kwa masharti na shida fulani. Bora tu yule mfanyabiashara mgeni aeleze kuwa huyu mwananchi, hivi anavyofanya kunaniathiri mimi, basi thamani ya mgeni ni kubwa zaidi kuliko ya mwananchi. Mambo haya yanazidisha umaskini.

Bei ya maji yanayotumiwa kwa kunyunyizia mashambani na kunywesha mifugo na hata kwa matumizi ya nyumbani ni ghali sana kwa mwananchi wa kawaida. Bei ya maji ni ghali kama vile bidhaa zingine na huku tunasema kwamba maji ni dharura kwa maisha. Utashangaa kwamba hata wananchi wanaoishi pambazoni mwa pipeline ya maji kwa mfano ile inayotoka Baricho mpaka Mombasa na Malindi, bado wanaendelea kutumia maji ambayo si mazuri kwa afya kwa sababu wameshindwa kulipa na kununua maji yanayosambazwa na Shirika la National Water Conservation and Pipeline Corporation (NWCP). Bei ya maji haya ni ghali sio tu kwa kunyunyizia maji mashambani au kwa kuwapa wanyama lakini pia kwa matumizi ya nyumbani. Hii ndio sababu vibanda vya kuuza maji pambazoni mwa pipeline zote kutoka Malindi mpaka Mombasa na Baricho mpaka Malindi zimefungwa kwa sababu watu wameshindwa kulipa.

Kwa sasa tunapozungumzia kuondoa umaskini, mpaka leo wakulima huko Malindi na sehemu nyingi za Pwani wameshindwa kuzipeleka bidhaa zao kwenye masoko. Utapata kuwa mkulima kutoka Tana River au Lamu hana hakika kwamba maembe yake yatafika Mombasa kwa usalama kwa sababu ya hali ya barabara. Utapata pia wakulima wanaokaa katika Irrigation Scheme ya Chakama wanashindwa kuleta mboga na matunda huko Malindi kwa sababu ya hali mbaya ya barabara. Hatujapata uwanja wa ndege wa kimataifa kule Malindi. Hata ile barabara ambayo inasaidia kuwaleta watalii kutoka Mombasa mpaka Malindi, hivi sasa kwa takriban miaka mitatu iko katika hali mbaya na haiwezi kutumika, jambo ambalo linaleta hasara kubwa sana kwa watumizi, yaani wachukuzi na magari yanayowabeba abiria.

Bw. Naibu Spika wa Muda, mambo ya Katiba yamezungumziwa katika Hotuba ya Rais. Mimi kama Muislamu nasema naweka ombi langu kwa viongozi wa vyama vyote vya kisiasa kwamba Waislamu tuko idadi kubwa hapa katika Kenya na mambo ya mila, desturi zetu na sheria za Kiislamu hayawezi kuepukika. Kwa hivyo, natoa ombi

kwa vyama vyote vile ambavyo vinavyotambua na vinawakimbilia Waislamu wakati wa kura, iwe ni KANU ama vyama vya Upinzani, wathadhamini sheria za Kiislamu na vizingatie mahitaji ya Waislamu katika Katiba mpya ambayo inaundwa. Hilo ni jambo ambalo Waislamu wa Kenya tumechukua msimamo juu yake; tunataka tufikiriwe kwa sababu tunahamini kwamba Muislamu ana haki katika nchi hii kama Muislamu. Tuna haki kuzingatiwa katika Katiba yetu. Kwa hivyo, tunataka vyama vyote, tangu chama chetu cha KANU na vyama ya Upinzani vyote ambavyo vimeona umahiri na ushujaa wa Islamu kwa sababu kila chama kinataka kuwapigania na kuwakimbilia Waislamu--- Tuna hamu kutaka kujua tutapata usaidizi kiasi gani katika Katiba mpya inayokuja.

Bw. Naibu Spika wa Muda, kama uandikishaji wa kura haukuongezwa muda kuanzia leo, basi vijana wetu wa Pwani wamedhulumika sana, hasa Waislamu, kwa sababu mpaka leo idadi ya watoto karibu 20,000 hawajapata vitambulisho hata baada ya kupeleka mahitaji kama vyeti vya kuzaliwa vya baba, mama, nyanya na babu. Wakipeleka vyeti hivyo bado vitambulisho havitolewi. Mahitaji hayo yameelezwa. Kama hayajazungumziwa katika Bunge hili, tunauliza leo: Ni kwa nini sisi Waislamu tunapaswa kutii sheria tofauti na za watu wengine? Kama Mbunge leo siwezi kuingia katika Bunge hili ovyo ovyo bila kuwa wananchi wa Kenya. Hata mtoto wangu akipatiwa barua ya chifu ambayo inasema kwamba: "Huyu ni mtoto wa Badawy ambaye ni Mbunge wa Malindi", hawezi kupata kitambulisho mpaka nimpe vyeti vya kuzaliwa vya mama na babangu. Ni haki gani hiyo? Kwa nini tunapaswa kutii mahitaji haya? Kwani wanaoishi katika mipaka ni wananchi wa Lamu, Vanga, Digo na Bajuni? Hakuna wananchi wengine wa Kenya hapa wanaoishi katika mipaka? Mbona hawalazimishwi kutoa vyeti vya kuzaliwa vya babu na nyanya zao? Kwa nini ikawa ni sisi tu ambao tuna majina ya Kiislamu? Kwa hivyo, kama muda hutapunguzwa na si lazima kwa sababu ya kura tuu lakini watu wetu wanapata shida hata kupata vyeti vya usafiri kwa sababu masharti yanakuwa ni hayo hayo. Bw. Naibu Spika wa Muda, Rais hapa amezungumza juu yua kuvumiliana, kustamiliana yaani tolerance katika Kiingereza baina ya wanasisia. Ni heri viongozi wawe na matamshi mazuri na yale ambayo sio ya uchochezi. Wacha nisema kama Mbunge wa KANU, naona Hotuba ya leo imetuelekea sisi zaidi wajumbe wa KANU hapa ambao ndio tuna tabia ya kuchimbana na kukatana miguu kuliko watu wengine baina sisi na watu wa Upinzani. Naunga mkono.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, thank you for giving me the opportunity to also contribute to this important Motion.

Mr. Temporary Deputy Speaker, Sir, for the first time since I came to this House, I felt inclined to support the President's Speech mainly because I felt it is not necessary to quarrel with an old man who is going home. We should let him go home feeling good and thinking that he has done a very good job even if he has not. I would like to take this opportunity to wish him a very happy retirement. I meant to say kind words about the Speech, but I changed my mind about that. I changed my mind when Kenya became the first country to congratulate Zimbabwe on the purported win of an election by President Robert Mugabe.

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Affey): On a point of order, Mr. Speaker, Sir.

The Temporary Deputy Speaker (Mr. Musila): Hon. Affey, but hon. Kihara has not even made a point!

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Affey): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to condemn the Kenya Government for congratulating President Mugabe when, in fact, the Commonwealth observers have declared the poll free and fair?

The Temporary Deputy Speaker (Mr. Musila): Order! Hon. Kihara is entitled to his opinion.

The Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Musila): Mr. Sunkuli, I hope it is a point of order.

The Minister of State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, the hon. Member is making a derogatory remark about a country which is friendly to Kenya despite the fact that the Standing Orders forbid that. Is he in order to continue condemning Zimbabwe?

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I will ignore that point of order because I do not think it is a point of order.

The Temporary Deputy Speaker (Mr. Musila): Order, hon. Kihara! Mr. Sunkuli, with respect, I think it is not a derogatory remark as such since it is just a criticism. I think it is a criticism which hon. Kihara is entitled to.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I have not said a thing. However, I know that the elections in Zimbabwe were rigged. Those of us who watch local and foreign media have seen how, right from the days preceding the elections---

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Is the hon. Member for Naivasha in order to say that the elections in Zimbabwe were rigged when he was in Naivasha and I was in Zimbabwe and Mugabe's Government won because it is articulating the land issue which the Africans want since they are the majority?

The Temporary Deputy Speaker (Mr. Musila): Order, hon. Ndicho! That is a point of argument! If you

want to say something I will recognise you and you will say it. Let hon. Kihara say what he wants to say.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, hon. Ndicho spoke about Zimbabwe and congratulated President Mugabe. We did not agree with him and neither did we interrupt him. He said he went to visit his friend, President Mugabe, but we do not know his relationship with him. However, we must clarify here whether we follow a policy of see no evil, hear no evil, say no evil when African leaders are involved in doing evil things. This is the same attitude that led to the Rwanda genocide because we could not stand up and criticise our own leaders.

Mr. Temporary Deputy Speaker, Sir, we know that before the elections there was a lot of intimidation and harassment meted out on opposition supporters. Mr. Tsvangirai was threatened with arrest and imprisonment. If it is a question of land, and I do not condone the question of foreigners owning thousands of acres, Zimbabwe is not a colony. About 4,000 *wazungus* can be dealt with in a civilised manner. You do not have to go killing them, burning their houses and doing other uncivilised things.

Mr. Temporary Deputy Speaker, Sir, now that the Commonwealth team has given their verdict and called the elections "seriously flawed", we hope that this Government will take the lead in condemning what happened in Zimbabwe and take whatever measures that the Commonwealth will take to punish President Mugabe.

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

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, we are in the Opposition and I do not know the interest of hon. Ndicho in this matter.

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. My interest is fairness. Is the hon. Member in order to criticise Zimbabwe and he refuses to criticise the United States of America for rigging elections in the way he is claiming President Mugabe rigged the elections?

The Temporary Deputy Speaker (Mr. Musila): Hon. Ndicho, that is the second time you have stood on a point of order that I would term frivolous. Hon. Kihara is entitled to what he is saying. He is quite in order!

Proceed, hon. Kihara!

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Affey): So, you are the Shadow Minister for Foreign Affairs and International Co-operation?

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I am speaking in that capacity. I think there are civilised ways of acquiring that land. We did it in Kenya. Those Europeans who are owning large tracts of land in Kenya are owning it because we have allowed them to own land and not because they are sitting on us. For us to say that they are sitting on us is to suggest that we are suffering from a colonial mentality.

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Affey): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has spent the last couple of minutes speaking about President Mugabe instead of contributing to the Presidential Speech. We do not need drama here!

The Temporary Deputy Speaker (Mr. Musila): Mr. Affey, one can spend the entire ten minutes talking about what he wants, so long as it is relevant. By the way, hon. Sunkuli raised the point that hon. Kihara was speaking ill of a friendly country. I would want to refer to Standing Order No.73 (1). It states:-

"Neither the personal conduct of the President nor any conduct of Mr. Speaker or of any judge nor the judicial conduct of any other person performing judicial functions nor any conduct of a ruler or the Government or their representative in Kenya of any friendly country shall be referred to adversely".

So far, that Standing Order has not been breached.

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

The Temporary Deputy Speaker (Mr. Musila): Order! Order! Mr. Ndicho, I will show you the door very fast!

Mr. Ndicho: You cannot read the Standing Order and then say that it has not been breached! He has said that President Mugabe stole the elections!

The Temporary Deputy Speaker (Mr. Musila): Order! Order, Mr. Ndicho! Are you arguing with the Chair?

Mr. Ndicho: No, Mr. Temporary Deputy Speaker, Sir

The Temporary Deputy Speaker (Mr. Musila): Proceed, Mr. Kihara!

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I said that is one of the reasons why I am critical about this Speech.

Secondly, I would not say very kind things about this Speech because of the circus that was in Kasarani yesterday. The Vice-President of this country and the Secretary-General, people who have been in KANU for a very long time and have been singing *KANU Yajenga Nchi* when these "Young Turks" were still wearing diapers---

The Assistant Minister for Local Government (Mr. Hashim): On a point of order, Mr. Temporary Deputy

Speaker, Sir. Is the hon. Member in order to discuss matters which do not concern him? The Kasarani affair was a KANU one and he is not part of KANU.

Hon. Members: He is a Kenyan!

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, he has been answered. I am a Kenyan and I am entitled to do this and to show the conduct of this Government where people who have rendered services in this country are not respected. The Vice-President is the Vice-President of Kenya and when he is treated so shabbily, we are bound to be concerned.

Mr. Kamolleh: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am a little bit confused. Is Mr. Kihara the Human Resources Manager of the Government? Could he substantiate, if he wants to talk about a particular Member of Parliament, rather than just talk loosely like that?

The Temporary Deputy Speaker (Mr. Musila): Mr. Kamolleh, you know very well that, that is not a point of order.

Mr. Kihara: Mr. Temporary Deputy Speaker, Sir, I really hope that the Ghai Commission has noted that we need a Vice-President who is directly elected by the people so that he is not treated so shabbily by the leaders of this country. That made me change my mind about saying kind words about this Speech.

Mr. Temporary Deputy Speaker, Sir, let me now turn to the question of teachers. Teachers in this country negotiated an agreement with the Government which we all saw. We saw Mr. Adongo and the President dance in Kabarak and thanking him for having agreed to give them salary increases and now, the Government has walked out on this agreement. Teachers have threatened to go on strike. We hope that the education of our children will not be disrupted and teachers' agreement which was entered into by the Government will be implemented.

Mr. Temporary Deputy Speaker, Sir, the President, in his Speech, said that we have made commendable progress in fighting poverty, ignorance and disease. I would like to submit that nothing could be further from the truth. Today, Kenyans are much poorer than they have ever been in the history of this country. Therefore, to say that we have made commendable progress, we wonder where this progress has been made.

On the question of health, Mr. Temporary Deputy Speaker, Sir, people are watching their relatives die because they cannot afford medication. There is no medicine in public hospitals and they cannot afford medicine in private hospitals. Where is this commendable progress?

On the question of ignorance, Mr. Temporary Deputy Speaker, Sir, we have never had so many children dropping out of school like we have today, and yet we have made commendable progress in alleviating ignorance! I submit that, that is not the case. When the *mwananchi* tries to solve problems using his own resources and ingenuity like building kiosks, people like Mr. Nassir, go to supervise the demolition of these kiosks.

The Assistant Minister for Local Government (Mr. Hashim): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity so that I can join my colleagues in contributing to the Presidential Speech. The Presidential Speech which was delivered recently really discussed the problems facing this country and gave directions on how to solve them. It is, therefore, our obligation as leaders to adhere to what the President said. But the problem has been in implementation.

Mr. Temporary Deputy Speaker, Sir, we are approaching a very fragile and important period and we need to be careful whenever we speak. As we approach the electioneering period, leaders have to be sober whenever they are addressing issues. Otherwise, we might find ourselves in problems and we will cause more problems to other Kenyans.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the incident that happened in Kariobangi. In the first place, this incident should not have happened. But since it has happened, there is nothing that we can do to revert the situation. I am convinced that the relevant authorities will use everything at their disposal to make sure that those involved in this very sad incident will be dealt with. It is a very sad situation and everybody is sad about it. But it has been the trend of some leaders in this country to politicise whatever issues arise. This is very wrong. I was perturbed to read that the Opposition leadership in this country, under the new forum calling itself National Alliance for Change (NAC), is calling for the resignation of the very able Minister of State in charge of internal security, Mr. Sunkuli, and the Commissioner of Police. Sometimes we have to be serious. The victims do not want rhetoric political statements. We have to give them spiritual, moral and financial support rather than issuing rhetoric political statements in order to gain political mileage. I find no reason why the Government should be criticized for this incident. The NAC called for the resignation of the Government and at the same time said that this incident shows that there is no government in Kenya. This is a very sad situation.

Mr. Temporary Deputy Speaker, Sir, on 11th September, the USA experienced a similar incident. It was attacked and there was nobody from the Opposition who called for the resignation of the Government and the Director of FBI. But here, it is sad that people are just criticizing the Government just for the sake of it. The Opposition in the USA shelved their differences with the Government and gave their President, George Bush, all the necessary support

to deal with terrorism. We should also give our President all the necessary support so that he can address this issue. We should not just issue statements just to show Kenyans that the Government has done this and that. This is a very wrong approach.

Mr. Munyao: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is not my intention to disrupt the hon. Member who is on the Floor, but is he in order to compare an incident that happened at Kariobangi, which was caused by people who are within this country, with an external incident which happened in the USA? The incident that happened at Kariobangi was an internal one. Is he in order to compare the two incidents?

The Assistant Minister for Local Government (Mr. Hashim): Mr. Temporary Deputy Speaker, Sir, the incident that took place in the USA is similar to the one that took place here in Kenya. I think we have to be serious and sometimes compare notes rather than rising on a point of order to please our bosses in---

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

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Hashim! You rose on a point of order against Mr. Kihara, but when somebody else rises on a point of order, you think it is a waste of time. Would you now continue? Mr. Munyao, would you now refrain from rising on a point of order?

Mr. Munyao: Mr. Temporary Deputy Speaker, Sir, I am addressing the Chair. Is the hon. Member in order to compare an incident that occurred in the USA with the one that occurred at Kariobangi when this one was an internal one? Is he in order to do that?

The Temporary Deputy Speaker (Mr. Musila): Order, Mr. Munyao! That is a point of argument and not a point of order! Continue, Mr. Hashim!

The Assistant Minister for Local Government (Mr. Hashim): Mr. Temporary Deputy Speaker, Sir, I will treat that point of order with the contempt it deserves.

Another very important issue is the constitutional review process and Kenyans should know that. It is my hope that the Commission will move round and collate the views of Kenyans. This process should not be used to hoodwink Kenyans so that they can put in place a Constitution of their choice.

There are some Kenyans who are marginalised in this country and there are some who have benefited. We want a situation whereby each and every Kenyan community will benefit from our resources. We have 42 tribes in this country but some have been forgotten completely. It is very sad that when other Kenyan communities would like to ascend to the Presidency, others, like the one I belong to are struggling to obtain the national identification card. This is unfair! We should have a constitution whereby each and every Kenyan should be treated equally.

I have another important aspect that I would like to talk about. In this country, in order for one to qualify to vie for the Presidency, he or she has to be 35 years and above. In the same spirit, in order for one to be elected a Member of Parliament, he or she should be 21 years and above. The purpose or rather the spirit of the Constitution in this particular section is that we should protect the leadership from children. The same case should apply to our old people. People who are over 70 years should not be allowed to vie for both the Presidency and also parliamentary seats. We should have a constitution in place which protects both the young and the old.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I would like to support this Motion.

Mr. Donde: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this very important Motion on the Presidential Address.

I would like to start my contribution by congratulating KANU and NDP for merging to form one party. I would like to do this because sometimes self-criticism may be a good thing. To me, this is a sign of maturity in politics because, as political parties, we are there to make sure that we take power so that we can implement our programmes. Therefore, for any two parties which feel that they can work together towards the attainment of that power and implement their programmes, that is maturity, as far as I am concerned. Therefore, I would like to urge my colleagues on this side of the House to look at this as a very important and historical event because this is not the first time that this has happened in this country. It happened when KADU did the same thing; they agreed to be swallowed by KANU and for the last 30 years, they have dominated the politics of this country. If we, on this side of the House are not careful, we will see a repeat of that kind of scenario. Therefore, that is a sign of maturity in politics in this country. Therefore, for other political parties which feel that it is difficult to work together, they have seen that such a thing is possible. I would like to quote the words of a friend of mine who spoke to me this morning. He said: "If one looks at the distance President Moi and Mr. Raila have taken to come and embrace each other, one would wonder how much distance it would take between DP and FORD(K) to work together". It is a short distance. To me, I think it is time for self-criticism and for us, as Kenyans, to look into the future of this country and see how we can make two strong opposing parties check each other in governing this country. I would like to inform Kenyans what my true feelings are towards what happened yesterday. I think all of us are politicians and we are here so that we can be in power so that we can implement the programmes we have for this nation. If you cannot find an opportunity to present your programme, then you have no business being in politics. Therefore, what happened yesterday at Kasarani is important and the

nation and Members of Parliament on this side of the House should not look at it as a passing event.

I would like to address myself to what the President said in this House during the State Opening of Parliament. He said that poverty, insecurity and corruption are the key problems we have in this country, but he did not say how his Government will deal with them. We know that there is poverty, but we wanted to hear from him the steps we will take to alleviate it. We know what causes poverty in this country. Poverty is caused by unemployment. If you do not have a job, you are likely to be poor. The second cause of poverty is old age. If you are old and you are unable to work, you are likely to be poor. The third cause of poverty is illness. If you fall sick and you are unable to work, even if there is work, you are likely to be poor. We would have liked to hear how each of the three causes of poverty will be tackled. We wanted to hear how the first cause of poverty, which is unemployment, will be tackled; we wanted to hear how the second cause of poverty, which is old age, will be tackled. How will we look after our old people? If you look at the census, you will find that there are only 1.8 million Kenyans who are over the age of 65. Surely, with four million working Kenyans, can we not have a programme where we can contribute towards their pension so that they can go to sleep knowing what they will eat; so that they can go to sleep knowing that if they have a headache, they can buy aspirin and they can go to sleep knowing that they can afford a blanket? I would like to say that it cannot be difficult for us, as a nation, to look after 1.8 million people who are over the age of 65. It is embarrassing for us to sit here in Parliament, pretend to be discussing issues that affect this country, and yet, we cannot look after our senior citizens who are only 1.8 million Kenyans, according to the last census. It is very sad that a whole Parliament, like this one, which takes taxes exceeding Kshs190 billion from Kenyans, can let their senior citizens sleep hungry because we cannot take even Kshs2 billion out of that money and give them a token pension for life. It is sad that we can be in this country, sit here in Parliament, which is supposed to look after the people of this country--- It is very sad for me to rise here and address this House when we know that we have the power to look after these people.

The third cause of poverty is illness. How would people, who are sick and cannot work, eat and sleep? Can we not look after them? This is the case and yet we collect Kshs190 billion in the form of taxes. Unless we address the three causes of poverty in this House, and see how we can solve them immediately, we have absolutely no business being here.

Mr. Temporary Deputy Speaker, Sir, last year, there were 5.8 million children in this country's primary schools. If we spare Kshs400 per child, to be given to primary schools, the figure works out to Kshs2.4 billion. Really, that is very little money for the Government. However, instead of implementing such ideas, we come here to say that So-and-so is short, So-and-so has big eyes, and such kind of talk. This is what we are supposed to do for our country, but nobody talks about it.

When I attended school in 1956, I was taught under a tree, and I used to write on the floor. Two years later, we were brought some slates on which to write. For three years, I learnt under a tree. If somebody had sent me away then, because I did not have school fees, would I be addressing this House today? Of course, I would not be here. We passed a law here last year, which prohibits headteachers from sending children away from school for lack of school fees. Today, headteachers are sending our children away from school and we sit here, pretending that everything is okay because we have passed the Children Act.

What are headteachers doing by sending our children away from school? Had I been sent away from school because I could not raise fees for the building fund, would I have completed my education? I was allowed to attend school even though I learnt under a tree, as long as my teachers were earning their salaries. That is how I managed to complete my education. As we sit here, we are learning despite the fact that we do not have pens and pieces of paper. But if two years later somebody asks you: "What did Mr. Donde say two years ago?", you will tell him exactly what I am saying. So, why can our children not be allowed to remain in class?

It is better for them to stay in class even if schools do not have books or chalk. Even if it means learning under a tree, children should not be sent home. Their staying in class with their teachers is what constitutes learning. The learning process is not just facilitated by what teachers scribble on blackboards using chalk, or what pupils write in their notebooks. So, we must be serious whenever we deal with the management of the affairs of this country. We are playing games with the lives of the people of this country. It is even embarrassing for me to be part of this august House and pretend that we can do something.

The Assistant Minister for Education, Science and Technology (Mr. Ojode): On a point of order, Mr. Temporary Deputy Speaker, Sir. I would hate to interrupt my colleague, but is he in order to say that children are being sent away from school for failing to pay school fees when, as a Ministry, we have said that no child will ever be sent away from school for not paying fees? If the hon. Member has evidence to prove that some children have, indeed, been sent away from school for lack of fees, let him give it to us so that we can take stern action against the headteachers concerned.

Mr. Donde: Mr. Temporary Deputy Speaker, Sir, tomorrow I will, through the Press, ask every Kenyan whose children have been sent away from school for not paying school fees to furnish me with evidence to that effect. I

already have many letters written by school headteachers to parents asking them to pay school fees. I will show them to the Assistant Minister. I have a letter from the Headmaster of Dr. Aggrey Primary School. I even wrote to the Commissioner of Police, Mr. Abongo, and requested him to invoke the Children Act and arrest the said headteacher. I have letters written to parents by that headmaster. I even gave copies of the letters to Mr. Abongo. I have a copy of one of the letters I supplied to Mr. Abongo, which I am also going to give to the Assistant Minister. I asked Mr. Abongo to take action against the particular headteacher.

I am glad that the Assistant Minister has asked for evidence to prove that primary school headteachers are sending children away from school for not paying school fees. Kenyans will hear about this issue this very evening. I will give him evidence to that effect and require him to act appropriately. The Children Act provides that if a primary school headteacher sends a child away from school they shall be jailed for one year. I was at a funeral in Ugenya on Saturday, and the crowd told me that half of their children were not in school. They said that headteachers do not recognise the Children Act because the Ministry of Education, Science and Technology has not played its part. I am glad that the Assistant Minister has responded to this issue. I believe that he will take appropriate action to address this issue fully once he is furnished with the evidence he has asked for.

Thank you very much, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Musila): Hon. Members, I would like to say that this is a very serious matter. As the Assistant Minister said, a circular has been issued to the effect that no primary school child should be sent away from school for non-payment of fees. However, as a Member of Parliament who represents a constituency, I know that what is happening out there is exactly what Mr. Donde has said. So, Mr. Ojode, perhaps you should, later on, come back to the House with a Ministerial Statement on this matter. I saw that you wanted to stand up and respond. So, the best way would be for you to appreciate the situation out there and then come back to the House with a Ministerial Statement on the matter. Children are being sent away from primary and secondary schools for non-payment of certain levies.

Mr. Twaha: Mr. Temporary Deputy Speaker, Sir, I rise to support the Motion. Before I make my own speech, I wish to express my dismay and alarm at the way some hon. Members of this House have succumbed to Western propaganda. They are actually vilifying President Robert Mugabe of Zimbabwe for doing what is absolutely correct.

When the British acquired 70 per cent of the land in the former Rhodesia, which is now Zimbabwe, they acquired that land at gunpoint. At that time, the British were at an advantage because *Cable News Network (CNN)*, *Sky News* and other media houses were not there to record that forceful acquisition of the land. Even if the media was there to record the events, the rest of the world was very weak then; it could not have offered any resistance. However, after a century of injustice, the people became enlightened and empowered. Zimbabweans have now decided to take back what was unjustly taken away from them. What is wrong with doing so?

As I said, some hon. Members are succumbing to Western propaganda. We all sympathise with what is going in Southern Sudan. It is probably right that sanctions should be put in place against the Government of Sudan. But it is also right that we should not forget the plight of other members of the human race. Palestinians are, for example, being persecuted by the Israelites, but the Israeli Embassy in Nairobi is being guarded by the General Service Unit (GSU) personnel. Kenyan security personnel are guarding the kin and kith of the killers of the Palestinians who reside inside the Israeli Embassy. The Russian Government is oppressing the people of Chechnya. Its armed forces have demolished the entire Chechnya City of Grozny through aerial bombardment. So, if we are going to have a foreign policy which is going to impose sanctions on one state, it would not be fair. We need to look across the board and be seen to be fair by imposing sanctions on every unjust state on earth.

Mr. Temporary Deputy Speaker, Sir, the problem of poverty, which the President referred to in his Address, requires innovative solutions and education. We should not just pay lip service to this problem. In my own constituency, there is a lot of poverty and unemployment. We have a lot of land but, unfortunately, it is Government land. Lamu District does not have Trust Land. The land in that district cannot, therefore, be allocated to the people to enable them fend for themselves by tilling it to obtain their daily bread. So, it would be appropriate for the Government to positively address the issue of land when it formulates its policy on poverty reduction. It would not be enough to give this land to unemployed youths. They should also be provided with capital with which to develop it. So, a credit system is required for financing young men and women to develop their farms, so that they can start their own families and fend for themselves. That way, they can enhance their income and uplift their standards of living. As other hon. Members have said, there is also need to make education available and affordable to everybody, so that farmers countrywide can apply modern farming methods and produce more, so that they can sell the surplus to raise money with which to meet other needs rather than live from hand-to-mouth for centuries on end.

Mr. Temporary Deputy Speaker, Sir, the President also called for tolerance amongst Kenyans, and advised us to work together. We support him very much on that point. However, the issue of implementing the teachers' salary

awards is of concern. As far back as 1998, we were told that the country's economy was in the intensive care unit. Probably, it has still not come out of the intensive care unit to date. So, rather than having the Government to implement the salary awards fully as previously agreed upon, maybe, new negotiations should be opened between the Government and the teachers, so that a realistic level of salary increment can be agreed upon.

Mr. Ochilo-Ayacko, in his contribution, decried the importation of sugar into the country. He said that it destroys our local industries. As an hon. Member from Coast Province, where dock workers are also Kenyan citizens, and have also a right to employment opportunities in several sectors like transport, warehousing, shipping, clearing and forwarding, I do not agree with that. They are all Kenyans, and are also entitled to job opportunities. It is a misguided policy to think that only farmers from Western and Nyanza Provinces are Kenyans and, therefore, they have the right to employment. There has to be a balanced approach to employment and sharing of the national cake.

The reason why Mumias Sugar Company cannot sell its sugar is because their sugar is too expensive, their production is inefficient and the procurement of cane, spare parts and other things are corruptly done. They pay for cane which has never been delivered and the managers are entertained in Dubai by crooks in order for them to buy expensive spare parts. They do not have to buy from middlemen in Dubai. They can buy directly from the manufacturers themselves. So, there are two sides to every coin. We should not be brainwashed by the media; that, the importers of sugar are unscrupulous. They are businessmen who pay taxes, and they employ people. Mumias Sugar Company is not an NGO; it is not a non-profit making organisation. It is there to make profits. It should compete with everybody else. They should first clean up their own house.

On the same topic, the Kenya Sugar Authority (KSA) levies a very stiff levy on the sale of sugar, which drives up the cost of sugar. The only thing that the management of Mumias Sugar Company does with that money is to give very big allowances to their officers and put very expensive marble on the KSA building, although it is a very big bank.

With those few remarks, I beg to support.

Mr. P.K. Mwangi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the chance to contribute to the Presidential Speech. I read the Presidential Speech with much regret. The President said that we have made very commendable progress in fighting poverty. When President Moi took power, the level of poverty in this country was 15 per cent. Today, it is more than 50 per cent. To him, that is commendable progress, in making more Kenyans poorer. We should note that the reason why Kenyans have become poorer is because of mismanagement and poor planning by this Government. We cannot sit down here, listening to rhetorical statements and speeches; that, we are still making commendable progress towards everything.

For this country to go ahead, the Government must make sure that it takes up its own responsibility; of giving education to Kenyans. It was sheer nonsense for the Government to say that primary education in this country should be free and compulsory, yet it did not offer the facility. It is high time this House stopped leaving everything to the Government, because it is not sincere. This House should now rise up and state very clearly that if the Government will not allocate any funds to cater for free education in this country, the Budget for this year should not be passed. As my colleague has already said, it is a very simple arithmetic. In fact, Kshs2 billion will be enough to cater for each and every child in this country who wants to get basic education.

Still on that issue, I would like to state clearly to the Government that even if the Minister seems to deny that, many children right now are out of school. They have been chased away just because of being unable to pay school levies. I would like the Government to visit those schools; ask for registers, and the Ministry will know what is happening.

On education, the Government, at the start of last year, gave the fees guidelines for secondary schools. But the principals of secondary schools are using other means in order to raise school fees. They are calling for parents' day meetings, and trying to show that the fees guidelines given by the Government cannot cater for the school needs, which is totally wrong. The other day we were invited to another school, and the BOG tried to give the notion that the parents agreed to increase the fees from Kshs20,000 to Kshs30,000 per year, whereas we are still saying that the level of poverty in this country is up. It is high time the Minister for Education moved into schools and made sure that the guidelines have been followed.

On the issue of security, in my area, for the last two months, I have lost six people due to insecurity. Last night, seven homes were attacked by thugs within a single village; Katipanga, where also an American was ambushed. The Government must make sure that it improves the living standards of the police force. We cannot just sit here and blame the police force, or the security officers, for insecurity, because their conditions of work are pathetic. They are very poor, and they do not have houses to live in. It is high time the salaries in the police force were increased. Otherwise, nobody can work for that salary. For example, somebody from Baringo is sent to work in Maragwa at a salary of Kshs3,000. What is that? That is peanuts! There is no way we can fight corruption when our police officers earn such a small amount of money in this country. Their salaries have not been increased. If we are able to increase

the salaries of other civil servants, and if we are fighting for salaries of other public servants to be increased, it is high time that even the salaries of police officers were increased. Their living conditions will be better, and they will give the Kenyan people better services.

On the issue of recruitment of police officers, I talked about it here last year, and I was thrown out. On the 1st of March this year, I attended the recruitment of police officers at Marira. The same thing was happening. It has reached a time when a child from a poor family cannot get anything in this country. I saw that there is no child from a poor family who could join Kiganjo Police Training College, if he or she cannot offer Kshs40,000. The Government should look into this issue of corruption. I know of a man, by the name of Mr. Kimeu, who had attained grade C, but he could not be recruited because he did not have a bribe of Kshs40,000. Somebody who had a D+ (Plus) was taken after offering Kshs40,000. What can the Government say about that? Here we claim that we have made commendable progress in combating corruption when we are promoting it!

Mr. Temporary Deputy Speaker, Sir, the spread of HIV/AIDS in this country is of great concern to us. It is high time the Government declared that no money should be charged in public hospitals. So many people are suffering in their homes because they cannot get these facilities. I would like to see a situation where every person can access medical treatment. That can contain the spread of HIV/AIDS in this country. People cannot access medicine because of poverty!

Mr. Temporary Deputy Speaker, Sir, in 1997, the Government agreed that it was going to award teachers a salary increase of 200 per cent. There should be no other negotiations about this agreement. The teachers should be given what was agreed upon. At that time, the Government agreed to pay teachers what had been agreed upon. The Government should not dishonour that pledge. It is the responsibility of the Government to honour that promise and give the teachers their salary. The teachers are not asking for favours but their right.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Musila): It appears that there is no hon. Member who is willing to contribute. I, therefore, call upon the Leader of Government Business to reply.

QUORUM

The Minister for Transport and

Communications (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, I do not know whether it will make sense for me to respond when there is no quorum in the House. I would like to draw the attention of the Chair that there is no quorum in the House.

The Temporary Deputy Speaker (Mr. Musila): It is true, there is no quorum. Ring the Division Bell!

(The Division Bell was rung)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Musila): Order, hon. Members! Having failed to attain a quorum, I have no alternative but to adjourn the House. It is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday, 20th March, 2002 at 9.00 a.m.

The House rose at 5.50 p.m.