

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 30th March, 2005

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

NOTICES OF MOTIONS

ADOPTION OF SESSIONAL PAPER NO.1 ON POLICY FRAMEWORK ON EDUCATION, TRAINING AND RESEARCH

The Minister for Education, Science and Technology (Prof. Saitoti): Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:-

THAT, this House adopts Sessional Paper No.1 of 2005 on policy framework on education, training and research laid on the Table of this House on Tuesday, 22nd March, 2005.

Mr. Oloo-Aringo: Mr. Deputy Speaker, Sir, I beg to give notices of the following Motions:-

ESTABLISHMENT OF BUDGET COMMITTEE

THAT, this House resolves to establish a Select Committee, to be designated the Budget Committee, which shall consist of a Chairman and not less than 14 other hon. Members who shall be appointed at the commencement of every Parliament.

THAT, the Select Committee shall examine annual and supplementary estimates of the expenditure presented to the House and shall report to the

House, what, if any, economies should be made consistent with the proper carrying into effect of policies implied in or by such estimates.

THAT, the Select Committee shall examine draft annual and supplementary estimates of expenditure which the Minister responsible for Finance shall table before the Committee at least 30 days before the final estimates are presented to the House.

THAT, the Select Committee shall evaluate tax expenditures, economic and budgetary policies and programmes with direct budget outlays and shall report such results and recommendations to the House every quarter.

THAT, the select Committee shall select a Chairman and Vice Chairman, and further that in the absence of the Chairman and Vice Chairman, the Committee shall elect one amongst the Members to take the chair.

THAT, the majority of the Members shall constitute a quorum, and that the Parliamentary Service Commission shall establish a Budget Secretariat to be referred to as the Office for Fiscal Analysis with such officers that are

necessary to facilitate the Committee discharge its functions.

REPEAL OF THE IRRIGATION ACT

THAT, this House do grant leave to introduce a Bill for an Act of Parliament to repeal the Irrigation Act, Cap.347 and to replace the same with appropriate law; to promote irrigated farming and control of floods and to provide for active participation of the beneficiaries in the irrigation sub-sector and for matters connected therewith and incidental thereto.

LEAVE TO AMEND THE KENYA POSTBANK ACT

THAT, taking into account that commercial banks have been unable to expand banking operations to many towns in Kenya, and are, in fact, withdrawing their services from these towns; and aware that the spread of banking operations is key to developing all parts of the country, this House do grant leave to introduce a Bill to amend the Kenya Post Office Savings Bank Act, Cap.393B Laws of Kenya, in order to allow the KPOSB in addition to and in furtherance of its responsibility and current functions, to advance loans and other forms of credit services to the target group; that is, the low income individuals and households and small micro-enterprises.

ESTABLISHMENT OF TECHNICAL COMMITTEE ON RECLAMATION OF YALA SWAMP

THAT, whereas the National Assembly approved a resolution calling on the Government to reclaim the Yala Swamp and to implement irrigated farming to increase food production and to promote commercial farming in the area; and being aware that the Government through the Lake Basin Development Authority, signed a memorandum of understanding with Dominion Farms Limited for the development of the Yala Swamp, this House urges the Government to set up a technical committee of experts to investigate and report on the extent of the implementation of this project and to recommend an action plan on how the project can be expanded in Siaya, Bondo and Busia; and further, the report of the findings of the technical committee be tabled in the House within six months.

ESTABLISHMENT OF OFFICE OF THE MINISTER OF GOVERNMENT OF KENYA

Mr. Muturi: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:- THAT, given the constitutional provision under Section 16(1) of the Constitution of Kenya, that "there shall be such offices of the Minister of the Government of Kenya as may be established by Parliament", aware that since the inception of the Republic of Kenya, Parliament has not established such offices of the Minister of the Government of Kenya, resulting in the arbitrary and uncontrolled establishment of excessive Ministries, this House do grant leave to introduce a Bill for an Act of Parliament to create offices of the Minister of Government of Kenya.

(Applause)

Mr. Deputy Speaker: Very well! Next Order!

ORAL ANSWERS TO QUESTIONS

The first Question is by Dr. Awiti, hon. Member for Karachuonyo!

Question No.021

IMPLEMENTATION OF IFAD PROJECTS IN SOUTH NYANZA

Dr. Awiti asked the Minister for Planning and National Development:-

- (a) when the implementation of International Fund for Agriculture Development (IFAD) project in greater South Nyanza with start;
- (b) what the amount of investment involved is and how much is earmarked for Karachuonyo Constituency; and,
- (c) in what way the local community will benefit.

Mr. Deputy Speaker: Minister for Planning and National Development? He is not here! Your Excellency, I have a problem again with the first Question by Dr. Awiti for the Minister for Planning and National Development. I am hearing and seeing nothing! Could you, please, tell us something?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr Deputy Speaker, Sir, the Minister for Planning and National Development is usually a stickler to rules. He is a disciplinarian and something must have happened.

Hon. Members: What? Is it his secretary?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Deputy Speaker, Sir, I do not think his secretary has anything to do with that.

(Laughter)

Nevertheless, I intend to get hold of him and I ask your indulgence. I know you have said that you do not want to push the Questions to another day, but may I request that this is put to Tuesday next week. If he will not be available, I undertake to answer the Question.

Mr. Deputy Speaker: I do not want to repeat what I said in the morning. Whatever I said in the morning stands.

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

Mr. Deputy Speaker: Let me finish, Mr. Mwenje, then you can say what you want to say. For now, I think the House will bear with the Vice-President and Minister for Home Affairs that the Question be deferred. We will not be deferring Questions. However, we do not want to punish hon. Members because of faults of Ministers. So, please, Mr. Vice-President and Minister for Home Affairs, could you prevail on the Ministers to be here on time? **Dr. Awiti:** On a point of order, Mr. Deputy Speaker, Sir!

Mr. Deputy Speaker: What is it, Dr. Awiti?

Dr. Awiti: Mr. Deputy Speaker, Sir, next Tuesday, I will be out of the country on Government business. Why can we not have it answered tomorrow?

Mr. Deputy Speaker: Let us have the Question answered tomorrow.

(Mr. Mwenje stood up in his place)

Mr. Mwenje, what is it?

Mr. Mwenje: Mr. Deputy Speaker, Sir, I was wondering why the Leader of Government Business does not know where Ministers are. Is it really right for him to tell us that he does not know where Ministers are?

Mr. Deputy Speaker: I think that is not for me to answer. Let us move on to the next Question!

(Question deferred)

Question No.012

IMPROVEMENT OF BUSIA AIRSTRIP

Prof. Olweny asked the Minister for Roads and Public Works what he has done to improve the condition of Busia Airstrip since the plane crash in January, 2003.

The Minister for Roads and Public Works (Mr. Raila): Mr. Deputy Speaker, Sir, this Question was originally directed to the Ministry of Transport. It only came to my Ministry yesterday. As a result, my officers are doing investigations and, therefore, I would like to seek the indulgence of this House to answer this Question next week.

Prof. Olweny: Mr. Deputy Speaker, Sir, that is okay with me. However, could we have a specific date for next week?

Mr. Deputy Speaker: The Clerk will organise that.

(Question deferred)

Question No.028

REFUSAL BY TSC TO EMPLOY VISUALLY-IMPAIRED TEACHERS

Mr. Deputy Speaker: Is Mr. Wamwere not here? The Question is dropped!

(Question dropped)

QUESTION BY PRIVATE NOTICE

HARASSMENT OF COMMUTERS AND PSV OPERATORS BY TOUTS

Ms. Mwau: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Transport the following Question by Private Notice.

(a) Is the Minister aware that touts have gone back to matatu termini country-wide and are harassing commuters and PSV operators?

(b) Is he further aware that the touts are collecting money from PSV crews in addition to what operators pay daily to the councils?

(c) What steps is he taking to abolish the illegal charges and stop harassment of commuters?

The Minister for Transport (Dr. Murungaru): Mr. Deputy Speaker, Sir, I beg to reply.

I am not aware that touts have gone back to matatu termini country-wide, and that they are

harassing commuters and PSV operators.

However, I am aware that attempts have been made by touts to make a come-back to stages in a few areas of the country, which has been effectively handled by the Kenyan Police. Between 1st January, 2005 and 22nd March, 2005, a total of 6,734 touts were arrested, taken to court and fined a total of Kshs2,020,200. Police operations continue to ensure that touts do not regain a foothold in the matatu termini.

I am also not aware that touts are collecting money from PSV crew in addition to what operators pay daily to councils. Only employees of matatus and bus companies are authorised to collect fares from paying passengers.

Touting is a traffic offence punishable by law. I, therefore, urge every Kenyan, and more particularly through their leadership in this House, who experience or witness touting, harassment or demand for any illegal payment to report the matter to the nearest police station or to contact my Ministry on hotline number, 0721 593182.

Ms. Mwau: Thank you, Mr. Deputy Speaker, Sir. I thank the Minister for the effort he has made to give us a good answer. As we speak, in Loitokitok touts are collecting up to 10 per cent of what PSV crews are collecting. In Kyambeke, Mtito Andei and Kibwezi, touts are collecting Kshs1,000 on a daily basis. In Athusi and Nunguni, they are collecting Kshs50 to Kshs100 as we speak. What is the Minister doing to ensure that this habit is stopped, since he said it is a crime, yet it is happening everyday in this country?

Dr. Murungaru: Mr. Deputy Speaker, Sir, as the hon. Member and I have said, it is a crime for anyone to tout. Indeed, the Government treats asking for money from PSV operators as extortion. That is precisely what the Government is trying to stop. I am glad that the hon. Member has availed this information. I am also happy that my colleague responsible for the police, who are responsible for law enforcement, is here and has heard that. All I can promise hon. Mwau is that, if indeed, this is happening, she will see action being taken against it very soon. I also want to say again, use the hotline!

Mr. Twaha: Thank you, Mr. Deputy Speaker, Sir. Recently, I had an experience of travelling from Dar es Salaam to Mombasa. From Dar es Salaam to Lunga Lunga, a distance of 450 kilometres, there was not a single roadblock. However, from Lunga Lunga to Mombasa, a distance of 70 kilometres, there were four police roadblocks. I travelled another distance of 500 kilometres within Mozambique and there was not a single roadblock. From Lamu to Mombasa, a distance of 300 kilometres, there were 13 roadblocks. What purpose do these roadblocks serve, and why are they not effective in lowering crime rate in the country?

Dr. Murungaru: Mr. Deputy Speaker, Sir, roadblocks are one of the interventions in control of trafficking illicit goods such as weapons and drugs, among others. They have been used by the police over the years for that particular purpose. However, although I am no longer in that docket, I know that there is a comprehensive policing reform programme by the Government. One of the things which will be looked at is the eradication of unnecessary roadblocks and instead strengthen and enhance the patrolling of our highways. That should take care of the inconvenience Kenyan motorists are suffering owing to the roadblocks.

Mr. Sungu: Thank you, Mr. Deputy Speaker, Sir. As I laud the Minister for his new appointment to his crucial Ministry of Transport, I want to say that his predecessor had, in fact, put in measures to control matatus. But it has come to light that there is selective enactment of the rules and laws, which the Minister introduced. For example, in Kisumu City, the famous Kondele matatus, which are a sign of Kisumu, have been removed forcefully from the roads, while such matatus operate elsewhere in the country, including Meru Town and Isebania. On what basis are these rules applying to some areas and not others?

Dr. Murungaru: Mr. Deputy Speaker, Sir, I have not quite understood what precise type of matatu the Member is talking about.

An hon. Member: Kondele!

Dr. Murungaru: There is no matatu called "Kondele". But I am aware that smaller vehicles than the standard matatus operate between Kondele and the Kisumu city centre. That has been brought to my attention and I have formed a small task force in my Ministry to look at that mode of transport. Indeed, I will be visiting Kisumu City to witness for myself that mode of transport and see how I can assist wananchi there travel more safely and better.

Mr. Keter: Mr. Deputy Speaker, Sir, could the Minister consider fining offenders on the spot instead of locking them up for fines as small as Kshs100 for those who are found without having their safety belts on, to ease the congestion in police cells and courtrooms?

Dr. Murungaru: Mr. Deputy Speaker, Sir, indeed, that is a concern of my Ministry and also the Traffic Department of the Police Force. My Ministry, the Office of the Attorney-General and the Office of the President are consulting to see how we can bring that about.

Ms. Mwau: Mr. Deputy Speaker, Sir, there are extortionist cartels that have been formed in Nairobi and upcountry for every matatu to be towed to police stations so that the Divisional Traffic Officer actually gets Kshs3,000. What will the Minister do to ensure that these cartels are got rid off? Could the Minister also promise that he will visit matatu termini in Nairobi to witness for himself that this is happening?

Dr. Murungaru: Mr. Deputy Speaker, Sir, once again, let me reiterate that those who seek to fleece operators in the transport sector are actually committing a crime and the police will deal with them as criminals. So, if there is any police officer who is involved in that kind of racket or whichever officer, they will be treated as criminals.

Mr. Deputy Speaker, Sir, I would also like to inform the House that the operation of buses and matatus has been assigned to local authorities. Actually, it is a very good source of revenue for local authorities. For example, for the City of Nairobi only, it has been estimated that if it utilised that particular source of revenue, it would net as much as Kshs200 million per year. That is a lot of money. So, we are encouraging the Ministry of Local Government to have the local authorities take up that responsibility so that we can do away with those cartels that have been preying on the transport sector.

At the same time, I would like to inform the House that, indeed, my Ministry, together with the police force, have formed special units to investigate and apprehend those who are flouting the newly established traffic regulations.

Mr. Deputy Speaker: It is now time for personal statements.

PERSONAL STATEMENT

INCITEMENT OF MAI MAHIU RESIDENTS

Maj-Gen. Nkaisserry: Mr. Deputy Speaker, Sir, I rise to make a Personal Statement as per Standing Order No.69. While the hon. M. Kariuki was giving a Ministerial Statement this morning, he erred by mentioning my name off-the-cuff and very casually indeed, that I took part in prayers in Longonot area that triggered bad blood among the area residents. This is a very serious allegation.

Mr. Deputy Speaker, Sir, Maj-Gen. Nkaisserry is a patriot who defended this country for 32 years. I am a nationalist not an inciter. The prayers alleged by the Assistant Minister as incitement were held by an interdenomination of churches and many Members of Parliament and other leaders were invited to participate. I am a Christian and I went for the prayers whose sole purpose was to pray for peace and stability in this country. There were many Kenyan communities that participated, including members of the Kalenjin, Maasai, Luo, Kikuyu, Luhya, Kamba, *et cetera*. We prayed for peace, rain and unity of the country. I left immediately after 12.30 p.m. I am not sure whether or not Members of Parliament are not allowed, under the NARC administration to pray as they wish. I have not also known that there are prayers for war as alleged by the Assistant Minister.

Mr. Deputy Speaker, Sir, I am aware that there is a plot to silence, through intimidation, outspoken legislators by this Government. I am one of those targeted legislators. But let me state that Maj-Gen. Nkaisserry is the last man to be intimidated by this Government. Make no mistake about my resolve to defend the rights of Kenyans. I am a peacemaker in our region. I brokered peace in Sudan and Somalia. How then, can I be one who can turn the country on fire? I know a bit about the shortcomings of this regime. If they are a bit scared of my knowledge, then that is their problem.

(Applause)

The security of Kenyans is paramount to me. The protection of their property is equally important to me.

Mr. Deputy Speaker, Sir, when we have hon. M. Kariuki and company praying in Likia area and clashes ensue immediately thereafter, what do you say to that?

The other day, the Government used a police helicopter, with hon. Mrs. Kihara in command, to kill Maasai herdsman. What do you have to say to that?

(Applause)

Mr. Deputy Speaker, Sir, as leaders, we must speak for the rights of our people. I believe in the dignity and sanctity of every community as people of God and it should be the intent of all elected leaders to protect and foster this dignity and sanctity. I believe that the right to this dignity and sense of work is our responsibility as people's representatives. As leaders, we must speak boldly and frankly on our nation's security, whether the Government likes it or not. This is our cardinal role in this august House.

Mr. Deputy Speaker, Sir, peace and stability require good governance, where human rights are respected and where the rule of law prevails. In all these crises, the Government is not the solution to the problem. The Government is the problem.

(Applause)

Mr. Deputy Speaker: Order, hon. Members!

Maj-Gen. Nkaisserry: Mr. Deputy Speaker, Sir, blaming and intimidating elected leaders will not do. Threatening citizens with a shoot-to-kill order will not do.

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

Mr. Deputy Speaker: Order, Mr. Wanjala! Have you finished?

Maj-Gen. Nkaisserry: I am just finishing. I believe I am the latest victim---

Mr. Deputy Speaker: Order, Maj-Gen. Nkaisserry!

(Loud consultations)

Mr. O.K. Mwangi: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Order, Mr. O. K. Mwangi! What I am saying is that, for your information, the statement you are making is of a personal nature. You are explaining matters concerning yourself. You are not supposed to initiate matters concerning other people because, if we proceeded like that, it would be endless! Everybody else will mention names, just like you have mentioned Mrs. Kihara! It means she will also need time to come and issue a statement. Therefore, I want hon. Members to understand that you are making a statement of a personal nature. It is not supposed to insult or even refer to other hon. Members. Could you finish?

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

Mr. Deputy Speaker: Order, Mr. Mwenje! We can only have one person at a time!

Mr. Mwenje: Mr. Deputy Speaker, Sir, your ruling is very correct. While MajGen. Nkaisserry is issuing a personal statement, which is not supposed to be questioned, he has also attacked another hon. Member in this House. Therefore, he has clearly breached the Standing Orders. In that context, you cannot allow him to complete that statement because he has attacked another person!

Mr. Deputy Speaker: Very well! I ruled as far as reference to Mrs. Kihara was concerned. I said that, that was completely out of order.

Maj-Gen. Nkaisserry, you need to withdraw that remark and then continue.

Maj-Gen. Nkaisserry: Mr. Deputy Speaker, Sir, *pole* to those who have been offended. I believe---

Mr. Deputy Speaker: Order! It is not *pole* to those who have been offended! You referred specifically to an hon. Member.

Maj-Gen. Nkaisserry: Mr. Deputy Speaker, Sir, I do not believe I need to do that because it is the truth! The truth must prevail!

Mr. Deputy Speaker: Very well! Maj-Gen. Nkaisserry, I give you one more chance to withdraw your statement concerning Mrs. Kihara, apologise and then finish your statement. If you do not do that, then I am sorry.

Maj-Gen. Nkaisserry: Mr. Deputy Speaker, Sir, the truth must prevail and I will not withdraw! I can walk out of this House.

Mr. Deputy Speaker: I, therefore, order that you leave the Chamber.

*(Maj-Gen. Nkaisserry withdrew
from the Chamber)*

Well, that matter is finished. It is not going to be debated.

POINTS OF ORDER

INSECURITY IN KWALE DISTRICT

Mr. Mwandawiro: Bw. Naibu Spika, naomba Taarifa kutoka kwa Waziri katika Ofisi ya Rais kuhusu hali ya usalama katika Wilaya ya Kwale. Kuna tatizo la usalama huko Kwale na inasemekana kwamba vijana wameshikwa kwa sababu wamepatikana wakijitayarisha kufanya ugaidi, kuzua ghasia na kusababisha wasiwasi katika Wilaya ya Kwale na maeneo ya karibu. Matokeo yake ni kwamba watu kadhaa wameuawa na wengine wametiwa ndani kuhojiwa.

Bw. Naibu Spika, watu wa Likoni na Kwale wana wasiwasi kwa sababu hayo ni maeneo yenye utalii mkubwa. Isitoshe, hali kama hiyo ilitokea mwaka wa 1997, ambapo watu wengi waliuawa na wengine wakakamatwa. Uvunjaji wa haki za kibadamu ulitokea katika maeneo ya Likoni, Diani, Kwale na Mombasa kwa ujumla. Tunajua kwamba kutokana na hali hiyo, utafiti na uchunguzi ulifanywa na mashirika ya haki za binadamu kama vile Kenya Human Rights Commission na NGO Council. Vile vile, kukawa na Tume ya Akiwumi kuchunguza chanzo za mapigano ya kikabila nchini, na katika Wilaya ya Kwale. Kwa hivyo, naomba Waziri katika Ofisi ya Rais aeleze wananchi hali halisi ya mambo. Ni nini hasa kinachoendelea katika Wilaya ya Kwale, ambapo vijana wengi wamekamatwa na hali ya wasiwasi inaendelea. Pili---

Mr. Deputy Speaker: Tosha!

Mr. Mwandawiro: Bw. Naibu Spika, nikimalizia, nataka kujua kiini kinachosababisha ukosefu wa usalama tangu mwaka wa 1997! Kiini hicho ni ardhi. Je, Serikali inakamata watu tu au inatafuta kiini hicho---

Mr. Deputy Speaker: Mr. Mwandawiro, umeuliza Waziri alete Taarifa na sasa unaendelea kumweleza. Sasa, atakueleza nini wakati atakapokuja? Kwa nini usimpe nafasi aende atayarishe majibu yako? Umemaliza?

Mr. Mwandawiro: Mwisho, nataka hakikisho kutoka kwa Serikali kwamba wananchi wasio na hatia hawatagandamizwa na haki zao za kibinadamu zitadumishwa wakati Serikali inaendelea kutatua swala hilo.

The Assistant Minister, Office of the President (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, this morning, a Question was asked about the state of security in this country. There was a more specific question about Kwale, and which I answered. So, I seek your guidance whether I should repeat an issue that I addressed this morning. I hope the hon. Member was present! I explained---

Mr. Deputy Speaker: Let me read the HANSARD first, and then I will make a ruling tomorrow. Let me look at the HANSARD of what you said in the morning and what he has requested, and then tomorrow, I will give a ruling as to whether the Assistant Minister needs to repeat what he said. If it is a repetition, I will make a ruling tomorrow. So, please, bear with me.

Mrs. Kihara: Mr. Deputy Speaker, Sir, I think I need to clarify some issues here because I have been attacked as a person, and it is only fair that I do so.

Mr. Deputy Speaker: I think I have dealt with that matter. If you wish to make a personal statement, Standing Order No.69 allows you to do so, provided that you clear with the Chair in advance. By indulgence of the House, you could do that. If it is a matter concerning the personal statement, we have finished. Anything else?

Capt. Nakitare: On a point of order, Mr. Deputy Speaker, Sir. This is a matter of national importance. We were elected in respective constituencies.

Mr. Deputy Speaker: Order! What is it?

Capt. Nakitare: Mr. Deputy Speaker, Sir, I am trying to seek a clarification from hon. Members whether it is---

Mr. Deputy Speaker: Order, Capt. Nakitare! This is the Kenya National Assembly. You do not just stand up and start speaking. There must be some order. If you want to check on anything, please, see me and I will give you an opportunity.

Capt. Nakitare: I will do that, Sir! But there is a lot of interference---

Mr. Deputy Speaker: Order!

MINISTERIAL STATEMENT

ERUPTION OF INTER-CLAN FIGHTING IN MANDERA

The Assistant Minister, Office of the President (Mr. M. Kariuki): On a point of order, Mr. Deputy Speaker, Sir. I wish to issue a Ministerial Statement this afternoon. The hon. Member for Mandera Central, Mr. Billow, rose on a point of order on 23rd March, 2005, to request for a Ministerial Statement, following what he alleged to have been a massacre of people in Mandera District. He specifically wished that the statement addresses the following:- That the Government made public announcements to the effect that it had given orders to the military to use jet fighters and helicopters to bomb villages where clashes were going on and that security forces, acting on orders on the morning of 23rd March, 2005, surrounded boreholes and water points, denying water to the residents and their animals.

Mr. Deputy Speaker, Sir, I find the claim on the alleged directive to the military to bomb villages mischievous and meant to distract attention on very serious security matters involving the lives of Kenyans. It is strange that the hon. Member seems to have been listening to other voices. The meetings I held both in Nairobi and in Mandera were attended by almost all hon. Members from the

North Eastern Province and many respectable elders from the region. There was no such directive issued to the military to bomb villages. The availability and the presence of security forces in the area was referred to, although not in the context of the statement by the hon. Member. I do not, therefore, wish to engage in diversionary rhetoric when it comes to the lives of Kenyans and the security of the nation.

Mr. Deputy Speaker, Sir, I want to reiterate and make it clear that the Government does not support collective or communal punishment as implied by the hon. Member. We, however, acknowledge the importance of Somali cultural practices and compensation as embodied in the so-called "*diya*". It is pursuant to this practice that the leaders and the hon. Members from North Eastern Province, including Mr. Billow who was present, appealed to the Government to ensure that the 14th February, 2005 resolution was adhered to. This cultural practice on compensation has no relation, whatsoever, with the Government resolve and determination to bring to justice the perpetrators of the heinous crime of murder, recently witnessed in the Mandera massacre. I wish, therefore, to reaffirm the Government's commitment and resolve to deal firmly and decisively with all those individuals who thrive on promotion of crime and violence in the name of their clans or tribes.

May I assure this House that the Government is ready to use all resources at its disposal to ensure that peace prevails in all parts of this country.

Mr. Billow: Mr. Deputy Speaker, Sir, first and foremost, I am, indeed, happy that the Assistant Minister has denied both directives. Immediately I requested for the Ministerial Statement, the helicopters which were stationed in Wajir were all withdrawn back to Nairobi. This is a good thing. However, the surrounding of the wells went on for two consecutive days, specifically in two locations, namely, Wargadud and Borehole 11 Locations in Elwak. People were denied water until they produced guns. That decision again, was withdrawn about three days ago. So, I am happy that in the denial, the Government has, in fact, got back on to the resolution.

Mr. Deputy Speaker, Sir, I want the Assistant Minister to clarify for me one thing. The massacre happened in my constituency and the people who were killed are my own people. The Assistant Minister has referred to this as an alleged massacre. Could he confirm whether there was no confirmation of the massacre? There was, indeed, a massacre that took place. I have made every effort to try and see the Minister to sit with him---

Mr. Deputy Speaker: Order! Mr. Billow, you were just seeking a clarification. You are now making a speech.

Mr. Billow: Mr. Deputy Speaker, Sir, it is good to seek clarification, and I had to explain the context.

Mr. Muite: Mr. Deputy Speaker, Sir, I would like to get a clarification from the Assistant Minister. He has said that the Government is encouraging the cultural practice and compensation. He is aware that under the Judicature Act, customary practices must not be repugnant to justice and good sense. Could he clarify whether the Government is going to encourage equal compensation for the life of a male and the life of a female, and in the same manner?

Mr. Mwenje: Mr. Deputy Speaker, Sir, you are aware that I am the Chairman of the Administration, National Security and Local Authorities Committee.

Mr. Deputy Speaker: We are aware, Mr. Mwenje! You do not have to remind us every time.

Mr. Mwenje: Mr. Deputy Speaker, Sir, during the Committee's meeting this morning, it was alleged by an hon. Member from Mandera District that last night, again, a number of people were killed, and that the killings were continuing even as late as this morning. We would like to know from the Assistant Minister whether this is true. If it is true, why are they allowing these killings to continue even after having said that the situation is under control? It was alleged this morning that more people had been killed in Mandera.

Mr. M.A. Haji: Mr. Deputy Speaker, Sir, I would like to disagree with my friend, Mr. Muite, that paying the *diya* practice is repugnant. It has something to do with culture and also religion. It is

deterrent and people do it willingly. They are not forced to do it.

The Assistant Minister, Office of the President (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, our approach to security is first and foremost to get the goodwill of the leaders. It is in this spirit that we spent four-and-a-half hours with all the hon. Members from the North Eastern Province to plan the way forward. An agreement was signed between the leaders on 14th February, 2005, and among other issues in that agreement was the issue of compensation.

The issue of compensation is a civil element. We are saying that there is a criminal element when people are killed or when there is an offence of murder or any other offence related to death. There is a civil element in terms of compensation. The proposal for compensation in accordance with the customary law of the Somali people is in that particular agreement. They want us to pursue and facilitate compensation in accordance to that agreement.

I am aware that the Judicature Act, Section 3(c) sub-ordinates customary law to other norms of customary law. To the extent that customary law is not repugnant to good sense of law, it will prevail. On where you can demonstrate that a particular section of the customary law is repugnant to good sense, then it will not stand. To the extent that any form of discrimination should be discouraged - that is what the Constitution says - I believe that the norms that are being promoted through that agreement are in consonance with the provisions of the Constitution, which outlaws all forms of discrimination. To that extent, I have not had any fears expressed, at least, not from the hon. Members from North Eastern Province.

Mr. Deputy Speaker, Sir, when we had our discussion with the hon. Members, it was an acknowledged fact that people died on that particular day at El Wak. We were able to get the number of the people who died. It came to about 22 people. That is a fact and it is not changing. As to whether it was an orchestrated massacre, and that is why I have talked about alleged, or they were isolated incidents of killing that is a different matter. The bottom line is that death occurred and 22 people were killed. About this morning, I have no information which I can give to the House. If there is an event, or killing going on, I will be able to inform the House at an appropriate time, if I am given proper notice to appraise it on the state of insecurity or security as per this morning. But what we were able to establish this morning is that guns continue to be surrendered in accordance with that agreement. I would like to thank all the Members from that particular province for their co-operation and the political will that they have given our office. Thank you.

Mr. Deputy 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 Wednesday 16th March, 2005.

*(The Vice-President and Minister
for Home Affairs on 17.3.2005)*

*(Resumption of Debate
interrupted on 30.3.2005)*

Mr. Deputy Speaker: Mr. Salat, you were on the Floor.

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

on the Speech by His Excellency the President. The Speech did touch on various issues. But one issue that I feel like commenting on are the Bills that the President said would be tabled in this Fourth Session of this Parliament. Since coming to power, the NARC Government has passed seven Bills which have been adopted and become law. In the President's Speech, he did actually say that in this Fourth Session of Parliament, the Government will table 16 Bills and four Sessional Papers. My concern is that, if since coming to power this Government has only managed to adopt into law seven Bills and here we have 16 Bills, I am wondering if the President actually is very much aware that this House, and especially the Cabinet, is so divided that we are actually doubting if any of the Bills that he would have wished this House to adopt will be adopted because of the division. This division is so evident that I wonder if the President actually reads newspapers or even watches television. Everyday we hear Ministers and Members of Parliament bickering. That goes to show that the President should step in and make sure that if any Bill is to pass, there has to be order, both in the Cabinet and Parliament. For the first time I think this was a very brief Speech. It would be important that he is aware of what goes on around. The best way to do that is to realise that there is a lot of division in his Cabinet and Government.

[Mr. Deputy Speaker left the Chair]

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

But sometimes I wonder if we are not all to blame for what is happening.

I would also like to touch on the media because it is also not helping. The media is just interested in crisis after crisis. More so, there is a lot of confusion in all the institutions of Government. The Judiciary is still not out of the woods. Recently, the magistrates were on strike.

I would also even want to touch on the clergy who have become partisan. There is total confusion and chaos. Dr. Mwiria did say this morning that, all institutions of Government have to play a role. That role is to make sure we do what is expected of us, so that all Kenyans can actually achieve and get the benefit of being their representatives.

The citizens of this country are very unsure about us, hon. Members of Parliament. This is because they expect us to actually deliver where the President or Cabinet cannot. So, if we are all going to be part of the confusion, it will be very difficult to serve wananchi. It is not prudent of us to just focus on the Office of the President. We are also an institution and we should do our role. Kenyans are aware that they elected NARC. But as we are all aware, there is so much division within the party. When Members are actually saying they are LDP, DP or NAK, that is where the confusion comes from, and Kenyans are watching.

So, as to the Bills that will be tabled in this Fourth Session of Parliament, I really doubt if we will get anywhere with the kind of state that Parliament, Cabinet and country is at, at the moment.

Mr. Temporary Deputy Speaker, Sir, one of the very touchy issues that I would like to comment on, even after the "*kisirani*" of Kasarani that has affected even our party, KANU, is the issue of land which the President did touch on. Land is an issue which is very emotive, as most Members have alluded to. If the Government does not handle the issue of land properly and carefully, it will continue being the cause of insecurity. When a Minister decides to cancel 10,000 title deeds like he did, we would have actually loved that he tables the names of the people whose titles were cancelled. The evictions in Mau Forest are going to affect about 10,000 people. When those people left to go and settle at the Mau Settlement Scheme, they sold their land. The title deeds to the land they bought have been cancelled. It would be the same if they go back to their original land that they sold before they went to the Mau Settlement Scheme and tell the owners that they sold their land. That in itself is the cause of problems and insecurity. We would like to make sure that this Government does take the

issue of land and title deeds very seriously. It should respect the sanctity of a title deed. We would like the Government to handle the issues of land very carefully.

Every Member who has stood to speak on the President's Speech has touched on the issue of security. However, we have only talked about the increase of insecurity. I would like to actually say that the poor remuneration that the police officers in this country are given is partly to blame for the insecurity. We, as Members of Parliament, would like to make sure that we are secure in our package that we get from Parliament. Can we also extend the same to security officers? Right in their shelters, they live in very pathetic conditions. How do you expect the same people to provide you with security and yet, the security of their families is not secured? When we talk about security, we must be concerned with the officers who are providing that security to the citizens of this country.

Mr. Temporary Deputy Speaker, Sir, this Government promised Kenyans a new Constitution. I can say that a new constitution is nowhere near completion. As far as the mood of the House is concerned, we are still very divided. Everybody is interested in: "What is in it for me!" "What can I get out of it?" That, to me, means we are heading nowhere. So, it is always good to be honest to Kenyans and let them know that a new Constitution is nowhere in sight. So, let us prepare for that. Unless leaders come together and know that this Constitution is not meant for individuals but for posterity, we will not be able to get closer to a new Constitution. So, mine is to say that a new Constitution, which Kenyans are yearning for, is nowhere near.

With those few remarks, I beg to support.

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the President's Speech.

When the Leader of Official Opposition made his contribution, he said that there was nothing to talk about in the President's Speech. He kept on lamenting from one thing to another. I wish to answer and tell him that there are so many things that the Government has done. There are so many things that we have been blessed with. We should not just lament! We should also talk about the blessings.

Mr. Temporary Deputy Speaker, Sir, the first blessing that I would like to talk about is the gift that we have been given in the name of President Mwai Kibaki. He has given us the democratic space to say anything under the sky. We should consider that as a blessing.

He has also given us a Vice-President who is very hard working. He visits all parts of the country. To me, that is a blessing and we should consider it so. There are so many blessings that are happening in this country, but people are ignoring them and only lament.

Mr. Temporary Deputy Speaker, Sir, the free primary education has a very positive contribution to the education of children in this country. More than 1.5 million children who were out of school are now learning. That is a blessing which we should talk about.

Mr. Temporary Deputy Speaker, Sir, for the first time, we now have the Constituency Development Fund (CDF). This year, each constituency had a minimum of Kshs20 million. That is a blessing and something to talk about. It should not be ignored. The CDF is changing the lives of wananchi at the grassroot level.

Mr. Temporary Deputy Speaker, Sir, for the first time, we have Constituency Bursary Funds which are really helping the poor. That is a blessing. How come that nobody has talked about it? They are only lamenting!

Mr. Temporary Deputy Speaker, Sir, the Constituency AIDS Control Committees (CACC) have been reconstituted and some money allocated to them. For the first time, they are now effective and trying to eradicate HIV/AIDS. That is a blessing and we should be thankful about it. We should not just continue lamenting about things that the Government has not done.

Mr. Temporary Deputy Speaker, Sir, our farmers are happy. The dairy farmers, for the first time, are getting their monthly payments from Kenya Co-operative Creameries (KCC). The price of

milk has gone up from Kshs8 to Kshs16 per litre. That is a blessing. The livestock farmers are happy. We should talk about them.

Mr. Temporary Deputy Speaker, Sir, the maize farmers are also happy. The price of maize has gone up from Kshs400 to Kshs1,600 per bag. They are also getting their payment from the National Cereals and Produce Board (NCPB) in good time. We should be thankful and count that as a blessing and not just keep on lamenting.

The sugar-cane farmers are happy. For the first time, they are getting their payments on time. The loans that were crippling the sugar factories have been waived. That has increased their disposable income. So, the sugar-cane farmers are happy. We should consider that as a blessing and not ignore it.

Mr. Temporary Deputy Speaker, Sir, recently, coffee farmers had a reason to be happy. The Government gave an undertaking to the Co-operative Bank of Kenya to waive the debts crippling coffee factories. If that happens, the money that coffee farmers use to pay the loans will go directly into their pockets. That will increase their disposable income. That is a blessing. How come nobody is talking about those things? People are just lamenting about things that the Government has not done.

Mr. Temporary Deputy Speaker, Sir, when we took over the Government, we were told that there was insecurity because the police were under-paid. As a result of that, their salaries were doubled. That is a blessing. How come nobody is talking about that? We were also told that another cause of insecurity was lack of vehicles. The Government bought vehicles for police stations to curb insecurity. That is a blessing. It is something that was not there.

Mr. Temporary Deputy Speaker, Sir, teachers were promised a salary increment in 1997. It is only this Government that agreed to give them the increment. Teachers are now happy. How come nobody is talking about that? Why are we only lamenting?

Mr. Temporary Deputy Speaker, Sir, for civil servants who are occupying Government houses, they will be given the first priority to purchase them. That never used to happen before. That is a blessing and we should be happy and talk about it.

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to continue counting his blessings without referring to the sermon?

(Laughter)

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, these are not my blessings. They are blessings for Kenyans. I am counting them because the Leader of the Official Opposition, in his contribution, said that nothing has happened in this country that is worth talking about. I am replying and showing him that we have got so many blessings and we should be thankful to God.

Mr. Temporary Deputy Speaker, Sir, let us talk about the economy. Before the year 2002, the economy was under-achieving. In fact, it was growing at a rate of -1.9 per cent. Now, we are told by the Treasury that it has attained a growth rate of over 2.4 per cent. By the end of this year, it is expected to be 3 per cent. That is a blessing. It means that the economy is growing, jobs are being created and that is a blessing. We should talk about it and not just keep quiet.

Mr. Temporary Deputy Speaker, Sir, talking about collection of taxes, this year KRA has exceeded its collection budget by more than Kshs25 billion. If KRA had not done this, probably the Government would have increased taxes. Now, the Government is not going to increase taxes because revenue collection is going up. That is a blessing which we should be happy about. We should also talk about it.

Mr. Temporary Deputy Speaker, Sir, for the first time the Government is giving due recognition of the environment. We are determined to protect our forests so that we do not continue missing rain as we have experienced in the previous two years. To protect our environment, it means that certain painful decisions must be taken. In order to protect the forests, loggers must be evicted.

Mr. Sambu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to mislead the House that loggers must be evicted when this Government has just renewed the licences of Pan African Paper Mills, Raiply and Comply? This is---

The Assistant Minister for Justice and Constitutional Affairs (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, we must make a distinction between natural forests and plantations. The saw millers have been given licences to cut trees in the forest plantations, and that is allowed. If a tree is more than 20 years old it will start drying up in the forest plantations and, therefore, it has to be cut. I am saying that we need to talk about blessings and not to keep on lamenting, and to do this, certain painful decisions must be taken for the sake of the future of this country.

Mr. Temporary Deputy Speaker, Sir, talking about the Constitution, His Excellency the President said that there are no contentious issues. I have looked at the statistics and the Bomas Draft was passed by 55 per cent of the delegates. The other 45 per cent walked out and among those who were left, 30 per cent were just curious. So, in effect, it was passed by less than 30 per cent.

With those few words, I beg to support.

Mr. Ogur: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to tell the Government where they have gone wrong. They know that my constituency borders Tanzania. They know that the number of rivers I have in the constituency emit their water into Lake Victoria and we get fish when they are small. Inevitably, men are also born small and become big. The Assistant Minister said the *omema* will grow. They do not grow. They are born with that size. We eat them when they are that size. They are already big when they are that size and we are told we cannot catch them. Do you know why? *Mbuta* which is the big fish eats them and it lives in water. We are warned that some parts of Lake Victoria are not ours. They tell us that some parts of this lake is not ours and yet we provide food in terms of *omema* to the big fish inside the water. We do not fish there. We do not even mark our fish going to the deep waters and so we cannot also go there.

Already, they are now confiscating our fishing nets so that we cannot even catch the small fish we have bred on our side. We leave them to those people who claim the huge territorial waters of Lake Victoria. Who are they working for? For the people occupying the large part and yet we have nothing? We cannot eat the fish. The fish is exported overseas.

We manufacture and give them fish to export and we are given a very small bit of the lake without even a demarcation. There is no fence. When we chase our fish, our people are caught and taken to Tarime, Musoma and Mwanza jails. Our fish which we have already caught cannot be given back to us. They are confiscated. The same happens to our nets and motorboats. My friend, Mr. Temporary Deputy Speaker, Sir, is that justified? Is that God's blessings which our brother here talks about?

(Laughter)

That blessing does not reach us and so we do not get it. We do not want it.

Mr. Temporary Deputy Speaker, Sir, there are people who call themselves scouts from Uganda and Tanzania who arrest our people. Why do we not have ours to arrest some of them because it is a declared war? They come from the Tanzania and Uganda sides to arrest our people and jail them in their countries. Is that not declared war? Why do we not have our scouts to fight for us or do you want us to fight for ourselves? When we hold spears, *rungus* and stones--- We throw stones at them and by the time we try to run back to our waters we are already arrested because in the first place our motorboats are taken away at gunpoint. I hear they allege we are pirates. No! We just go to collect fish for food. We are refused to look for fish from our waters for food and you say that is a blessing.

Mr. Temporary Deputy Speaker, Sir, in Nyatike we do not even have roads and I hear some people are holding onto money with dry fingers which is meant to make roads. Who are these people?

An hon. Member: The Mount Kenya people!

Mr. Ogur: Oh, Mount Kenya! Oh, you are! You are holding money for making our roads and you want us to be friends?

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Ogur! Address the Chair!

Mr. Ogur: Mr. Temporary Deputy Speaker, Sir, I am talking through you to them. How do I speak to him? I am talking to you! I am telling you to tell them that they are wrong to withdraw the money for my roads and they want to be our friends. No! If that is a blessing, I say no. Where is the money?

Mr. Temporary Deputy Speaker, Sir, I thought that when a teacher dies, his or her family gets death gratuity. Why do you not replace teachers as you replace DOs, DCs and PCs? Why do you not do the same when a Minister dies? Why do you not replace teachers whose salary was already made available through the Ministry and the TSC? What is wrong?

Mr. Temporary Deputy Speaker, Sir, provision of free primary education is good. However, free from where? Not from nursery but class one. How do you come to class one before you are in kindergarten, pre-primary and nursery? How can you do that? Why do you not begin from the beginning? The free primary education should start from kindergarten, nursery and then pre-primary. That should be the start of free primary education and not class one and stopping at class eight. You are nothing if you are a standard eight graduate. In fact, that is no education. Even the pupils in the most backward parts of Kenya do not reach standard eight. They reach form four. The bursary they get for secondary education is nothing, not even a drop. It is small. CDF is also small. I thank the Government very much for the CDF, but it is small. Let me tell you it is not a blessing.

Mr. Temporary Deputy Speaker, Sir, with regard to water, a long time ago when I used to be in KANU, we used to tell people that by this and that year we will ensure that there is water in every home. Today, we still get water from the dirty river that flows from the Kisii Highlands. Right now, River Kuja has flooded my area as it rushes "madly" to Lake Victoria with its waters reddened by the Kisii red soil. Can this Government not realise that, that water is not fit for drinking? Why can the Government not give us good water for drinking, good roads for transport, good schools and a replacement of dead teachers? Why can the Government not give us good hospitals? All we have are hospitals with no doors, windows, doctors or medicine. Is that what you call development? Are we not good enough to have these things? That is the reason we removed KANU from power and yet the NARC Government has not moved even an inch towards the positive side.

All this time, we have only been talking about corruption and blaming it on the past Government. We have mentioned names of corrupt people and still we are told that the Government needs evidence, but the evidence is in what I am saying.

(Laughter)

I am the evidence when I say that so-and-so is corrupt. That is evidence enough. Do you want me to go and tie Mr. so-and-so with a rope and bring him here to lay on the table to prove that he is corrupt? People and the media have mentioned corrupt people in this country. Even people who never went to school say that in the NARC Government there are corrupt people. Is that not evidence? What other evidence does the Government need?

The Government is buying time with the Constitutional reforms because it still wants to maintain some individuals in the Provincial Administration. God knows why the Government wants to keep these people. However, we are telling you that in the Draft Constitution of Bomas of Kenya, the part that deals with devolution of power is very clear. That is another piece of evidence the Government does not want to talk about. The Government is ever talking about producing evidence including what was discussed in Bomas of Kenya. It has delayed the process deliberately and it keeps talking of the Draft Constitution having contentious issues and yet it is the Government which is contentious. It is not what we passed at the National Constitutional Conference that is contentious,

rather it is the Government. The Government ran away while we were at Bomas of Kenya and now it wants to come back. We will also run away from the Government when it brings its contentious issues.

(Applause)

Mr. Temporary Deputy Speaker, Sir, we will not wait for the Government to do all these things. We will leave it behind. Already, we are talking badly about the Government. We are telling it how bad it is and yet it does not want to change, let alone admitting that we are in a coalition Government. The truth is that NARC is a coalition Government.

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

(Laughter)

Mr. Ethuro: Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me this chance to contribute on this Motion. However, I take issue with the way this Motion is structured:

"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 Wednesday 16th March, 2005."

Already, we are being constrained that we should be grateful. Yes, we are grateful to the President for the Speech. I am grateful because we have a President, but there are issues in the Speech that I cannot be grateful for. How can we be grateful that we are supposed--- We should be grateful that we have a menu of Bills that we are yet to debate in this House.

Mr. Temporary Deputy Speaker, Sir, how am I supposed to be grateful when the President's Speech did not touch on the state of insecurity in this country? Our country is burning. There are clashes in Mandera, Naivasha, Trans Nzoia, Pokot and Turkana, and carjackings and rape cases are on the increase. Is that what I am supposed to be grateful for?

Mr. Temporary Deputy Speaker, Sir, I can be grateful that the President said that this is the most empowered Parliament. That I agree with. However, we empowered ourselves and the Government is fighting this Parliament. The same Government is telling us that we are empowered with the Constituency Development Fund (CDF) which is only 2.5 per cent of the national revenue. Where does the 97.5 per cent go to? Now we have a campaign by the media to discredit this Parliament. I was completely shocked that the Speaker of the National Assembly in his welcome Speech did not mention that there was an onslaught on Parliament. When we talk of our salaries and all other issues, it is part of the parliamentary democratisation process which has been implemented in phases.

Mr. Temporary Deputy Speaker, Sir, democracy is expensive. People of this country will have to decide whether we want to be a democratic institution or not. The Constitution is very clear. It declares that Kenya shall be a multi-party State. That is why people rioted. Those of us who are now on the Government side used to be in the Opposition. I am a bit fortunate that I have always remained on the Government side although I do not see the difference.

(Laughter)

The NARC Government manifesto has one slogan: Democratic Empowerment. Those are two important words, but there is neither democracy nor empowerment when the Government is busy poaching Members from KANU in order to have a bloated Cabinet. That move has changed NARC's priorities and let us not cheat ourselves. If we went to the public and said that KANU was doing this and that on the nation and now we embrace the same KANU, are we not embracing the evil? What are we going to tell Kenyans and what are we going to say about our own credentials on democratic

institutions and governance? What are we going to say about our principles and commitment to democracy?

Mr. Temporary Deputy Speaker, Sir, I am grateful for the bursary fund. If there is one Minister who is working hard and actually not quarrelling, then it is hon. Prof. Saitoti. But the money that he is using is not new money. It is the money that used to be allocated to the BoGs. It is only that we devised a system that would discourage people from visiting newly elected MPs everyday to ask for school fees. Where I come from, many people cannot go to secondary school---

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member not making the Chair uneasy by attacking KANU when we know that on the Chair currently is a Member of KANU?

The Temporary Deputy Speaker (Mr. Poghio): The Chair is not KANU.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I do not need to speak on your behalf. However, the substantive Speaker has always said that the Chair is the Chair. It cannot be KANU, NARC or hon. Mwenje who claims to be Dr. Mwenje. I do not know where he went for his graduation.

(Laughter)

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. Did I hear the hon. Member try to doubt my doctorate degree which I received in Los Angeles in the State University of California? I can even lay the certificate on the Table.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I think that is good for comic relief and especially after my good friend from the Lake Victoria, hon. Ogur spoke.

The President was very eloquent about his personal commitment to the new Constitution. However, his actions do not demonstrate that personal commitment. It is particularly sad that our Head of State can be personally committed to an issue which can drag for ages. That is not personal commitment. For example, when we went to Bomas of Kenya before the General Election of 2002, that was something which we should have started on a priority basis and on the basis of our own promises and commitments to the people of Kenya. We should be through with that Constitution, whether we like it or not. Let no one cheat himself that constitutions are not made for individuals. I know that when people talk about constitutions and individuals, they think of Mr. Raila, and they do not think of themselves. They are not supporting a new constitution because they have entrenched themselves in those positions. There is nothing wrong, I really wish I could want a position there. There is nothing wrong with being ambitious; the late Mr. Muliro told us: "You have no business in politics if you have no ambitions to be the President, the Prime Minister, to be a Minister or anything". But we want this Parliament to be in such a way that I should not be bribed to be on the Front Bench and lose my conscience, like most of my friends who are there. They have lost their conscience and do not even remember us these days.

(Applause)

We want a Parliament where as a back-bencher, I will be able to remain firm and idealistic because of the people of Turkana Central, who sent me to this Parliament.

Mr. Temporary Deputy Speaker, Sir, we are talking about renovating this Parliament so that Kenyans can see and watch their Members of Parliament in action; that is not true for Turkana. My people cannot be able to see me in action! We want each and every corner of this Republic to be covered, at least, by the Kenya Broadcasting Corporation (KBC). The Government should promote other institutions all over the country, not just in Nairobi! It is not those radio stations that just abuse people! Anything should be consistent with what we say out there.

On corruption, I would like to say that our Government cannot be committed to fighting corruption when a whole institution of Parliament with powerful watchdog Committees like the Parliamentary Accounts Committee (PAC) and the Parliamentary Investments Committee (PIC) can make reports which are mutilated and butchered by this Parliament and the Ministers.

(Applause)

Leadership has to come from the front and precisely, corruption started at the front. He wants to lead from the front and we know now that corruption is in the Cabinet; it is at the top! So, let action be taken where? At the top! Kenyans are not passive for nothing. Kenyans have seen politicians act, and I know Members will now start saying that this Parliament is becoming strong headed so, we should dissolve Parliament. Let us dissolve the Cabinet. We are not quarrelling as a Parliament; it is this Cabinet that does not subscribe to the doctrine of collective responsibility.

(Applause)

It is the President who picked this team; we never told him to pick who and who but he picked them himself! If he is not happy with the team, it is up to him to remove them. If he cannot remove them, let him not remove me from Turkana Central. I fought very hard to come to this Parliament!

(Applause)

An hon. Member: *Utarudi tena!*

Mr. Ethuro: I do not want anybody to send me home because he cannot manage his own Cabinet.

Mr. Temporary Deputy Speaker, Sir, I beg to support.

Mr. Okemo: Thank you very much indeed, Mr. Temporary Deputy Speaker, Sir. I would also like to contribute to this Motion on the President's Speech. I think it was a fairly well prepared Speech, but I think it just remains a speech, because if it really formed the basis for action or for implementation by the Government, then I think it failed miserably in coming out with many issues that many Kenyans are asking today. In my humble view, I think we have only two issues, and these are the two issues that, if I was the President of Kenya, I would really deal with. In dealing with those two issues, I would really have dealt with all the issues. The first issue is that of a new Constitution, while the second issue is that of economic recovery. If you deal with those two issues, then I think you have dealt with most of the problems that confront this country. I think many of us seem to forget why there was a clamour or why there was an urge by Kenyans for a new Constitution. The main thing that made Kenyans say they wanted a new Constitution was because of the excessive powers that were vested in the Executive, specifically the presidency. My friends on that side were actually the crusaders; these were the people who really spear-headed this fight. They went on to tell us that they wanted a people-driven Constitution; a *Wanjiku*-driven Constitution. It appears that they have forgotten and today, they have almost sommersaulted 360 degrees and now, they are strong opponents of a new Constitution. All right, I can understand the motivation that when you are in power, power is sweet and it corrupts. So, I can understand why NARC and some of the biggest advocates of a new Constitution have turned out to be the biggest stumbling block of a new Constitution. I am surprised, for example, to see some of the real driving force between the urge for a new Constitution being the people who are actually playing games to put spanners in the wheel of getting a new Constitution.

When we were in power as KANU, and some of the guys or the people on the other side were

in the Opposition, the major argument was that Mr. Moi had become too powerful; and Mr. Moi, as the then President of Kenya---

Mr. Weya: On a point of order, Mr. Temporary Deputy Speaker, Sir. Did I hear the hon. Member calling Members "guys?" Is it in order?

The Temporary Deputy Speaker (Mr. Poghio): What is your point of order?

Proceed, Mr. Okemo!

Mr. Okemo: I do not know what hon. Weya--- I do not know what is under his clothes but anyway, I would like to continue with my contribution. The question of a new Constitution does address---

Dr. Khalwale: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Okemo aware that in this House, we also have hon. ladies, who are also Members? Is he in order?

(Applause)

The Temporary Deputy Speaker (Mr. Poghio): What is this?

Proceed, Mr. Okemo!

Mr. Okemo: Mr. Temporary Deputy Speaker, Sir, could you save my time because I think these are frivolous points of order?

I would like to continue with my contribution on the urge for a new constitution because it will address concentration of not only political power but also economic power. We have seen an example of what the Constituency Development Fund (CDF) can do. That is a very small test of devolution of power. Economic resources are filtering down to the local level. If we increased the percentage of the CDF to more than 2.5 per cent, the Central Government will have an easy task. It will only be dealing with national projects and all the other projects will be handled by the CDF. There are shortcomings with the CDF, but that does not mean that its concept is bad. I think it is a question of addressing and putting in place proper systems to improve on its management. I do not think that the solution is to abolish it as some people are advocating.

In my opinion, even the question of corruption that people have been talking about exists because we have very weak institutions. This vice thrives because we do not have strong oversight institutions. If we entrench the oversight institutions in the Constitution, corruption will literally take care of itself. There are so many loopholes today in many institutions. People occupy positions and use them to enrich themselves. However, it is easier to deal with corruption if institutions which provide checks and balances are in place. It does not really matter who occupies which position because the institution will be clearly defined and entrenched in the Constitution.

The urge for a new constitution is for everybody's benefit and we should deal with it very urgently. Some people are not interested in having a new constitution, while others would like to have a particular type of constitution. We should rise above that. As a Parliament, our prime objective should be to come up with a constitution which serves the best interest of Kenyans, and not the interest of individuals. It really does not matter who becomes the Prime Minister or the President of Kenya. Today, we have President Kibaki, and some people may be happy with the current Constitution, maybe because he is a good leader and does not misuse his powers. What will happen tomorrow if you have another person being elected the President of Kenya with the excessive powers we have today? We will be back to square one. We would like to have a constitution which serves Kenya for posterity and not one which is convenient to a group of people today but does not serve the purpose tomorrow.

Today, it is fine to have Mr. Murungi and others in the Government. Tomorrow, if they will be in the Opposition, they will wish and pray to God that we have a new constitution. They will say that the President is too powerful, he will muzzle them and trample on democracy. So, these things work one way and they can also work against us. It is a double edged sword. I do not think that we

should look at our current positions and use that as an argument to stifle all the efforts aimed at coming up with a new constitution. We are actually courting trouble if we continue the way we are doing because if Kenyans go on the streets to demand for a new constitution, we will lose the fight. This is because we will deal with anarchy and not reason.

We have a chance and Kenyans have begun to give up hope. Why do we not, as a Parliament, take the lead and make sure that we come up with a new constitution? We should come up with a constitution which encompasses the wishes of Kenyans, which have already been captured in the Bomas Draft. There may be some aspects of the Draft which are not good but we are here because of that. We should deal with those aspects objectively. We should not deal with them because we want to favour a particular group or individual.

Mr. Temporary Deputy Speaker, Sir, on the question of economic recovery, the Economic Strategy Paper is a very good document. Unfortunately, it is predicated on assumptions which are completely unsustainable. If you work on a five-year plan and your assumption is that you need Kshs300 billion from the donors, which is a substantial portion of the resources you need in order to achieve the 7 per cent economic growth rate, and in the first year you see that, that money is unlikely to come, I think the best thing to do is to go back to the drawing board. I am very surprised that President Kibaki, whom I have a lot of respect for and think that he is a very good and eminent economist cannot realise that the donors will not release the Kshs300 billion. If that forms the basis for his economic growth projection, then it is a stillbirth. The baby is dead before even the lady gives birth.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Kembi-Gitura: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion.

It is my humble belief and conviction that we will not make big strides in this country as we anticipated unless and until we deal with two major issues; namely, corruption and tribalism. It is my view that all of us must realise that we have only one country known as Kenya. Each one of us has a duty to work towards developing this country. This is an interesting House because so many political parties are represented here. It is a sad day when you hear hon. Members tribalising everything instead of talking about the state of the nation, or what they want to do for the nation. They want to go to the cocoons of small parties, criticise and trivialise every effort which has been made by some hon. Members of Parliament and the Government just because they think that they must say something. I believe that it is time we realised that Kenya is a nation and worked towards its improvement. I listened when Mr. Ogur spoke here. Although there were some good points in his speech, I was saddened that in every other thing he said, he had to refer to a people he calls "Mount Kenya". He talked about "Mount Kenya mafia" and "marionettes". We cannot afford to deal with petty issues in this august House, where 31 million Kenyans look upon us to lead them and give them hope that we will change this country.

There is corruption in this country and there is doubt about this. It may be perceived or real. Anybody who denies that there is no corruption and anybody who wants to ask for evidence from us, as ordinary members of the society, is burying his head in the sand. Such people should work towards eradicating corruption in this country.

What makes me sad is that a foreigner in the name of a British High Commissioner can keep on telling us how we should run our country and deal with corruption as if we were his children. Does he give his advice from a point of strength or contempt?

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. In accordance with our Standing Orders, we are not supposed to discuss the person of a diplomat accredited to this country. Is the hon. Member in order to discuss a High Commissioner of a friendly country to Kenya?

The Temporary Deputy Speaker (Mr. Poghio): Mr. Kembi-Gitura, Standing Order

No.73 (1) says:-

"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 the ruler or the Government or the representative in Kenya of any friendly country shall be referred to adversely except a substantive Motion is moved for that purpose."

Mr. Kembi-Gitura: Mr. Temporary Deputy Speaker, Sir, I apologise and withdraw my remarks, if I have transgressed against the Standing Orders.

But corruption is a very serious issue, indeed. It is a situation that we must deal with ourselves. What makes me sad is that foreigners have to tell us about corruption in our country. We should be able to deal with it without other people paternalising us; telling us what we ought to know and making us look like we do not know what we are doing. We have been independent for just over 40 years. It is time we took stock and asked ourselves: "What legacy did we attain from our previous rulers, the British? What can they teach us today? Is it not them who inculcated those things in us and have perpetuated them? My challenge to foreigners who keep on telling us about corruption; and I say that because there is no corruption in Kenya, but because I am sick and tired of being paternalised, even as we tackle our own problems of corruption and the things that afflict us in this country, I challenge them to find time and read a book called *Britain's Gulag* and see the kind of legacy they left us with. They ought to see whether we have done well or not. Indeed, they should take stock and find time to deal with our problems.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the issue of tribalism. It is my belief that---

The Assistant Minister for Regional Development Authorities (Mr. Odoyo): On a point of information, Mr. Temporary Deputy Speaker, Sir.

Mr. Kembi-Gitura: Mr. Temporary Deputy Speaker, Sir, I do not want to be informed!

The Temporary Deputy Speaker (Mr. Poghiso): Very well! You may proceed!

Mr. Kembi-Gitura: Mr. Temporary Deputy Speaker, Sir, the point I was making is that tribalism and ethnic beliefs in this House could divide us. However, we must realise, at the end of the day, that we are one country with one destiny.

We have seen the economy of our country. Is it growing or dwindling? Let me take an example of the financial markets in this country. It is my very strong belief, indeed, that any country that does not control its financial sector is doomed to fail. Who is controlling the economy of our country today? How many foreign institutions do we have in this country? We have banks controlling the biggest bill in our development. I hope that every hon. Member in this House has read that Barclays Bank made profits worldwide, however, 27 per cent of their worldwide profits were made in Kenya; a country of only 31 million people. These are some of the banks, and I say this in broad day light, that are working very hard to destroy the indigenous entrepreneurs of this country. When will we legislate and look at the Banking Act and say that a bank can only make so much from an entrepreneur or any other person in Kenya? When will we legislate and say that, for example, Barclays Bank and Standard Chartered Bank, among others, can only source or procure goods and items from our country? As it is today, biro pens and other stationery are imported and then the money is sent back to their mother country. What are we? Are we just a playing field where we are trampled on by people who then come and ridicule us, destroy the heroes of this country and then say that they are here for our benefit? It is my considered opinion that these are things that we must think about seriously.

It is also my considered opinion that those people who are making money out of our very sweat must also be bound to have a social responsibility towards us. Not just to look at us as a laughing stock, or to say how bad we are in business. We have people in this country who have worked very hard, indeed, and if we will have economic recovery, we must start thinking seriously on how they can control the financial sector of this country.

Mr. Temporary Deputy Speaker, Sir, as I wind up, the President's Address had many good things going for it. He talked about the constitution and economic growth. On the constitution, why do we blind ourselves in this House and pretend that the constitution is the province of the President only? Why do we not agree from all sides of the political divide that we have a duty to ourselves because we made promises to our countrymen and the people we represent? The President alone cannot make a constitution. Why do we not concede that as long as there is wrangling and disagreements among the political parties which is based on pettiness, there will be no new constitution in this country? We must start by having consensus amongst ourselves as hon. Members of Parliament and agree whether or not we want a constitution. We must extract the issues that bother us as we move towards making a constitution. We must agree and check out what it is we want to achieve. However, if we want to tribalise and paternalize, then I can give a solemn promise that we shall never have a constitution. It is time that we started thinking of making amendments to the existing Constitution to suit the present situation. However, consensus is a must if we are to have a constitution. We must realise that no hon. Member in this House is bigger than the country. We must take stock and ask ourselves how long one can be a President or Prime Minister. What about the future generation? Is this not abject selfishness on our part even as we bring those extraneous issues? I suggest that we must now take stock and decide what it is we want to achieve.

Finally, planning is necessary for a country like ours. Statistics are very important. Kenya is a country that should never experience famine 50 years after independence. The country should have sufficient food security. All this goes down, in my very honest opinion, to the planning in this country. Why do we have ASAL areas which cannot be irrigated, so that we have food baskets in this country? When will we realise that the planning of this country must be for everybody and not just for certain parts of the country?

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

Mr. Omondi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also add my voice to what my colleagues have presented in this House for the last seven days.

All that has been said and, probably understood in this House has touched on the governance of this country. We know of three basic components of the Government: The Judiciary, the Executive and the Legislature. On the Legislature, I know hon. Members of Parliament have done a lot of good work for the last two years that they have been in this House. In the last Session, we had a number of Bills and this House passed 12 Bills, which were to become law. Among these 12 Bills, three of them were not assented to by the President.

There is something wrong with the Executive. The Executive is supposed to be an engine of what the Legislature and the Judiciary do. The Executive comprises the President and his Ministers. These people are supposed to guide the Government to the extent of providing wealth to the country.

Mr. Temporary Deputy Speaker, Sir, down there, particularly in my constituency, I cannot say that there is wealth because of the 400,000 people who reside there, I can very confidently say that only 10 per cent are sure of one meal a day. Most of them go without food at all and those who have shelter sometimes go without having money to pay the rent on account of high rent.

The Government must be concerned about the plight of people who can be referred to as vulnerable in society. In Nairobi, the local authority is supposed to take an upper hand in this aspect. However, this cannot happen because of the people we have there. The Nairobi City Council is known for theft of people's money. It is known for not providing services that residents of Nairobi pay for. However, instead of our good Government thinking of placing the right people there so that we can realise a change in Nairobi, you will find it taking some Ministers there whose characters are doubtful. In this respect, we cannot expect a change in Nairobi City Council. For that reason, the Executive must be seen to be guiding the country well.

I will now talk about the Constitution. We all know that the Constitution we want is the one

that is people-driven. It does not matter whether a consensus is not achieved here. All that we have to maintain is that, that Constitution that is supported by the majority of Kenyans must prevail. I know of the kitchen Cabinet and we know its intentions. Its intentions are to manipulate what the majority of Kenyans want and then play it to its whims. This is what this House should not be led to believe that it is correct. We know how the Bomas group was constituted and we know that it was representative and all of us in this House were there. We then came up with the draft that was guided by an Act of Parliament that was passed in this House. I now fail to understand why that thing can be seen not to be representative and not to be legal. That is the Constitution that when we take to Kenyans, they will know that we understood their wishes and we supported them and gave them the Constitution that is good for them. Now this game of musical chairs that we see going round is a mere wastage of time and its intention is to maintain the old Constitution that gives the so-called kitchen Cabinet a free hand to manipulate the country, resources and whatever we have in this country. This cannot happen when we, as representatives of the people, are here.

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

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

When we talk of security, we can take the example of our neighbours, Uganda and Rwanda. I do not think we have reached the stages of Uganda and Rwanda but if I may tell you, it is very safe to live in Uganda or Rwanda than in Kenya, I do not know if you would believe me. This came about because of the good governments that they instituted and put in place in their countries. I, therefore, believe that in Kenya, if we can identify the real causes of the problems and then the Government becomes really committed to clear them and create a free and peaceful society, then that one cannot be seen as a mirage. It can happen! It has happened in Uganda and Rwanda and I do not see why it cannot happen here.

We hear of tribal clashes and some people, including some Members of Parliament, creating militia and arming them with an intention of using them during the forthcoming elections and the Government and the Minister concerned do nothing. Even at one stage, some of these outlawed groups mentioned the name of a very prominent Minister in this House that he belonged to its group. The Minister did not deny it and the Government did not say anything.

We hear of tribal clashes and the root cause is, of course, said to be land. When we have identified the area of problem, I think it is the duty of the Government to see that this problem is resolved once and for all and then sanity and peace is reinstated in those areas. We have one ethnic group in our country that is notorious of viewing itself as the only Kenyans and, therefore, it has the right to live anywhere in the country and others do not have that right.

Mr. Mwenje: On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear what my friend, Mr. Omondi, has said; that there is an ethnic group that believes it can live anywhere in the country? We believe that every group can live anywhere. However, can he mention this ethnic group he is referring to?

Hon. Members: Kikuyus!

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

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! The point was raised for Mr. Omondi to answer. Any ethnic group can live anywhere in Kenya.

Mr. Omondi: Yes, Mr. Temporary Deputy Speaker, Sir. Your ruling is very correct, that every group---

With those few remarks, I beg to support.

Mr. Muchiri: Mr. Temporary Deputy Speaker, Sir, thank you for giving me this chance to contribute to this debate.

The Speech by His Excellency the President was quite articulate in trying to give us the way forward to issues in this country. However, as I support the Speech, I want to make a few comments that I feel are necessary for this country to go ahead. The President said that this Government has made great strides in the improvement of the economy. The economy can only grow if our standards of living go up. As we experience the Kenyan Shilling becoming stronger than other currencies, prices of basic commodities are also going up. I think it is necessary for us to check why the prices of basic commodities are going up while we claim that the economy is improving. Kenyans will only appreciate that the economy is improving if their standards of living improve. I cannot say that the economy is improving when pyrethrum farmers are not being paid. We cannot say that the economy is growing when we are not making money from our dairy farming. We cannot also say that our economy is growing when cabbages and potatoes are rotting in the farms, owing to poor infrastructure.

It appears as if some Ministers in this Government are frustrating people from certain areas for the sake of political mileage. I cannot, for example, understand why a very important road in Nyandarua District has not been constructed, yet there is money which was allocated for it in the Budget. There is no explanation to that effect. We have a very important road in Nyandarua which runs across Nyandarua---

Mr. Sambu: It is a local road!

Mr. Muchiri: Mr. Temporary Deputy Speaker, Sir, I went to school, up to the University level. I know it is a road. The Ministry of Roads and Public Works knows that there is Kshs180 million which was allocated for re-carpeting of the road, yet nothing has been done. We believe that there is a calculated move in this Government, to isolate some areas through certain Ministries. This is either through politics or through omission or commission. When I say that, this House should appreciate that Nyandarua District forms 30 per cent of Central Province. Its main problem is lack of proper roads, yet nobody is bothered about it. I am here to speak on behalf of the people of Nyandarua and say that we need the Government to look at issues concerning the District more affirmatively than it is doing now.

I am calling upon the Minister for Roads and Public Works to go and see what is happening in Nyandarua. We are surprised that the report from the Ministry for Planning and National Development can dare place my constituency to be the eighth wealthiest constituency in this country. How can a constituency, bordering my brother's, Mr. G.G. Kariuki's constituency, which is an ASAL area, be said to be rich? You know the effect of that report. Its effect is that we will receive less Constituency Development Fund (CDF) and less bursary fund, yet my constituency borders an ASAL district called Laikipia. I cannot understand why the Minister for Planning and National Development has made my constituency the eighth richest in his report. It is not rich. It does not have a good cash-economy. It has nothing. I do not know where the Minister got his statistics from. There is a belief that there is a deliberate move to submerge and marginalise certain areas.

Mr. Temporary Deputy Speaker, Sir, I want to go to the issue of money which is given by the Government to curb HIV/AIDS. This is one area where there is a lot of misappropriation of funds. I cannot hesitate to say that the HIV/AIDS prevention funds that are given to Non-Governmental Organisations (NGOs) do not reach the intended people. The Community Based Organizations (CBOs) do not give that money to the deserving people. That is one area which I think we should look at.

I believe in conservation. However, I will only support conservation if it will not displace

people who are already settled. I believe in conservation, and will go out of my way to plant trees and urge my people to do the same. I will not, however, let my people from Nyandarua District to be displaced. As much as I am in this Government, I want the Minister for Environment and Natural Resources to note that Kirima extension was initially not part of forestland. There is no way that he can purport to evict people who are living there. Whether they were settled by the Kenyatta or the Moi Government, I do not care. What I care about is that those people are poor and have been given one or two acres to settle and cannot be told to move out in the name of conservation.

Time has come, when we must stand for the people who brought us here. There should not be any sycophancy in this House. I will only support Ministers who will bring to this House matters that are not hampering our people's welfare.

I am happy that Mr. Kalonzo said that people should not be evicted from forests. I think he is doing well to that extend. We always say that there is always time for everything. I can only remind him that there is no Presidential vacancy in this country at the moment. He should wait until the year 2007. His ambitions should wait until 2007.

Mr. Temporary Deputy Speaker, Sir, I want to touch on the issue of corruption. I think we should all realise that there is what we call relevance commissions within the Anti-Corruption and Crimes Act. What is the relevance of the relevance commissions? If we are talking about corruption within Ministers and hon. Members what has the Speaker's Committee, which is the Powers and Privileges Committee done? It is this Committee that should inform hon. Members if what they filled in the wealth declaration forms is either right or wrong. I do not think that information should be locked in the Speaker's Office. It is high time the Speaker started following up the Powers and Privileges Act Committee so that we can also start tackling corruption. That is why such a commission is there. If it is known that some Ministers are corrupt, it should be the first commission to interrogate those individuals who are within the ambit of Parliament.

While it is necessary for us to declare our wealth, I want to say that it is necessary for all Kenyans to declare theirs too. Who said that corruption is only through public offices? Corruption is also perpetrated by people in the private sector. There is no reason why contractors cannot also be made to declare their wealth. Why is it that it is only an hon. Member or a Minister who is supposed to declare their wealth, leaving everyone else out? Everybody else should be made to declare their wealth.

I want to talk about Nairobi. As much as I come from a place far from this City, in the slopes of the Aberdares, we all have a lot of interest in Nairobi. I am sorry to say that there are some roads in Nairobi which are worse than those in Ndaragwa. I am challenging the Minister for Roads and Public Works that there are roads in his constituency which are worse than those in Ndaragwa Constituency. I can mention names of the roads. We have a road which goes all the way to Karen which is muddy.

Mr. Kipchumba: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to make a few comments on the President's speech.

Mr. Temporary Deputy Speaker, Sir, I think the only positive achievement of this Government is the fact that the cost of corruption has indeed, increased. I think during the KANU regime, the cost was very low. But this Government has really taken it up, and that is a very unfortunate part of what has happened in the last two years.

I want to talk on education. Recently, when the Kenya Certificate of Secondary Education (KCSE) results were released, there were about 40,000 children that qualified to join our public universities. But because of the available vacancies, it is unfortunate that they will not get a chance to get their university education. Those are issues that this Government should be addressing. The Minister for Education, Science and Technology has said nothing about it.

During the KANU regime, at least, there was a lot of expansion in terms of university education. There were very many people criticising the regime that indeed, they were expanding education institutions unnecessarily. But I think that was good foresight on the side of the former

President. I think he expanded everything to a level where maybe, this Government has nothing to expand. But I would like the Minister for Education, Science and Technology to critically look at this issue. We cannot have about 40,000 children coming out of secondary schools every year and they cannot be absorbed in universities. The middle level education has not even been addressed seriously.

Mr. Temporary Deputy Speaker, Sir, the second point on education is the 85-15 quota system. Previously, some of us who have national schools, and I have one in my constituency, used to have four streams. One stream was meant for the locals. We built all of them and gave three streams to the rest of the country and gave ourselves only one. But this year, the Minister for Education, Science and Technology, from the moon, despite the fact that children had already chosen the schools, said that such schools should admit more students from outside. This threw the students off-balance in terms of the choices they had made. Out of the over 100 children that were admitted in Moi Girls School, Eldoret, only eight come from my district. It is unfortunate. We sold our cows, did a lot of Harambees and we cannot accept this situation. We love all the children of this country and that is why we donated three out of four classes to the rest of the country and left only one for ourselves. We would not want to be pushed into a situation that will create animosity between the community and our own institution. As it is, there is very bad blood between the school and the surrounding community.

There was talk previously that there would be no road-side decisions. But this is a road-side decision. A Minister wakes up in the morning and decides that very few or no children at all, will be taken from Uasin Gishu to Moi Girls School, Eldoret, yet this is where we have put all our resources. If this does not change before the end of this year, I think we will mobilise our people to take action; action which we cannot specify now.

Mr. Temporary Deputy Speaker, Sir, I want to speak on the economy. I have seen the President's speech; it is excellent. But it only addressed one aspect of the economy, which is the growth rate of various sectors of this economy. Development is not about economic growth alone. Economic growth is just but one aspect of economic development. The biggest problem of economic development in this country is the distribution of the national cake to every Kenyan and every part of this country. If I was in Government, and I am sure I will be one day, the biggest target would be to address inequality. There are Kenyans who do not even have two by two metres of land to bury their dead, yet we say we have achieved economic development. Which development? We must address the issue of inequality, otherwise, it is going to affect all of us.

Mr. Temporary Deputy Speaker, Sir, that brings me to the issue of insecurity in this country. We cannot divorce insecurity from the level of poverty in this country. People are stealing and killing because the way the resources have been distributed has been skewed to favour certain personalities. I understand why hon. Muchiri is complaining as to why his constituency is ranked eighth. It could even be number one. But maybe only one person owns all the resources in that constituency. That is why, when we are sharing bursary funds and all these other funds, we must address the issue of inequality in the various constituencies. My constituency is ranked number 27. But we are not any different from the rest. That is why the Government must address certain fundamental issues in tackling the distribution of resources.

Mr. Temporary Deputy Speaker, Sir, I have heard hon. Members talking about banks and criticising international investors. It is unfortunate that we cannot understand, in the first place, why we have those investors. The rate of saving in this country is only 7 per cent. The rate of investment is about 14 per cent. Those who know a bit of economics will tell you that savings must be equal to investments. Where do you get the balance? This must come from foreign direct investors. When you tell us that indeed, the cost of borrowing has gone up, whose money would you want to use? Even in this Parliament, probably, if you ask Members how much they save out of their salaries, you will be shocked that it could be negative and yet, many of us would want to go to the bank and borrow to the maximum. You are borrowing somebody else's money! And you want to have it free or you want to dictate the interest rate! You cannot have your cake and eat it.

If Kenya must develop, we should encourage Kenyans to save. Asia has developed because there was a deliberate policy to ensure that people saved at least 30 per cent. From those savings, other Kenyans can, therefore, go and borrow. But you cannot castigate the banks that they have brought in investments and you expect them to give you money for free or at rates that you think you deserve. We must respect foreign investors. Nobody is forcing you to go and save your money in that bank. Why do you not go to some of the banks that collapse every year? If Standard Chartered Bank and Barclays Bank are not good, go to the other banks that collapsed in the 1980s; Rural Urban Credit Bank, *et cetera*. Others now want to take over Consolidated Bank, an institution that the Government has built over very many years.

The other day, I was shocked that a bank called Development Bank gave its customers a single day's notice that from then on, they could not accept their savings. It advised its customers to operate from a bank called Equity Bank. How can such a thing happen and the Government keeps quiet? A bank must give adequate notice of six months for such an undertaking to be acceptable. But the Minister for Finance kept quiet. You wonder, if today, you have savings in a bank and you go there tomorrow and you are told you cannot have your money there, you must go elsewhere? How is that acceptable?

Mr. Temporary Deputy Speaker, Sir, I am happy the Vice-President is here today. Last year, I raised the issue of Uchumi Supermarkets. I said the Government must find a way of assisting Kenyans to ensure that Uchumi Supermarkets does not experience problems, and he gave an undertaking that indeed, the Government would assist the institution. I thought that the Government will assist Uchumi Supermarkets. One year down the road, Uchumi is in big financial problems. That is going to cause a lot of instability in the supermarket chains. Uchumi Supermarkets is owned by Kenyans who have put a lot of investments in it. Kenyans have shares in it. We could afford to put Kshs4 billion in National Bank of Kenya (NBK). What was the argument? It was that if the NBK collapsed, there was going to be a lot of instability in the financial markets. We have just allowed Uchumi Supermarkets to go down. The management of Uchumi Supermarkets are walking in the streets scot-free even today. Nothing has been done. All that was done was just to remove them and replace them with other people. When people loot money from parastatals, they are taken to court. But when people steal and run down our supermarkets, nothing is done to them and yet, very many Kenyans have invested heavily in Uchumi Supermarkets. We demand action. We want action taken on those who ran down Uchumi Supermarkets. If nothing is done, it is going to set a bad precedent. Everybody knows the former management of Uchumi Supermarkets. They ran down a very viable institution; an example of an investment that the Government sold to Kenyans. We cannot afford to go that way. We would like the Minister for Finance to take action against those who are bent on stealing money from Kenyans.

With those few remarks, I beg to support.

The Assistant Minister for Tourism and Wildlife (Mr. Khaniri): Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity to make my comments on the exposition of public policy contained in His Excellency's Speech. Just before I do that, I would like to take this opportunity to share with you an experience that I had in my constituency. I went there last week on Wednesday and came back yesterday. As I was there, hon. Members were contributing towards this Motion. I deliberately carried out a survey, although on a very small scale. But it gives an indication from the people that I represent in this Parliament. Those are the people of Hamisi. My survey was based on two questions. The first one was: Do you think the President was genuine in the promises that he made? The answer was about 90 per cent no! Those were the views of the people of Hamisi and not Khaniri's! Secondly, I asked them: If elections came today, would they elect NARC with the overwhelming majority that you gave them three years ago? 90 per cent said no! That is where we stand as a Government.

Mr. Temporary Deputy Speaker, Sir, that was done on a small scale, but it gives an indication of the feelings of the people on the ground. We must wake up and listen to the cries of the people that

elected us to this Parliament. Those were my findings.

Nevertheless, let me join my colleagues who spoke earlier in congratulating His Excellency the President for a very elaborate Speech that he gave, and the eloquence with which he did it. I have been in this House for eleven years and listened to such speeches. This is my 11th Speech. I want to say that this is one of the best speeches that was delivered by a Head of State from the Chair. We need to congratulate him for the good Speech.

Mr. Temporary Deputy Speaker, Sir, beside the President telling us what he intends to do this Session, he was able, at least for once, to tell us what he thinks his Government has achieved in the last two years. Therefore, we should congratulate him. But what disturbs me is that the President told us that tax revenue collection improved by 24.5 per cent; tourism by 24 per cent; the tea sub-sector by 17 per cent; cane deliveries by 15 per cent and horticultural exports by 10 per cent. Therefore, there was a general improvement on the economy. To the common *wananchi*, the flowery speeches and figures that we give do not matter. What matters to them is whether they can afford their daily bread. Can they afford even two meals in a day? So, for us to claim that the economy has improved and yet, the people that we represent cannot afford even one meal in a day, we are lying to ourselves. We cannot claim that the farmer is now better off. I neighbour sugar-cane growing constituencies and I know that farmers are even worse off. So, we must re-examine our policies to ensure that, if there is that improvement that we are talking about, the effect trickles down to the farmer himself and the common *mwananchi*.

Mr. Temporary Deputy Speaker, Sir, let me comment on insecurity. It is unfortunate that the President, in his wisdom, saw no need to comment on the escalating insecurity in this country. By remaining silent, it means that things are okay. We all know the insecurity menace in this country is not only the shootings and carjackings in towns, but also in the villages. *Wananchi* cannot keep cattle. Those who have cattle spend sleepless nights keeping vigil, so that they may not be stolen. *Mwananchi* cannot run a village shop because he would be raided at night. So, the security situation in the countryside is just as bad, if not worse than in towns. It disturbs me when we hear claims by some of the victims that our Police Force is involved in some of those criminal activities. That is the same police who are supposed to protect *wananchi*. Where will *wananchi* run to? I have said here before that, unless we remunerate policemen properly, give them proper housing and better terms of service, we are not going to control insecurity in this country.

I therefore, urge the new Minister in charge of internal security to look into those issues. When we took over the Government, we promised that we will retrain the police and improve their terms of service. I want to urge that, that should be given priority. But, ultimately, the issue of insecurity will not be solved if the poverty that is ravaging the *wananchi* is still there.

Mr. Temporary Deputy Speaker, Sir, for us to completely eradicate insecurity, we must look into the poverty that is ravaging Kenyans at the moment. We can do this by creating the jobs that we promised to the youth. So many university graduates and Form Four-levers have struggled so hard to complete their education and at the end of the day, they do not get employment. These are the people who become criminals. Secondly, the Government must promote micro-financing institutions for *wananchi* to access loans on small-scale basis, so that they can engage in commercial activities in the villages. This is the only way we can address the issue of poverty in this country.

I want to talk about corruption. Corruption is a reality in this country and nobody should deny this. We know that there are Ministers who are involved in this vice. When you sack a Permanent Secretary (PS) because his Ministry is involved in corruption and you leave the Minister, you are contradicting the policy of the President because he has empowered Ministers. If this happened in the previous regime, it would have made sense, but in the NARC Government, Ministers are empowered. They take executive decisions. Therefore, when anything goes wrong in a Ministry, the Minister must be involved. You cannot just sacrifice the PS and leave the Minister.

Mr. Temporary Deputy Speaker, Sir, the President said that soon we are going to make the

declaration of wealth public. This is a very welcome idea, but it is coming too late. Ministers should have declared their wealth before they assumed offices. What are they going to declare now? Is it what they have looted from the Government? This is a very good idea, but it is coming too late, and maybe, it is going to help in the future and not in the present.

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

Mr. Owino: Thank you, Mr. Temporary Deputy Speaker, Sir, for noticing me. I have been trying to catch your eye for a long time.

The President made a good and eloquent Speech, but we have a lot of queries and comments to make on it. He talked of good governance, democratisation and development. Experience from other African countries, like Zambia and Malawi, shows that those who have defeated the long serving dictators have failed to translate those defeats into reasonable democratisation or development. Those who have taken power from those dictatorships have themselves failed fundamentally to have a different vision from those they have replaced. When President Kibaki took over from the former regime, he literally inherited that regime as it were. All the institutions remained as they were and the plundering of economic resources continued. Tribalism has increased and it is even being practised in the appointment of hon. Members to the Parliamentary Select Committee on Constitutional Review (PSC), where it should not prevail at all.

Mr. Temporary Deputy Speaker, Sir, the political patronage and tribalism that exist now never existed during the former President Moi's regime. I have always said in public rallies that the former President Moi was a clever thief because it took people 24 years to know that he was stealing.

Mr. Sambu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to impute improper motive on somebody who is not here to defend himself?

Mr. Owino: Mr. Temporary Deputy Speaker, Sir, the former President was a statesman, but things were stolen during this regime.

In his Speech, the President talked about development. As a former student of economics---

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, could you protect me from these hecklers?

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Owino! You are not making your case any better!

The Assistant Minister for Finance (Mr. Katuku): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has said that we are heckling. Is he in order not to withdraw that remark as per Mr. Sambu's request?

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Katuku! You do not raise an issue that the Chair has already addressed. I said he is not making his case any better.

Mr. Owino: Mr. Temporary Deputy Speaker, Sir, I was talking about development. As a former student of economics, I know that there can never be development without investments and savings. At the moment, the Government borrows heavily from the domestic market and leaves very little for investment by the private sector. How will the economy grow if the private sector has no money to invest? An investment creates employment.

We have been told that many Kenyans have been employed. Where is the actual proof of this? Even though the President means well for Kenyans, the hyenas in his Government are spoiling things for him. To correct the situation, the efforts of all Kenyans are needed to ensure that the economy of this country grows to the level we expect it to.

The Assistant Minister for Local Government (Mr. Tarus): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that there are hyenas in President Kibaki's Government? Could he name them?

Mr. Sambu: Throw him out!

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Sambu! You are not going to tell the Chair what to do. Mr. Owino, you have persistently used unparliamentary language. I was a bit forgiving. There are no hyenas in any Government. Please, desist from using unparliamentary language. You are just wasting your time.

Mr. Owino: Mr. Temporary Deputy Speaker, I will do so. I was saying that the efforts of all Kenyans are needed, so that the opportunity that was provided by the victory of NARC does not go to waste.

Mr. Temporary Deputy Speaker, Sir, let me touch on agriculture. I come from a sugar-growing area. The President said that the sugar industry has grown significantly. In my area, nothing is happening. Instead, farmers are crying because their sugar-cane is rotting in the farms because the capacity to crush that sugar-cane is lacking. A former speaker said that some farmers' loans were written off. As I speak, no loans have been written off for the sugar factories. We are asking the Government to write off the small loans that the factories owe. For example, Sony Sugar Company only owes its creditors about Kshs500 million. If one person has stashed over Kshs800 million abroad, it is only prudent that a company like Sony Sugar, which owes as little as Kshs500 million, should have that loan written off.

The other thing that I want to talk about is the rehabilitation of the cotton industry. The cotton industry is a very important industry in this country, but nobody seems to be caring about it. The industry is dead. In fact, those of us who come from cotton-growing areas have no reason to believe it is not dead because nothing is happening on the ground. So, when we talk of rehabilitation, what are we rehabilitating? Nothing! Instead of charging 16 per cent Value Added Tax (VAT) on sugar which is a food product, why does the Government not zero-rate the VAT on sugar? I am sure the Kshs366 million that is charged as VAT on the Sony Sugar Factory per month, accumulates to over Kshs1 billion in one year. If that is scrapped, I am sure the industry will have some financial backyard to sit on.

Mr. Temporary Deputy Speaker, Sir, corruption has been talked about here and I do not wish to repeat what has been said because it will be boring. But the fact of the matter is that corruption thrives in this country. Those sitting on the Government side, where I used to sit before I was chased away because we have an amorphous Government, should go back to the drawing board and check whether corruption exists or not.

Mr. Temporary Deputy Speaker, Sir, on education, we are happy the Government has provided us with the free primary education programme. But are we looking for quality education or just education? What we are seeing now is mass education, where we are having 100 pupils per teacher. Are we giving our pupils quality education to enable them to compete in the job market in the future? What I am seeing is mass education because the Government has failed to provide enough teachers to our pupils. The other thing that the Government must address effectively is lack of facilities. The Government is giving poor Kenyans the burden of building schools. However, they will not do that because they are already unable to get food on the table. So, will they manage to get facilities to our schools? It will not be possible, and yet, the Government is not realistic about this.

Mr. Temporary Deputy Speaker, Sir, much has been said about the security situation in this country. I do not want to repeat what has been said, but we all know that there is insecurity. In fact, we are even spending sleepless nights with our wives because we do not know who is going to knock at our doors the next moment. It is serious both at the family and national level. When the NARC Government took over power from KANU, we were saying KANU initiated tribal clashes. Who is initiating these ones now? There are tribal clashes in some parts of the country. Now, who has initiated those clashes? Mr. Moi is not there any more. We should not blame everything that has failed in this Government on the former regime. We came to correct what the former regime had done. So, if we have not been able to correct it, let us not blame the former regime, but ourselves.

Mr. Temporary Deputy Speaker, Sir, on the constitutional review process, I think we should

face the reality. All of us were at Bomas of Kenya. We had a chance to speak there and we recommended a people-driven constitution. I have a paper that the DP as a political party gave to the Constitutional of Kenya Review Commission (CKRC). The current Minister for Justice and Constitutional Affairs emphatically said they wanted the powers of the President to be reduced in that paper. What has changed his mind to the extent that he now wants the Consensus Bill brought to this House? Kenyans are wondering. What is consensus? If there are issues to be discussed, let us discuss them.

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

Mr. Wambora: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this wonderful opportunity to contribute to the President's Speech. I wish to address two issues in the Speech. One, is the Economic Recovery Strategy (ERS) which the President talked very eloquently about. The second one is security, which he did not touch on.

On the ERS, he talked about infrastructure development. But he missed a major issue here; where will the money for infrastructure come from without donor money? As a Member of the Committee on Finance, Planning and Trade, I would like to say that we have fund managers who are telling us they are capable of raising enough long-term bonds in this country which can build a dual carriage road from Mombasa to Busia and elsewhere. So, it is possible to develop the infrastructure of this country without having to borrow a lot of money and burden our children for many years. But we have not made use of the long-term bond instruments. Why the Treasury is not doing this is anybody's guess. When our Committee was in Britain last year, we found out that the British economy started changing in 1987 when they took the issue of long-term bonds seriously. The economy of Britain is doing so well now that they are tipped to take over the economic leadership from Germany in 2012 because they are making use of long-term bonds. This is money borrowed locally for 30 to 50 years. We can do the same in this country. However, it is important to remember that the money we borrow for long-term use is borrowed for use in capital development and not recurrent expenditure. That is what the Government is doing at the moment. We shall never develop as long as we are borrowing long-term money for recurrent expenditure and not for capital expenditure, like infrastructure.

The other issue we have to look at is the comparative advantage of this country. We have a lot going for us. We have a very good Paper now; the Economic Recovery Strategy Paper (ERSP). We should make use of it. It is a positive Paper. But more important is what the President talked about on the fast-tracking of the establishment of the East African Federation. I would like to say that Kenya is a very important regional hub. It is the major economy in Eastern and Central Africa. We must make maximum use of that position of leadership in the economy of East and Central Africa. With the Customs Union now in place, there is free movement of goods. BIDCO (Kenya) has factories in Uganda and Tanzania. They are able to sell their goods into the Kenyan market. I am not so worried about that. I am more worried about the trade imbalance. But we can rectify it in two ways; by increasing volume of trade with a bigger market. But even more important, we should allow the movement of labour. Movement of labour is what will compensate the Kenyan economy for what it is losing by not charging certain goods from Tanzania and Uganda. We know that some of our companies' goods are being charged duty to enter Uganda and Tanzania. We should allow movement of labour because we are very strong in this field.

The other very strong aspect of this country is the human resource. We have the most developed human resources in Africa, south of the Sahara. Even South Africa does not have a bigger middle class than Kenya and we should make use of it. This is exemplified by the statistics in Southern Africa; Botswana and Swaziland. Kenyans are all over in Africa and they are doing a good job. But what worries me about this human resource is the utilization of our own people. We train so many people in universities and polytechnics, for example, but we do not maximize them. We, as a Government, should now make use of our human resources.

Mr. Temporary Deputy Speaker, Sir, may I now touch on the aspect of tourism. I am referring

to this sector because one of the pillars of the ERS is investing in productive areas. One of these areas is tourism. Although it is growing now by 24 per cent, we still have a long way to realise our full potential. We should do a lot about it. This will only happen if we intensify the security in the country. France, Spain, South Africa and Morocco are good examples from which our people in the tourism sector can learn from. They are doing very well, indeed. We can double the gains in that sector.

The fourth area which I would want to talk about as far as the economy is concerned is the special resources which this country enjoys. A country develops because it maximises on where it has biggest advantages. We have noticed how successful we have become as growers of macadamia and flowers. Kenya is now the major flower exporter in the world. This means we can do very well in other areas also. We are getting very good prices for macadamia. Those are two success cases. Why can we not duplicate that success in the field of coffee, sugar, tea and dairy farming? We are grateful because the President announced last year that the Government will waive debts owed by coffee farmers in the Co-operative Bank of Kenya. We want the Ministers concerned to bring Sessional Papers, so that we can formalise what the President said. We want to amend the Coffee Act (2001). Some tricky bankers are still bothering our farmers, asking them to pay up their loans. A Sessional Paper on the marketing of coffee should be presented by the Minister for Agriculture. That way, farmers can sell their coffee directly, without going through the auctions. We want to do that by amending the Coffee Act (2001). Tea is doing much better than coffee. All we need is to blend and add value, so that we can sell instant tea to countries like China.

I have heard many hon. Members talk about the success in the dairy sector. Livestock farmers are now getting Kshs18.00 per litre of milk. That is a good thing, but we can do better. We have a big market now. We are now selling our milk all the way to Rwanda. India was not self-sufficient in milk, but when the Government took a deliberate policy to do what they call "white revolution" they were able to be self-reliant in the production of milk. Kenya can do the same. There is a lot to learn from India.

Finally, I would like to address a very important issue which was not mentioned in the President's Speech. I wish to join my colleagues in expressing concern about the insecurity in this country. There is no country on earth which can develop without adequate security within its borders. Cases of robberies, carjackings, murders and rapes are a daily reading in our mass media. That is a major concern. What is worrying me is the conflicting information that I am getting from Kenyans. When Mr. Michuki, the Minister in charge of internal security, says that he wants to tackle insecurity head-on, there are people heckling and discouraging him. They are trying to tie his hands. I am saying that is very unfortunate. There is nothing worse in security than when there is double-speak; when you try to restrain a deliberate action. If Mr. Michuki had been restrained when he was the Minister for Transport, he would not have tamed the *matatu* sub-sector. He would not have done it.

Mr. Temporary Deputy Speaker, Sir, I would like to encourage my colleagues and Kenyans to let the Minister do his work. Our people have died, some at very young ages! Even those who have died at old age should not have died as a result of armed thugs. I do not see why we should sympathise with armed thugs who are ready to kill our innocent people. Let Mr. Michuki be free to tackle insecurity and ground those who are involved in armed robberies. The City of Kampala in Uganda is the best example. The moment an army general was appointed to take care of security, he grounded all the armed thugs! There is total peace in Kampala now. You can park your vehicle unlocked. We would like to do the same in Nairobi and elsewhere in the country.

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

Mr. Sambu: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to comment on the President's Speech, when he opened this Session of Parliament. He covered several areas. I want to comment on job creation first.

Job creation is a mirage. We have said that 500,000 jobs have been created. People have even announced that in the newspapers! But who are the people who have been employed? At least, not in

my constituency. Is it because my constituents voted for KANU? You should also know that they voted for His Excellency the President. He had 12,000 votes and Uhuru Kenyatta got 15,000 votes. So, if it is discrimination on that basis, then the Government should know that it had voters from there too.

Mr. Temporary Deputy Speaker, we have heard a lot about promoting foreign investors for job creation. I want to, sincerely, ask either the Minister for Finance, the Minister for Planning and National Development or the Minister for Trade and Commerce: Which was the last foreign investment factory put up in Kenya? You cannot name one in the last ten or 15 years. So, if we are going to create those jobs, we have to promote our own investors. We will do it by making sure that banks lower their interest rates. We have to go back to the Donde Bill, which actually became an Act, but nobody wanted to implement it. The other Bill was passed here, but His Excellency the President refused to assent to it. If we are not going to face reality--- Kenya is one of the few countries in the world where you can repatriate foreign exchange at will. In India, where most of the investors come from, the Government controls the remittance of foreign exchange. They have a limit. You cannot just go to a bank and send away foreign exchange. What is happening now, and I am not being a racist--- It is a fact! Go to any shop owned by an Indian--- Or, at least, the one I know of in Eldoret. When the husband and the son are selling in the shop, the wife and daughter are doing foreign exchange remittance in the banks. The banks include the Standard Chartered Bank and other foreign-owned banks. If we want to make our people safe, then we have to control the remittance of foreign exchange. The banks will be able to pay higher interest rates to the savers because the demand for foreign exchange will not be so high.

Mr. Temporary Deputy Speaker, Sir, capital flight is a fact in this country. Although we are saying that we have the East African Community, are we checking what is happening? Investors are moving out, despite the tax-free allowance to remit foreign exchange wherever you want. What I am saying is that, let us promote our indigenous investors by giving them long-term loans at good rates.

The President talked about economic growth. Well, there might be some economic growth. But of what benefit is economic growth when inflation is so high? The cost of basic commodities like paraffin, petrol and diesel---

When the cost of fuel is high, then everything else will go high. I ask myself: Are we sincere? The value of the dollar to the shilling has come down. We import fuel products from the Organisation of Petroleum Exporting Countries (OPEC) and other countries using the dollar. Why is it that when the dollar is cheaper, petroleum prices go higher in Kenya?

The maize, wheat, sugar-cane and any farmer who uses a tractor will find it very difficult to fuel his tractor and go out in the fields in this rainy and planting season. This Government must look at the price of fuel.

Although we fear controls, we have to institute controls for this economy to grow. We grew to where we are in the Kenyatta regime, in the early days of the Moi regime before this liberalisation. We have been told about liberalisation so that we might get foreign funding. How much are we getting? We make our Budget based on Kshs300 billion. How much are we getting out of that? We would save our money if we imposed the restrictions on foreign exchange remittance and if we controlled prices particularly those of petroleum products.

Mr. Temporary Deputy Speaker, Sir, there has to be some policy on land. When God created the world, he gave every community their language and land but now a few Kenyans own the whole land. If you recount what the hon. late J.M. Kariuki said, he said: "Kenya shall be a nation of ten millionaires and ten million beggars". Now it is a nation of 30 million beggars and 30 millionaires who own half of the land in this country. If you do not think that is the truth, you will know it later, come 2007, because that is the stuff revolution is made of. Believe it or not, but that is a reality. We have to work out the land policy so that we get equitable distribution of land so that at least people get a place where to build their little houses.

Mr. Temporary Deputy Speaker, Sir, concerning the environment, I am a very sad person; coming from an area where the indigenous forests were cleared and cypress, pines and exotic trees were planted using the *shamba* system. People were moved from certain areas down in the North Rift. They were allowed to practise the *shamba* system. Yes, we were happy about that. So, they planted their crops and replanted trees but in the last regime and in this regime, three Indian companies have emerged. These are Pan African Paper Mills, Raiply and Comply. They are cutting down all the trees. They are practising deforestation which has led to devastation of the North Rift. The reality is this: We shall not wait for those elections. Of course, we shall use the elections to clear you out for being sympathetic to Indian companies which do not give a hoot about our environment.

They are cutting down all the trees and the Government is refusing us to replant the trees by cultivating our crops. I want one Minister here to stand up and tell his people that on all this land which is vacant, he or she does not want to allow you to replant trees and also plant your crops. What is the harm in planting potatoes while planting trees? What is the harm in planting maize while replanting trees? This must be done urgently and I am happy the Vice-President and Minister for Home Affairs is here. I will tell him from the Floor of this House, anyway I am covered by immunity, that if we will not be allowed to practise the *shamba* system, those Indians in Pan African Paper Mills in Webuye will get out of that part of the country. We paid for it dearly because of colonial torture.

Mr. Temporary Deputy Speaker, Sir, why do we allow one colonial *Mzungu* to own 50,000 acres of land? We were told by Kenyatta and others that the Mau Mau war was about fighting for our land. *Tupiganie ardhi yetu!* What kind of fighting for our land is this when one Indian takes the whole land and we do nothing about it? What kind of fighting for our land is this when one Delamare or colonial *Mzungu* owns all the land and we dare do nothing and yet the Maasai cattle are dying on the roads? Who has not seen the Maasai cattle between Naivasha and Nakuru grazing along the road when ten miles inland the land belongs to one person?

It is a very sad issue that we cannot do anything about it because we fear.

Mr. Temporary Deputy Speaker, Sir, I want to talk about tea plantations. I want to tell those who are planning to bring machinery for harvesting tea that it will not see the light of day in Nandi Hills, Nandi area or in Kericho.

Finally, on education, we will not allow again what has happened in Kapsabet and Moi Girls to continue. No! We built those schools and we cannot be forced to admit children to form one with 260 marks and yet ours with 300 marks are not being admitted.

Thank you.

Mr. G.G. Kariuki: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity because I have been here the whole day but all the same, I understand that I am not the only one who wants to speak.

However, I would like to say the following: The Speech by His Excellency the President was very well written and read. It gave some highlights of what is likely to happen in the next few years. Having said that, I would like to say that we have said that the economy has gone up in terms of growth from 2.4 per cent and it is intended to move up to 7 per cent. The way the country is today, it will be very difficult to achieve this 7 per cent growth because the economy of any country is propelled by the hope of the citizen, the security situation and many other considerations including comparative advantages considering the neighbouring countries because we think that people must come and invest here. We have to have reason for that.

Mr. Temporary Deputy Speaker, Sir, what do we have to attract people? Is insecurity going to be an attraction? Is the bickering by the hon. Members and Ministers going to be another attraction? Are the tribal clashes which are being introduced going to be an attraction to the growth of our economy or what is going to happen? What is going to be an attraction? We have Uganda, Tanzania and other neighbouring countries. Why do we think that it is only Kenya that needs those investments? If we want investments we have to invest in security and in changing the minds of our people that

Kenya is one and we are going to live as one people. Unless we do that we will not be talking of investments. Kenyans have a terrible illusion of their own country, that is how important it is in Eastern Africa. They say it is better than any other country in East and Central Africa just because we want to please ourselves but does our country go with what we are doing?

Mr. Temporary Deputy Speaker, Sir, I have been listening since we started this debate and it is now the seventh day. What I do not know is whether this is the best way of handling situations in Parliament. We have been in Parliament for many years. We have educated men and women. Have we not found any other way of making Parliament to become an effective body than it is? Is it just a debating club? After debate what happens? Is it only to put these nice speeches and statements in our national archives? Are we here for national archives or we are here to be practical and to be seen doing something?

Mr. Temporary Deputy Speaker, Sir, if we want this country to be free from the kind of criminals that we are experiencing now, we have to accept that the problem of Kenyans is poverty. I agree that there is poverty and that is one of the ingredients of insecurity. However, unless we address the problem in Sudan, Ethiopia, Somalia and Northern Uganda--- It is all right for people to say that Somalis are fighting in their own Parliament and that they are crude people. Let me tell this House today that unless Somalia is free and has a legitimate Government, we will cry forever that our police force is not good and that it is corrupt. Do we have the facilities to protect our people against border incursions by people with small arms and light weapons? As a result of stability that we have in this nation, we need to help our neighbouring countries to be secure. If that is done, our internal problems will be made simpler.

Mr. Temporary Deputy Speaker, Sir, if you look at our boundaries with Sudan and Somalia, you will not spot any armed forces personnel who are supposed to keep the boundaries secure. For Turkana to be secure, Uganda needs to be secure too. When I hear people talk of general disarmament, I feel sorry for those who are making those statements. How can you ask people to disarm themselves when their neighbours are armed to the teeth? The best option is to make sure that people on the other side of the border are disarmed so that peace and stability can prevail. You cannot disarm a person if he has nothing to eat and all his cattle are at risk of being taken away by a bunch of armed raiders. Even the arms that are being returned, you know too well, are the unserviceable ones. These people are still keeping the better weapons and they are playing the game that the Government wants to be played.

Mr. Temporary Deputy Speaker, Sir, I have had an opportunity of touring this country. From what I have seen and what I hear, I can say that we are best placed, but we are not doing what we are supposed to do.

Unless this Parliament decides to be effective and proactive--- If it is found out that there is something troubling this nation, we have all the facilities within our disposal that we can make use of. We can decide to enact law or constitute a task force to go and study and recommend what kind of machinery we should put in place in order to attain improved security. For seven days now we have been singing about insecurity in this House and nobody has come up with an idea as to how we can solve the problem. Let us put the Police Commissioner to task by appointing a committee here to study the entire insecurity problem. That way, we shall forge a way forward. A mere Parliamentary Select Committee with no specific job description cannot solve the problem of insecurity in this country. Such a committee needs to be renewed and supported by this House.

Mr. Temporary Deputy Speaker, Sir, with regard to corruption, we have passed several Bills here. All the Bills and especially the Kenya Anti-Corruption Authority Bill and the Anti-Corruption and Economic Crimes Bill are toothless laws. Look at Ringera's job. His is just to investigate and give his investigation report to the Attorney-General (AG) to determine the next option. If the Attorney-General tells Mr. Ringera: "Hit the rock, you have to show us that we have not done anything--- " All the drafted laws are manipulated by people who are accused of economic crimes.

This is a very serious matter that we have to address.

We should appoint a task force and, perhaps, the Motion whose notice I gave this morning, may serve that purpose. Let us find out the linkage between the old and new corruption. It is my submission that this was deliberately done by the first Government so that their mistakes would not be detected. They managed to corrupt our people and that is why we are in this state.

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

Archbishop Ondiek: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this time to contribute to this Motion. I have been waiting for this opportunity since yesterday.

Looking at the Presidential Address, I can say that it was quite eloquent and a good one. However, the question is: Are the Presidential Speeches really serious ones? Are the proposals in those Speeches really implemented? I remember when we were here last year, His Excellency the President said the same things he said recently. He promised that all that was in his Speech was going to be done.

Mr. Temporary Deputy Speaker, Sir, talking about the quality of education in this country, it is actually going down; right from primary education to university level. How do you expect to have good quality education if at the university level 1,000 students are being taught by one lecturer who is not even using a public address system? What do you expect the students to come out with? We must be serious and sure of the changes we want to introduce in the education sector.

With regard to the recently announced Kenya Certificate of Secondary School Education (KCSE) results, why is it that cheating is rampant? What is the root cause of cheating during examinations when, in fact, there are invigilators appointed by the Ministry to supervise the examinations? During that period there are even police officers who are supposed to monitor how the examinations are being conducted in various schools. One is left to wonder, after students have waited for the results for a long time it comes to their realisation that they managed only to get "Y" results and the reason being that they cheated in their examinations. Why can this cheating not be detected before the results come out so that the culprits are disciplined?

Mr. Temporary Deputy Speaker, Sir, I do not see any reason why the Ministry of Education, Science and Technology has to wait until the parents and students have been messed up. In the end, as a way of solving the problem, the Ministry decides to form a committee. In our country, for any problems or obvious mistakes to be solved, a commission or committee must be formed. These commissions or committees do not bear fruit in the end.

Mr. Temporary Deputy Speaker, Sir, how do you expect a school to perform well when there are no teachers in that school. For example, you will find three teachers, who teach very important subjects like English absenting themselves from school for a long time in a year. How do you expect students to pass? Look at schools which are well managed like Starehe Boys Centre; the teachers are there and they are permanently there! The manpower is properly balanced. But go to the rural areas, like in Ugenya Constituency, where you will find a teacher of English missing for two years, and the students are expected to go and sit for the exam and compete with other schools like Alliance High School. What kind of results are you going to expect? For example, we know very well that free education is very good and that it is playing a very good role.

The author of this free education did proper thinking, but let me ask you, Mr. Temporary Deputy Speaker, Sir; if you have free primary education, where you put the children in the compound and, one, there are no classrooms; secondly, there are no teachers, and you expect the students to pass! You will find in a school three teachers or some of them, three-quarters of them are sick and people are just waiting to take them to their coffin or to a mortuary, and you expect them to deliver anything. In a school where there are eight classrooms with 700 students, with each class having 100 pupils, do you expect four teachers to teach them and pass their examinations? What has gone wrong with the Teachers Service Commission set-up, where there is a cluster of paying 234,000 teachers in the country. They have that establishment of 234,000 teachers, and we know that there are some death

and retirement cases. Why can those teachers not be replaced on the spot? Why must you wait for the recruitment exercise before such teachers are replaced? They know very well that a certain teacher is going on retirement, or that the teacher is dead, and every head of a school gives a list of teachers, indicating whether he has teachers or not, and nobody takes care of that. Where does this money go to?

We talk about corruption, which is an obvious thing and we do not need to prove it. We do not need to tell anybody, because corruption is like this; where do you take the money meant for that retired or dead person when you keep on telling the public that the money is not enough to employ more teachers? We are in a period of starvation, and this is the corruption that we are talking about, and it is something that does not need any investigation! It is an obvious thing, that somebody has either died, has been transferred or retired, and the money is just lying there. And if you are not recruiting, it means that you have used that money!

Mr. Temporary Deputy Speaker, Sir, coming to the issue of employment, during the time I was campaigning and being a bishop, I kept a lot of drawings. I really talked to my voters and they responded. They gave His Excellency 26,000 votes because I assured the youth that they would get jobs. But up to today, those youths have not got the jobs. For example, in the last recruitment for the Prisons Department, which was carried out in Siaya a week or two ago, 500 people went there for the job interview and to my surprise, only ten positions had been allocated for that district. They cheated the *wananchi* to keep on running from 6.00 a.m. up to 7.00 p.m. in the night, expecting that they were going to be employed. In the end, they were told to go home. What are we going to tell the voters during the next elections? We are only left with two years and, in any case, one year! What are we going to tell our people? We had told them that we were going to make sure that they get jobs, but those jobs are not there! We cannot now even face the people. It becomes very difficult to do so.

Mr. Temporary Deputy Speaker, Sir, regarding security, surely, people have talked about insecurity in this country, and it is an obvious thing. You cannot sleep--- *Mheshimiwa* has become a police officer; he has become everything in the constituency! You are told by the people: "What are you going to do? Go and tell the police to help us because we are dying and we cannot sleep". What do you do? It has become a problem! It is high time that we looked into these things more seriously than just talking. Nobody is against this Government; people are just against what they did and what they promised the people and they are not fulfilling their promises! Just a simple thing like a constitution which was not made--- I do remember that on the opening of the Bomas three conference, His Excellency himself said that the Government would support this Constitution and never interfere with the process. It was said and we heard it! Why do we become so un-Christian just within a short time, and we call ourselves names of saints and in the heart, we are not saints? Why do we have to say that we are going to do this and in the end, we do not do it? We were told that the Constitution was going to be ready after the Bomas Conference, and all the 210 Members of Parliament were there. What are they going to say here which will be different to what they said there? Is there any difference? The citizens are waiting for it; it is only a question that Archbishop Ondiek wants a post, which is not provided here, and that power is not there. Therefore, that thing is contentious. What are all these things? Let us be serious and mature! Let us save this country; this country belongs to us.

Just a few years ago, this Government was telling the former regime---

The Temporary Deputy Speaker (Mr. Ethuro): You time is over, Archbishop Ondiek!

Archbishop Ondiek: Thank you, Mr. Temporary Deputy Speaker, Sir.

I beg to support.

Mr. Mwenje: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to say one or two words about this Motion. First of all, I want to say that the Presidential Speech was good, and it covered quite a number of issues that we expected to be covered. The only question is that of implementation. Who is charged with the responsibility of implementing those policies which were covered in the Presidential Speech? That is where the issue lies.

Mr. Temporary Deputy Speaker, Sir, regarding insecurity, you can never talk about insecurity without talking about poverty. The reason why we have a lot of insecurity, pick-pocketing, stealing and all the things is because there is a lot of poverty amongst our people. Of course, that does not give them a licence to do that, but we must connect it; that you can never talk about insecurity without talking about poverty. Our people are poor and they are getting poorer, and they must eat and drink. If you are drinking Tusker, they will go and drink their Chang'aa wherever they will. I am not encouraging that, but that is the real situation on the ground. So, let us address poverty. What are we going to do to ensure that our people get, at least, their daily bread and some little employment somewhere as we promised during the elections? If we look into this, we will be able to secure this country. But if we are just talking about insecurity literally everyday, and we are not doing anything about poverty, we will never, never succeed. So, let the Government, Members of Parliament and everyone of us address ourselves on this issue.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Mwenje! It is time now for the Mover to reply!

Mr. Mwenje: Mr. Temporary Deputy Speaker, Sir, I am sure the Vice-President and Minister for Home Affairs could have allowed me to contribute for ten minutes!

The Temporary Deputy Speaker (Mr. Ethuro): He has heard that, Mr. Mwenje!

The Vice-President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Temporary Deputy Speaker, Sir.

I want to thank all the hon. Members who have contributed to this very important Motion. Almost every hon. Member has agreed that, indeed, the Speech the President made was excellent and eloquent. Besides security, the President touched on almost everything. The Leader of the Official Opposition and many hon. Members have not faulted that Speech. They have requested that it be implemented. If I may start with insecurity, I agree that insecurity is rampant in this country. The Government has established a task force to carry out reforms in the police force. We have realised that in order to fight crime, we need a police force which is well versed in fighting the vice. The first step we took is to look at the welfare of the police officers. This House will recall that the salaries of police officers were doubled. We are providing those officers with good houses so that when they are on duty, they know that they have left their families in good houses. We have not yet provided all police officers with good houses, but definitely we are in the process of doing that.

Mr. Temporary Deputy Speaker, Sir, we have put a lot of emphasis on training the police in human rights and crime detection. At the moment, this is having an effect in the country.

It was important that we gave the police the tools with which to fight insecurity. It will be recalled that a number of vehicles were purchased and distributed to the police throughout the country.

The police officers were also given radios to enable them communicate with the base and other police officers whom they work with in any given area.

Mr. Temporary Deputy Speaker, Sir, we have continued to train the police so that they can fight crime effectively. If we are honest with ourselves, we will agree that crime has come down, since we plucked from the Kenya Army a Major-General, who is single-minded and works very hard. Today, not very many women are being molested and snatched their earrings and watches by thugs. We have not wiped out crime completely but we are moving in the right direction.

Incidents of carjacking are fewer these days than they were before. Some days ago, if you can recall, a week never passed without robbers breaking into a bank. I would like to point out that no bank robbery has occurred in the last six months. I think we are moving in the right direction.

Mr. Temporary Deputy Speaker, Sir, we know how important the tourism industry is to this country. We have set up a tourist police unit to protect tourists so that when they return to their countries, they will tell others that Kenya is a safe country to visit.

Finally, on the fight against crime, there are certain areas which have been hit by ethnic clashes. These are Maai Mahiu, Kwale, Trans Nzoia and Mandera District. In the case of Maai Mahiu, very

quick action was taken to bring the situation under control.

What are we doing to improve the economy? The economy has moved from a negative growth rate to 2.4 per cent growth rate. We have created an enabling environment to attract investment. We have also improved the infrastructure. I have just outlined the steps the Government has taken to enhance security in this country and investors are now investing in this country.

We have streamlined the investment policy by reducing the time it takes before someone can set up a business in this country. We have held several investment conferences with local and international investors and told them the areas they can invest in.

The President was quite eloquent in the steps the Government has taken to improve agriculture because this is the backbone of our country. We know that tea prices are high and the crop is fetching us a lot of foreign exchange. This is the first time sugar-cane farmers are being paid on time for the crop they deliver to sugar-cane factories. I am not saying that we have put in place a proper system but the action we have taken has improved the lives of many farmers.

Mr. Temporary Deputy Speaker, Sir, before we took over the leadership of this country from KANU, the dairy farmer was really suffering and did not know what to do with his milk. He was paid Kshs6 per litre of milk, but today he is being paid Kshs18 for the same quantity.

This is the first time that we are exporting livestock to other countries. This means that the pastoral communities have money in their pockets.

Above all, the tourism industry has grown by 20 to 25 per cent. We know that this industry has got a spin-off effect. The horticultural and pig farmers are benefiting from the increased number of tourists who visit this country.

In the service industry, we have improved and reformed the banking sector. We have seen interest rates come down from 40 per cent to 11 or 20 per cent. We have not forgotten the informal sector. We have put a lot of emphasis on macro-economic credit. Even village banks set up by K-Rep Bank have helped many villagers access a minimum loan of Kshs5,000 to a maximum loan of Kshs500,000. In the service industry, the insurance industry is extremely doing well. The Information Computer Technology (ICT) has helped this country a great deal. People are asking where the jobs we promised them are. I would like to say that jobs are there.

Hon. Members: Where are they?

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, it is difficult to count job opportunities, but they are there. Job opportunities are being created in the telecommunication industry by mobile telephone companies. Last year, there were 800,000 subscribers but today there are nearly three million. We have created job opportunities and it is only that people have refused to see them!

The Kenyan community abroad is remitting a lot of money to this country because they know that it has got a proper Government. This money is circulating.

Mr. Temporary Deputy Speaker, Sir, the Kenya Revenue Authority (KRA) has now reformed. It is collecting more revenue than it has ever collected before. I believe that very soon KRA will be reaching a target of about Kshs300 billion. If we utilise this money properly, very soon we will be out of the clutches of the donors.

It has always been stated that construction is the yardstick for economic growth. Is there anyone who can deny that when you drive around Nairobi City in the morning hours, that there are many lorries and trucks which are taking construction workers from one site to another? This surely is a yardstick for economic growth.

Mr. Temporary Deputy Speaker, Sir, land is very important to economic growth. Indeed, there are land reforms taking place in this country. The Ndung'u Report has been published. I know that the Minister for Lands and Housing is doing everything possible he can to ensure that land is properly utilised. But as I said here before, we need to change our culture on the way we look at the issues of land. When we continue to sub-divide land to uneconomic use, we will always remain

peasant farmers. What we need now is to look at land as a big asset and business. When we are running a business, the first thing we need to know is whether what comes out of it is marketable. We must think in terms of the cost of production. The cost of production will always remain high so long as we are using a *jembe* instead of using, for example, a tractor. We cannot use tractors on five acre plots. We need to rethink very seriously even on the question of consolidating areas where we have already sub-divided.

Mr. Temporary Deputy Speaker, Sir, on the question of infrastructure, there are roads now being constructed. In this House, we intend to bring a Procurement Bill so that we improve our infrastructure. There is already money earmarked for many roads which is still lying in the Consolidated Fund. I would like to urge hon. Members of this August House that when the Procurement Bill is brought here, to pass it as quickly as possible, so that our infrastructure is improved.

We are also thinking of infrastructure in terms of water. I know, for instance, that the Ministry of Home Affairs and the Ministry of Water and Irrigation are utilising the National Youth Service (NYS) in trying first of all to build dykes. We also want to build dams and develop boreholes, so that there is sufficient water. We want to move from rain-fed agriculture to irrigation. These are some of the things we are doing.

Mr. Temporary Deputy Speaker, Sir, on electrification, we know that we still have got a long way to go. However, there are many areas that have electricity. We know electricity creates employment and it helps small market towns to establish small industries. It also enhances the *Jua Kali* sector.

On the question of fighting corruption, we have said that we need to have good governance. Good governance means that we must respect all institutions. The institutions fighting corruption are there. Let us allow them to work. Let us not put too much on perception because corruption is sometimes perceived. It has been proved that some of the critics exaggerated whatever they were saying about corruption. Nobody is denying that there is no corruption. Give me any country in the world where there is no corruption. We are fighting it. Let us respect institutions fighting corruption, so that they can deal with the situation.

The President talked of good governance. There is a lot of democratic space. This is the reason why today people do not hesitate even to call the Head of State names. This is an improvement and we must accept it. It is no use just denying what is there. There is adequate democratic space and that is why both print and electronic media have gone haywire.

Mr. Temporary Deputy Speaker, Sir, on health services, if you visit dispensaries and health centres in the rural areas, you will find medicine that was not there.

On the education sector, it has been stated that the free primary school education programme is a success whether we accept it or not. If you look at the results of the national exams, for example, you will notice that it was reported that there was an increase of a certain percentage in their quality. So, the free primary school education programme has helped this country a great deal, in so far as economic growth is concerned. Every child in a primary school is allocated between Kshs1,400 and Kshs3,000 a year. When you look at this, it is a lot of money that is now circulating in the countryside.

Mr. Temporary Deputy Speaker, Sir, even in the smallest constituency like the one I represent with less 1,000 people, money is flowing through various channels, for example, bursaries, Constituency Development Fund (CDF) and Constituency AIDS Control funds, among others. There is a minimum of Kshs50 million which is circulating down to the grassroots. So, for anybody to say that this is not effective is to refuse to see reason.

Mr. Temporary Deputy Speaker, Sir, the President put a lot emphasis on the Bills that need to be passed here. I was amazed to hear one contributor say that in the last two years, this House has only passed seven Bills. In 2003, we passed 16 Bills which became law. In 2004, we passed 13 Bills. That is a total of 29 Bills. However, it is not adequate because when you look at Britain, they pass

nearly 30 Bills in a year. In Tanzania, they pass about 50 Bills in a year. What we need is a unified House that can look at the national interest as apposed to sectorial interest. We need to work together. Above all, we need good performance in Parliament. Let us forget what our parties are. Let us know that we are elected to look after the interests of this country.

Mr. Temporary Deputy Speaker, Sir, finally, I really want to call upon every one of us to be a little patriotic. It does not help to continue bashing your country every day. Even if you have your mother who may be cruel to you, you still love her. Kenya is our mother. Let us love her. Let us criticize her in a constructive manner. Let us not heap all the blame. Above all, let us not be deceived by colonialists who colonised us and who still want to colonise us. Let us not believe everything they say. Let us decolonize our minds, so that we see what is there.

The President promised action on some of those things I have mentioned. However, because of lack of time, I cannot go through everything. It is important that we accept that the President, in his Speech, said what is being done and what has already been done. Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to move.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Thursday, 31st March, 2005, at 2.30 p.m.

The House rose at 6.30 p.m.