

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 2<sup>nd</sup> February, 2011

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### QUESTIONS BY PRIVATE NOTICE

#### DETAILED ACCOUNT OF COUNTRYWIDE DROUGHTS/FLOODS IN THE LAST DECADE

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

(a) Could the Minister provide a detailed account of the history of all droughts and floods experienced in Kenya in the last ten years and particulars of the victims thereof?

(b) What interventions, if any, have been made by the Government in addressing the above cases and what policy or remedial measures have been put in place to address present and future similar occurrences, threats and challenges?

(c) What steps is the Government taking to ensure that no Kenyan dies of hunger and that all Kenyans have adequate food as provided in Article 43(1) (c) of the Constitution?

**The Assistant Minister, Ministry of State for Special Programmes (Mr. M.M. Ali):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) The droughts and floods experienced in Kenya in the last ten years, including the victims affected thereof are as follows: In the year 2002, too much floods were experienced in Nyanza and Tana River. In 2003, floods were experienced in Nyando and Nzoia. Between 2004 and 2006, there was drought in Arid and Semi-Arid parts of the country. In 2009, again, there was drought and 29 districts were affected severely. In 2009/2010 there was drought and floods due to El Nino rains. Currently, 2011, drought is affecting severely the northern parts of the country and parts of North Rift and Coast.

(b) To mitigate against the adverse effects of drought and floods, the Government established a National Drought Response Steering Committee chaired by the Prime Minister and co-ordinated by my Ministry. The committee co-ordinates mitigation measures undertaken by various Ministries

The perennial problem of flooding has been adequately addressed. Through funding from the World Bank, the Ministry has initiated the Western Kenya Community Driven Development and Floods and Management Project which has the mandate to deal with the floods in Budalangi and Nyando districts. It has taken the following measures: Catchment management, planting of seedlings, construction of check dams, use of early warning systems, river draining, establishing of community

radio stations, reconstruction of dykes and design of a multipurpose dam at middle catchment areas.

The effects of drought are clearly manifested in the livestock sector, especially when livestock deaths are reported. The Government has, therefore, been spearheading interventions in this sector in order to avert scenes like those witnessed in 2009. A range of measures have been taken from the health sector to water. Also, so that the livestock farmers can be cushioned, the animal Off-take Programme has been initiated. The treatment and vaccination of livestock is also in process. Also, Government institutions have been directed to purchase canned beef from The Kenya Meat Commission (KMC) in order to generate funds for livestock off-take.

To minimize the negative effects of drought in the health sector, the Government has taken the following measures: Intensified mobile and outreach services; procurement of additional drugs and related supplies and enhancing supervision and monitoring activities among others.

A policy to adequately address these perennial problems of drought and flooding has been drafted, circulated and tabled at the sub-committee on humanitarian affairs. However, on passage of the new Constitution it has been felt necessary that all other stakeholders now come on board again, to look at it afresh, so that matters addressed in the new Constitutional dispensation can be adequately addressed and be in tandem with the situation set in the Constitution, such as the county levels. It has now been finalized and is just awaiting submission to the Cabinet.

In Arid and Semi-Arid districts, the Ministry of Development of Northern Kenya and other Arid Lands has been authorized to reallocate Kshs180 million for the purpose of provision of fuel subsidy for operating boreholes, assist pastoralists access water for both domestic and livestock use; conflict resolution and peace building and co-ordination and monitoring of drought relief efforts in the districts.

(c) The Government feeds one million Kenyans in 24 districts while the World Food Programme feeds another 1.6 million Kenyans who are on monthly relief rations. That brings the figure to a total of 2.6 million Kenyans who are currently on relief programme.

This figure may be increased since the drought situation is now more severe than anticipated. As far as the Strategic Grain Reserve (SGR) is concerned, we have a total of 3 million bags currently and this is being increased. Purchase of food from other areas which are better endowed is ongoing. This food is being transported across the country. We expect to have sufficient food in every part of this country.

**Mr. Wamalwa:** Mr. Deputy Speaker, Sir, it is shocking that this country has experienced floods in different areas such as Nyando in Nyanza, Namanjalala in Trans Nzoia and Budalangi in Busia. We have had drought in the northern parts of this country and Ukambani for a long time. In the last ten years, hundreds of thousands of people have been displaced. Some have died. Crops have been destroyed. Livestock has been lost. However, it has taken this Government over ten years to develop a policy to deal with this situation. Could the Assistant Minister confirm to the House when the Government intends to come up with a comprehensive policy that will deal with this matter on a sustainable and long term basis?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I thank the hon. Member. Indeed, it is a genuine concern and it is true that the Government has taken long to develop a policy. However, I want to assure the hon. Member that the policy is being reviewed. In fact, it has been finalized and is waiting submission to the relevant sub-committee. I have the draft document here with me. Let me assure the House, and the public in

general that a comprehensive policy is now in place and it is only waiting liberation at the Cabinet level.

**Mr. Bahari:** Mr. Deputy Speaker, Sir, last week, the Prime Minister went round parts of northern Kenya and distributed food to several areas. However, Isiolo was not part of the areas that he visited. Ten days down the line, no food has been delivered to Isiolo. Could the Assistant Minister explain why Isiolo was discriminated against, not on the visit, but on emergency food delivery?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I am afraid that delivery of food to affected Kenyans is not pegged on the tour of the Prime Minister to any given area. He may have had an opportunity to distribute food which was already in the district. In the process of his assessment of the drought situation, he may have wanted to take part in the ongoing process. However, the ratio for Isiolo, like all the affected districts, is safely in place. It has, probably, not reached the people.

**Mr. Bahari:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to say that the ratio for Isiolo is safely in place and yet, our people are suffering from hunger?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, food has already been disbursed to all affected parts of the country, including Isiolo District.

**Mr. Bahari:** On a point of order, Mr. Deputy Speaker, Sir. I was in the constituency the whole of last week and part of this week. In fact, I came back on Monday evening. I toured the entire constituency. There is no food that has been distributed out of the current emergency policy in the entire Isiolo District. It is only the normal small ratios which are not anywhere near being sufficient. In fact, they are part of the food-for-work programme. I even inspected one of the projects. Why is he misleading the House?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I want to confirm food has been distributed to all affected districts. If it has not been distributed for some reason in Isiolo, I will find out from the DC concerned. Otherwise, we have distributed food to all districts.

**Mr. Litole:** Mr. Deputy Speaker, Sir, this is a sad issue for all of us who come from dry areas. When the Prime Minister was touring northern parts of Kenya, he talked about Kshs5 million being given out for water per constituency. In constituencies like North Horr or Moyale where the Assistant Minister comes from, Kshs5 million is not enough to take water to our people. What plans do they have to increase this amount, so that areas like Moyale and Pokot can access clean water?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I thank the hon. Member and accept that the amount of money that was pronounced is not sufficient to handle those serious situations. However, we, as the Ministry coordinating the disaster, have had a sitting with the relevant Ministry of Water and Irrigation and impressed upon them that they need to put in place more serious measures. As such, they have come up with a programme to address each and every area. They have mobilized water boozers to several districts. They have also mobilized a team that will attend to all boreholes that experience breakdown. In fact, I want also to confirm that I know the situation is very serious because I come from that area. We went round with six Permanent Secretaries and saw how the situation is getting out of hand. The Ministry of Water and Irrigation is giving this issue due attention. I can confirm that water boozers have already been mobilized. Vehicles for transportation of food to all the parts have also been mobilized.

**Mr. Olago:** Mr. Deputy Speaker, Sir, the perennial flooding in Budalangi, Nyando and lower parts of Nyakach is caused by flooding of Budalangi River,

Nyando River and partly River Sondu. Every time this happens, there is a cycle of drought. Why is it so difficult for the Ministry to devise a system urgently where there can be a series of dams up stream, so that the flow of water is controlled gradually and that water stored in the dams can be used during the drought?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, as I said, under the Western Kenya Community driven projects, with funding from the World Bank, a lot of progress has been made. However, that programme went into a hitch when some audit queries were raised. Those queries have since been addressed. It has now received due attention and we are only awaiting a word from the World Bank, so that the programme can get back on track. However, a lot of progress has been made.

**Dr. Eseli:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to keep on harping on the World Bank sponsored programme which has been suspended for more than two years now? It seems as if it is not about to be restarted and yet it seems to be the mainstay of his argument.

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, I am talking about these projects because I know what is happening. I know the progress which has been made. These are funds which have already been availed and put into good use. We have made enough consultations and the World Bank is ready to give us a green light to restart those projects. That is not the only course of action the Government will take. We have also set up a team to come up with an alternative measure we will take as a Government, so that the Disaster Response Centre comes up with a proper document as far as the western Kenya project is concerned, to supplement what the World Bank funded project is doing.

**Mr. Wamalwa:** Mr. Deputy Speaker, Sir, looking at the answer the Assistant Minister has provided on the current drought, he has indicated that over three million people are currently affected. If the drought persists, he says this number could increase up to five million people. He has indicated nowhere that a Kenyan has died. We have heard one or two cases of people who have died because of this drought in the north. How come he has not indicated cases of deaths apart from those who are affected by the drought? Could he also indicate how much money the Government has set aside to deal with this situation that is affecting close to five million Kenyans?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, it saddens me to tackle this bit of the Question, especially when it touches on the lives of Kenyans. It also affects my people. Where I come from, we are equally severely hit alongside several other districts in the country. I want to confirm to the Members that, indeed, this is a serious situation. As to the number of deaths, I want to be sincere with you that it has been reported that two people have died elsewhere in the country. We could not confirm, as a Government, that those two deaths were related to hunger. That is why we could not, with confidence, put on paper that people have died from hunger. However, with regard to the way forward, we have made sure that all the parts that are affected by the drought get relief food and no Kenyan will starve.

**Mr. Mututho:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to say that they could not establish whether the deaths were related to hunger while it is public knowledge that the two cases were reported in Garissa, which is in the region he comes from? How long does it take for the Government to establish that these two Kenyans died from starvation?

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, you must have read some reports sometimes even touching on my area, but I can confirm that nobody died from hunger in Moyale. People rely on newspapers which sometimes are not accurate. I want to confirm that the situation is serious.

**Mr. C. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to avoid the issues raised by hon. Mututho? He is a Member of the Government and does not rely on newspapers. The Government has structures to know what is happening on the ground. There are allegations that two people died from hunger. It is the responsibility of the Government to go and find out and not to read *The Daily Nation* or *The Standard* Newspapers to find out what happened.

**Mr. M.M. Ali:** Mr. Deputy Speaker, Sir, we are not relying on newspapers. The Members should not rely on newspaper reports. Those deaths are not hunger related, but from other causes. That is why we could not put it on paper. In response to the other part of the Question which asks how much money has been set aside by the Government, we have put aside Kshs5.5 billion to address the current drought.

SOURCE OF CONTAMINATED MAIZE  
DISTRIBUTED TO IDPS

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

(a) Could the Minister state the source and quantity of the contaminated maize recently distributed to IDPs in Mawingo and Naivasha camps?

(b) Could the Minister confirm whether uncontaminated food has now been distributed to the IDPs and what action has the Government taken against the supplier?

(c) What is the total loss of grain incurred so far by *ex-MV Aquila*, *MV Siam Opal* and *MV Fonarun Naree* and who will compensate the Government and consumers of the contaminated grains?

**The Assistant Minister, Ministry of State for Special Programmes (Mr. M.M. Ali):** Mr. Deputy Speaker, Sir, I beg your indulgence. We got two Questions by Private Notice yesterday and we have not compiled the appropriate answer to this particular Question. Our team is still very busy looking for the appropriate answer. I want to kindly request that we be given up to tomorrow, so that we can give an adequate answer that stands the quality of interrogations and I will be confident when answering the Question.

**Mr. Deputy Speaker:** Hon. Mututho, are you comfortable with the Question appearing on the Order Paper tomorrow in the afternoon?

**Mr. Mututho:** Mr. Deputy Speaker, Sir, I am comfortable. However, I would seek further indulgence that when the Assistant Minister rises to answer the Question, if he could say exactly how much extra money he has to avert the current drought?

**Mr. Deputy Speaker:** Order! We cannot deliberate on the content of the Question. The matter is not before us. The Chair directs that this matter appears on the Order Paper tomorrow in the afternoon.

*(Question deferred)*

MEASURES TO STABILIZE HIGH COST OF FERTILIZER

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

(a) Is the Minister aware that food production is threatened by the rapidly escalating prices of fertilizer?

(b) Why has the Revolving Fund for Stabilization of Fertilizer Prices that was initiated in 2010, through which the Government released funds for purchase and subsequent sale of subsidized fertilizer for farmers stalled?

(c) What measures is the Minister taking to arrest the above situation?

**The Assistant Minister for Agriculture** (Mr. Mbiuki): Mr. Deputy Speaker, Sir, I wish to seek the indulgence of the House to answer this Question tomorrow in the afternoon. I have not received an adequate answer to satisfy this House on this matter.

**Mr. Deputy Speaker:** Dr. Khalwale, the Assistant Minister is seeking the indulgence of the House.

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, I have had a hide and seek relationship with this Ministry in connection with my Questions. I am hoping that this is not yet another occasion where we are going to start chasing each other, knowing that this is a very urgent matter. Farmers have now moved into the phase of buying fertilizer. Tomorrow will come and I hope the Assistant Minister is not running away.

**Mr. Bahari:** On a point of order, Mr. Deputy Speaker, Sir. I heard Dr. Khalwale talking about a hide and seek game. Are we playing any games here? I thought we deal with serious business in this House.

**Mr. Deputy Speaker:** Hon. Assistant Minister, are you giving a firm undertaking that you will be available with the answer tomorrow?

**The Assistant Minister for Agriculture** (Mr. Mbiuki): Mr. Deputy Speaker, Sir, I would like to assure the hon. Member that I will come here very prepared tomorrow. I have just received the answer this moment, but I have not had an opportunity to go through it and see the amendments which have been done. I am willing to face hon. Khalwale and the House tomorrow to assure the farmers that the country will have the fertilizer as soon as possible.

**Mr. Deputy Speaker:** Very well. The Chair directs that the Question appears on the Order Paper tomorrow afternoon.

*(Question deferred)*

#### LEADERSHIP WRANGLES IN AFRICAN INLAND CHURCH

**(Mr. Murgor)** to ask the Attorney General:-

(a) Is the Government aware that the African Inland Church (AIC), one of the leading Christian denominational organizations in the country, is facing imminent collapse due to wrangles in the leadership?

(b) Could the Attorney-General explain to the House how the Registrar of Societies allowed the two varying registration numbers of 1152 & 113, and the circulation of two varying Constitutions for the same AIC, and could he table the genuine Constitution and state the registered officials?

(c) Could the Attorney-General state what action he will take against persons who printed and circulated a fake Constitution after the original revised copy was registered by the Registrar-General in the year 2008 and could he further assure the House that the Government will declare as illegal, the sale at Kshs200, of the fake Constitution?

**Mr. Deputy Speaker:** Is hon. Murgor by any chance out of the Chambers or out of Nairobi for any parliamentary business? The Question is dropped!

*(Question dropped)*

## ORAL ANSWERS TO QUESTIONS

*Question No.400*

### STAFF ESTABLISHMENT AT BURA/HOLA IRRIGATION SCHEMES

**Mr. Deputy Speaker:** It has been communicated to the Chair that, indeed, Dr. Nuh is sick and in hospital and will not be in a position to ask this Question. Under the circumstances, the Chair directs that Question No.400 appears on the Order Paper at the time when Dr. Nuh is in a position to ask it.

*(Question deferred)*

*Question No.530*

### ISSUANCE OF IDENTITY CARD TO IBRAHIM NOOR HOLLOWLY

**Mr. Deputy Speaker:** Hon. Kioni! He is not here. We will come back to the Question!

*Question No.572*

### IMPROVEMENT OF ROAD DESIGN AT SALGAA/SACHANGWAN

**Mr. Kiuna** asked the Minister for Roads:-

- (a) whether he is aware that poor road design has been the cause of road accidents at the “black spot” at Salgaa/Sachangwan on the Nakuru-Eldoret road leading to loss of lives over the years; and,
- (b) what the Government is doing to improve the design of the road along this stretch in order to guarantee the safety of road users.

**The Assistant Minister for Roads** (Mr. Kinyanjui): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that poor design has been the cause of accidents at Salgaa/Sachangwan on the Nakuru-Eldoret Road. Indeed, majority of the accidents on our roads are being attributed to human error.

(b) Previously, there was a concern that a tight curve on the above mentioned spot was the cause of the accidents. During the reconstruction of the Njoro Turn-Off to Timboroa section, my Ministry realigned the section of the road and removed the tight curve. We have also significantly widened the road to enhance safety of the motorists.

I have a list of the accidents that have occurred there in the last one year, which was supplied to the Ministry by Rongai Police Station. Indeed, as I have already indicated, over 95 per cent of the accidents on this section of the road are caused by human error.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Kiuna:** Mr. Deputy Speaker, Sir, I concur with the Assistant Minister's answer, but considering the section from Salgaa all the way to Kifunja, I do not really agree with him that the accidents are not caused by poor design. Those people who have been using that road will agree with me that the stretch between Salgaa and Kifunja needs to be re-designed, even if it means erecting some bumps so that vehicles can reduce the speed at which they move on that stretch. Currently, when heavy trucks drive down from Kifunja to Salgaa, they tend to over-speed. So, could the Assistant Minister consider erecting some bumps on that stretch of the road?

**Mr. Kinyanjui:** Mr. Deputy Speaker, Sir, while I appreciate the concerns raised by the hon. Member in respect of the accidents that have been experienced on this section of the road and in the country at large, I wish to say that it is not the Ministry's policy to erect bumps at every place. The section of the road we are talking about is, indeed, steep. If you introduce bumps, trucks moving uphill will have to slow down and, will have challenges in terms of being able to ensure continuity and, therefore, probably result in even more accidents.

Mr. Deputy Speaker, Sir, I also wish to state that my Ministry has embarked on a serious road awareness campaign. We will be targeting road users, especially regular road users like truck drivers, *matatu* drivers and bus drivers to ensure that they use the road in a manner that does not endanger their lives or the lives of other road users.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Chanzu:** Mr. Deputy Speaker, Sir, the Assistant Minister has made reference to human error, but he has not specified the aspects of human error involved. The design is also not good, because the road should be a bit wider. Also, because of the trucks that park there, there is obstruction. Why can the Assistant Minister not consider providing some kind of space where the trucks can park, so that they can leave the road clear?

**Mr. Kinyanjui:** Mr. Deputy Speaker, Sir, indeed, the concern by the hon. Member is correct. We have been able to note that on sections of the road where the trucks park by the road side, especially in the area of Kikopey, Salgaa, and in many other parts in the country, there is obstruction. Therefore, through the Kenya National Highways Authority, we are in the process of acquiring parking space in Salgaa and other areas to ensure that we get the trucks off the road and ensure that there is no obstruction, especially at night.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Mwangi:** Mr. Deputy Speaker, Sir, while we would take the Assistant Minister's word on the design of the road, we need to know that most of the accidents that occurred, especially in the last part of the year, were due to poor maintenance of the road. Could he tell the House whether they have enough allocation for repair and maintenance of the roads in this country, especially for the Kenol-Maragua-Muranga road, where we lost over 10 people over the Christmas period due to poor maintenance? What is the Ministry doing? Has it been allocated enough funds for maintenance of the roads that were tarmacked many years ago?

**Mr. Kinyanjui:** Mr. Deputy Speaker, Sir, I wish to state that there is no evidence to show that the state of the roads is the cause of the accidents, especially on the section that the hon. Member has mentioned. I also wish to state that my Ministry would probably do more with more funds. Therefore, I would agree with him to the extent that if we would be able to get more funds, our roads would be much better than they are today.

**Mr. Deputy Speaker:** Last question, hon. Kiuna!



**Mr. Kiuna:** Mr. Deputy Speaker, Sir, I remember putting a request to the Minister sometime back about the road from Narok to Pipeline, and he promised me that it would be gravelled but so far, nothing has been done on it. Therefore, I request the Assistant Minister to assure this House once more that that road has not been forgotten.

**Mr. Kinyanjui:** Mr. Deputy Speaker, Sir, it is indeed true that the section of the road that the hon. Member has cited was in deplorable condition. My Ministry is in the process of disbursing funds to ensure that we restore that section of the road to motorable condition.

**Mr. Kigen:** On a point of order, Mr. Deputy Speaker, Sir. Concerning the Salgaa stretch of this particular road, the Assistant Minister mentioned that they are in the process of acquiring land for parking. They have already passed that stage. Is it in order for him to say that there are now acquiring the land when they have already started the process, and they are at the stage of starting to build the parking?

**Mr. Kinyanjui:** Mr. Deputy Speaker, Sir, what has been said by the hon. Member is true, but he is also aware that there were concerns from the community and objections were raised. Therefore, my Ministry is reviewing the whole process of acquisition to ensure that all interests are taken care of, including the neighbourhood and the requirements set out by the National Environment Management Authority (NEMA).

**Mr. Deputy Speaker:** Next Question, hon. Luka Kigen!

*Question No.621*

SETTLEMENT OF SQUATTERS IN  
BANITA SETTLEMENT SCHEME

**Mr. Kigen** asked the Minister for Lands:-

(a) whether he is aware that Banita Settlement Scheme in Rongai was bought by the Government to settle squatters living in Makongeni location and, if so, what the value of the 16,000-acre land is.

(b) why the Government cancelled the first survey works and commissioned another using the same government surveyors, and why the allotments done in 2002 were cancelled, leaving out some of the previous beneficiaries; and,

(c) whether he could also provide a list of the beneficiaries of the first and second allotments, explain why a number of deserving persons were replaced in the second allocation and state what the Ministry is doing to ensure the replaced persons are among the beneficiaries.

**Mr. Deputy Speaker:** Hon. Kigen, it is fair to note that there is an understanding between you and the Ministry on this Question to be asked at a much later date. Is that the case?

**Mr. Kigen:** Mr. Deputy Speaker, Sir, I seek your indulgence to have this Question pushed forward to a later date to enable the Minister to be present, so that we can have a concurrence over the same. It looks like the Minister is not in the House at the moment.

**Mr. Deputy Speaker:** Fair enough! Under the circumstances, the Chair directs that this Question appears on the Order Paper three weeks from today. Is that okay with you, hon. Kigen?

**Mr. Kigen:** I am comfortable, Mr. Deputy Speaker, Sir.

*(Question deferred)*

**Mr. Deputy Speaker:** Next Question, Mr. C. Kilonzo!

*Question No.635*

DELAYED PAYMENT OF TERMINAL DUES TO FORMER  
EMPLOYEES OF LANDMARK HOTEL

**Mr. C. Kilonzo** asked the Minister for Labour what action he will take to ensure that all the former employees of Landmark Hotel, Nairobi, are paid their terminal dues, which have been pending since 1st October, 2003.

**The Assistant Minister for Labour** (Mr. Ojaamong): Mr. Deputy Speaker, Sir, I beg to reply.

I intend to take no action on the issue of dues payable to the former employees of Landmark Hotel, Nairobi, because there is an ongoing case at the High Court – Case No.147/2004 – through their representative union, namely, Kenya Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers Union.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, I was hoping that the Minister, who signed this Question, would be around to answer it. The wording of the answer shows that the Ministry has no interest in the workers of this country. The answer should have read “I would have taken action were it not for the court case.” Nevertheless, I do not blame the Assistant Minister. I blame his boss.

Mr. Deputy Speaker, Sir, that being the case, I have no further questions.

**Mr. Ojaamong:** Mr. Deputy Speaker, Sir, the hon. Member says that he does not have any question but the fact of the matter is that this case was filed in the High Court in 2004 but it has not been heard since that time. Towards the end of last year, those people could have applied for the case to be moved to the Industrial Court which falls under the Ministry of Labour. So, it will be tackled by the Industrial Court appropriately and these employees will be paid.

**Mr. Deputy Speaker:** Mr. C. Kilonzo, could you ask the last supplementary question on the same?

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, the matter is already in court and there is very little that we can do. I hope the case will be handled very fast.

*Question No.661*

NON-PAYMENT OF SALARIES TO EMPLOYEES OF  
M/S EASTERN INDUSTRIAL WORKS LIMITED

**Mr. Yakub** asked the Minister for Labour:-

(a) why M/S Eastern Industrial Works Ltd have not paid salaries to their employees for six months; and,

(b) what action he will take to ensure that the employees of the company are promptly paid their salaries.

**The Assistant Minister for Labour** (Mr. Ojaamong): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The employees of Eastern Industrial Works Limited have been paid their salaries to date.

(b) My Ministry will continue with regular inspection to ensure compliance with the labour laws.

**Mr. Yakub:** Mr. Deputy Speaker, Sir, the House can remember that last week the Assistant Minister had requested to be given more time to bring a comprehensive answer to the House.. He told us that he had been informed that only four employees had been paid but today he is telling us that all the employees have been paid. I have a list of employees who have not been paid and I would like to table it.

*(Mr. Yakub laid the document on the Table)*

I would like the Assistant Minister to read out the names and confirm whether they are the same employees he was told had been paid their full dues.

**Mr. Ojaamong:** Mr. Deputy Speaker, Sir, I have the payroll which I was given by the company. I think it would be better if the hon. Member can cross-check to find out whether the employees he is talking about are the ones who have been paid. I would like to table the payroll.

*(Mr. Ojaamong laid the document on the Table)*

What happened is that by September, there were some employees who had not been paid their arrears but when my officers went to inspect the company, they discovered the anomaly and those employees were paid their arrears in full. The current position is that all the employees had collected their salaries and even advances for January when this answer was being prepared.

**Mr. Yakub:** Mr. Deputy Speaker, Sir, I am willing to go through the payroll the Assistant Minister has laid on the Table. However, I would like to inform him that Article No.41(1) of our Constitution says that every person has a right to fair labour practices. So, I hope that the Assistant Minister is fully aware that all the dues have been paid. However, I am willing to go through the payroll that he has just tabled.

**Mr. Deputy Speaker:** That is fair enough! Before we proceed on to the next Question, Mr. Yakub has tabled a list of employees in this House but it is not signed. Therefore, it is not admissible under our rules. You should give a list that is signed.

Let us move on to Mr. Mbau's Question!

*Question No.651*

#### STATUS OF ECONOMIC STIMULUS PROGRAMME

**Mr. Mbau** asked the Deputy Prime Minister and Minister for Finance:-

(a) whether he could update the House on the achievements and/or implementation status of the *Economic Stimulus Programme*, considering that Kshs22 billion had been spent in the 2009/2010 Fiscal Year; and,

(b) what plans there are to ensure the sustainability and continuity of the programme.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance** (Dr. Oburu): Mr. Deputy Speaker, Sir, I beg to seek the indulgence of the House that we answer this Question in two weeks' time. This is because the Question is very important to the House since it is about the Economic Stimulus Programme. As a Ministry, we are not the implementing agency. The Programme is being implemented by other Ministries. There is some information we are still gathering and compiling a comprehensive report for the House. I have discussed with the hon. Member and we request that this Question be put on the Order Paper in two weeks' time. That will be on the Wednesday after next week.

**Mr. Deputy Speaker:** Is that okay with you, Mr. Mbau?

**Mr. Mbau:** Mr. Deputy Speaker, Sir, that is okay to the extent that we shall get "completeness" in the manner of continuity and sustainability. My interest in this Question is to ensure that this programme is revisited and not implemented in a manner that leaves funds hanging. So, I agree to the Assistant Minister's request.

**Mr. Deputy Speaker:** Fair enough! The Chair directs that this Question appears on the Order Paper in two weeks' time.

Let us move on to the next Question by Mr. Pesa!

*Question No.677*

STALLED CONSTRUCTION OF  
MIGORI MUNICIPAL BUS PARK

**Mr. Pesa** asked the Deputy Prime Minister and Minister for Local Government:-

(a) why the construction of Migori Municipal Bus Park stalled; and,

(b) when the Ministry will complete the construction and how much money has been budgeted for the same.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government** (Mr. Nguyai): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the project for the construction of Migori Bus Park stalled and was subsequently terminated by the Ministry after the contractor failed to honour his obligation in the contract.

(b) The Ministry has repackaged the outstanding works and tenders have been floated and evaluated. Upon award, the project will commence during this financial year and will be completed in the next financial year. The Ministry has set aside a budget of Kshs77 million for the completion of both Awendo and Migori Bus Parks. Kindly note that due to the proximity of the two towns the Ministry has combined the works between the two bus parks into one contract to be implemented by one successful bidder.

**Mr. Pesa:** Mr. Deputy Speaker, Sir, I would like to acknowledge the good answer given by the Assistant Minister with regard to this Question. However, the last answer to part "b" of the Question is not satisfactory because I am interested in knowing the amount earmarked for Migori Bus Park and not the two bus parks. I think the Assistant Minister should have given me that answer clearly so that the people of Migori can know how much they expect to come from the Ministry to complete that bus park which has stalled for a very long time.

**Mr. Nguyai:** Mr. Deputy Speaker, Sir, as I stated, we are only doing one bus park in Migori because the bus parks have been combined into one because of proximity. The bus park will be implemented by one successful bidder.

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, there is a problem in this Ministry when it comes to the construction of bus parks. As we speak now, Kitui Bus Park has stalled for one-and-half years. Could the Assistant Minister tell us how many of these bus parks have been completed and what he is doing about the ones that have stalled?

**Mr. Nguyai:** Mr. Deputy Speaker, Sir, I think that is a substantially different question and I do not have the answer right now. What I know is that the Question at hand basically refers to the Migori Bus Park.

**Mr. Deputy Speaker:** Ask the last supplementary question on the same, Mr. Pesa!

**Mr. Pesa:** Mr. Deputy Speaker, Sir, it is very unfortunate. We have two bus parks in question. One is at Awendo and the one I am concerned about is at Migori. I wanted to know how much money has been earmarked for the bus park in Migori which has stalled. Actually the progress at the bus park in Awendo is good and I am not concerned. I want the Assistant Minister to tell me how much money has been earmarked for the completion of the Migori Bus Park.

**Mr. Nguyai:** Mr. Deputy Speaker, Sir, the total amount of money allocated for the Migori Bus Park is Kshs66 million.

**Mr. Deputy Speaker:** Fair enough. Next Question, by Mr. K. Kilonzo!

*Question No.658*

NON-DISBURSEMENT OF LOANS TO MUTITO TRADERS

**Mr. K. Kilonzo** asked the Minister for Trade:-

(a) why local business people in Mutito constituency are persistently denied loans by the Ministry and what steps the Minister will take to ensure that deserving applicants are given loans;

(b) if he is also aware that there are no Trade Officers in both Nzambani and Mutito Districts and, if so, when they will be posted; and

(c) if the Minister could consider making arrangements for the business community to be served at Chuluni and Zombe District Headquarters.

**The Minister for Trade** (Mr. Mwakwere): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Subject to availability of funds, the Ministry ensures that deserving applicants for business loans from Mutito and elsewhere in the Republic are not denied loans by the Ministry. All loan applications, including those from Mutito Constituency are subjected to vetting to determine viability of funding the respective businesses through the Trade Development Joint Loans Board Scheme.

(b) I am aware that both Nzambani and Mutito districts are served by a trade officer housed in Kitui Municipality. In consideration of our Constitution which organizes Government functions through counties, my Ministry will ensure that business people from Chuluni and Zombe created under the previous Constitution will be served appropriately. The Ministry of Trade is in the process of establishing new field stations, an exercise which will be completed by the beginning of the next

financial year. Both Nzambani and Mutito administrative zones are receiving due consideration.

(c) Yes.

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, I would like to thank the good Minister for his answer. However, I want to inform him that whereas there is an officer in Kitui District, which is the county's headquarter, services which are provided by his Ministry are actually obtained in a different county. For instance, the people of Kitui have to travel all the way to Machakos when they need licences from the Transport Licencing Board (TLB). They have to travel to Mwingi when they need services concerning weights and measures and also to attend the Trade Development Loans Board meetings.

What is the Minister doing to ensure that those services are consolidated in Kitui to ensure accessibility of these services?

**Mr. Mwakwere:** Mr. Deputy Speaker, Sir, I am aware that Zombe is in Mutito District while Chuluni is in Nzambani - both districts are in Mutito Constituency.

In 2000, during the right-sizing of the civil service work force, the Kitui District Trade Development Office was closed down alongside other offices in the Republic as the Ministry went through the zoning process. All the Field Trade Development Officers were zoned into 20 zones and nine sub-zones. In the case of Kitui and Mwingi districts, it was decided that their Trade Development Officer would be based in Mwingi. This serves as the operation zone and we are aware of the inconvenience that the people of Zombe and Chuluni are experiencing.

As I said, we are reorganizing the services and we have confidence that appropriate services will be offered at a central point in the next financial year.

**Mr. K. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. The Minister has not answered my Question which is very clear. The people of Kitui County have to travel to Machakos to access these services. Could the Minister consolidate these services so that the people of Kitui County can access these services in Kitui County? Is the Minister in order not to answer that Question?

**Mr. Mwakwere:** Mr. Deputy Speaker, Sir, I said that we are consolidating the centre of operation for the next financial year. It all depends on the finances allocated to the Ministry and we are not able to do that now. However, we are confident that we will do it in the next financial year.

The operational base for the Kitui Trade Development Joint Loans Board which served the two original districts was moved from Kitui District to Mwingi District. That was an exercise that was conducted and concluded. I would like to give the hon. Member full assurance that we shall consolidate and reorganize the services.

I am not aware that the people of Kitui go to Machakos. The consolidation was done so that the people from the two districts could be served in Mwingi. We are reorganizing so that they get services within their own districts.

**Mr. Deputy Speaker:** Mr. K. Kilonzo, ask your last supplementary question!

**Mr. K. Kilonzo:** Mr. Deputy Speaker, Sir, in his answer to part (a) of the Question, the Minister said that the people of Mutito access loans like any other Kenyans. Could he, please, table a list of names of the people of Mutito who have been able to access these loans?

**Mr. Mwakwere:** Mr. Deputy Speaker, Sir, the hon. Member wants me to table a list of names. However, before I do that, may I mention that there are very few people from Mutito District who have applied for these loans. In 2009, for example, a total of 91 loan applications were presented to the Kitui Trade Development Loans

Board and only four were from Mutito Constituency. The applications belonged to Messrs. Mwaniki Kimanzi; Mbunia Nzamba; Benedict Mbuvi; and Geoffrey Muthui who received Kshs30,000, Kshs90,000, and 40,000 respectively. The fourth applicant did not present himself for vetting and was, therefore, not awarded any funds.

In 2010, only two out of 19 applicants were from Mutito Constituency. They are Julius Mutia and Adolina Kavunu. Each one of them received Kshs50,000. I am in a position to table the details as requested.

*(Mr. Mwakwere laid the document on the Table)*

*Question No.673*

CONSTRUCTION OF HIGH GRAND  
FALLS DAM ALONG TANA RIVER

**Mr. Deputy Speaker:** Is Mr. Mwiru present? Is he out of the Chamber today because of Parliamentary business?

Hon. Members, let us go back to Question No.530 by Mr. Jeremiah Kioni!

*Question No.530*

ISSUANCE OF IDENTITY CARD  
TO IBRAHIM NOOR HOLLOWLY

**Mr. Deputy Speaker:** Mr. Kioni is not in. The Question is, therefore, dropped!

*(Question dropped)*

**Mr. Deputy Speaker:** Fair enough! Next Question by Mr. Mwiru!

*Question No.673*

CONSTRUCTION OF HIGH GRAND FALLS DAM ALONG TANA RIVER

Mr. Alex Mwiru is not here! The Question is dropped!

*(Question dropped)*

Next Order!

## **POINTS OF ORDER**

GOVERNMENT POLICY ON PEOPLE AFFECTED BY HIV/AIDS

**Mr. Imanyara:** Mr. Deputy Speaker, Sir, I am glad the Minister of State for Special Programmes is here. I am requesting a Statement from her with regard to the Government policy regarding people affected by HIV/AIDS, and specifically whether the comments that she has been making, including the one she made yesterday, that she is pursuing a policy of isolation of these people, are representative of the

Government policy. The Minister is here and I would be glad to hear the Government policy with regard to people living with HIV/AIDS.

*(Loud consultations)*

**Mr. Deputy Speaker:** Order, hon. Members! Shall we have low consultations?

Minister, please, proceed!

**The Minister of State for Special Programmes** (Ms. Mathenge): Mr. Deputy Speaker, Sir, I was actually going to request to make a Statement next week, so that what I said in Mombasa can come out clearly and also state the Government policy. I will, therefore, give a Statement next week, if that is okay with the hon. Member.

**Mr. Deputy Speaker:** Order, Minister! Next week has four sittings, which one are you comfortable with?

**The Minister of State for Special Programmes** (Ms. Mathenge): Mr. Deputy Speaker, Sir, I can do it on Wednesday morning.

**Mr. Deputy Speaker:** Fair enough; it is directed that this Ministerial Statement be made Wednesday morning.

#### FATE OF KENYANS LIVING IN EGYPT

**Mr. Keynan:** Mr. Deputy Speaker, Sir, I would like to seek a Ministerial Statement from the Minister for Foreign Affairs regarding the unfolding events in Egypt. I would like the Minister to offer the following clarifications:- The number of Kenyans living in Egypt and confirm whether, indeed any of them has been affected by the crisis there, and if so how many? I want him to tell the nation and Parliament what contingency measures the Government has put in place in order to evacuate the Kenyans who are there in case the situation deteriorates.

Mr. Deputy Speaker, Sir, as you might have seen or heard, over the last one week the situation in Egypt has been deteriorating. Countries have put in place elaborate measures to ensure their citizens are safe. We, however, have not heard of any from our Government. We do not know how the situation is going to be in the next few days. So, it is high time we heard from the Government on the measures already put in place.

**The Minister for Transport** (Mr. Kimunya): Mr. Deputy Speaker, Sir, a comprehensive Statement will come next week, but in the meantime I would like to assure this House that adequate measures have always been put in place in all our embassies for the safety of Kenyans in various countries. The formal Statement will come on Wednesday, next week in the afternoon.

**Mr. C. Kilonzo:** On a point of order, Mr. Deputy Speaker, Sir. What is happening in Egypt is not something which can wait until next week. We would have expected a Statement this afternoon, or latest tomorrow afternoon.

**Mr. Deputy Speaker:** Mr. Kimunya, you realize the urgency of this matter is such that you do not have the luxury of time.

**The Minister for Transport** (Mr. Kimunya): Mr. Deputy Speaker, Sir, I realize that. I have given the assurance that adequate measures have been put in place. I think that should suffice for now in terms of safety of Kenyans in Egypt, or in any of the countries that may be facing some turbulence. The Statement in terms of all the other things he has raised will be given next week.



**Mr. Ochieng’:** On a point of order, Mr. Deputy Speaker, Sir. It seems as if the Minister is aware of the contingency measures they have put in place in Egypt. Can he elaborate on a few of them, so that we are sure that our people are safe?

**Mr. Deputy Speaker:** Minister, you seem to be confident that measures have been put in place. Why would you want to have until next week if you, indeed, have the information that you need?

**The Minister for Transport** (Mr. Kimunya): Mr. Deputy Speaker, Sir, the hon. Member has requested some specific details which need to be collected and put together. However, from a comfort point of view, Kenyans need to know that our embassies have standard measures that are in place not just because of this crisis; at any one time whenever there is a crisis our embassies know what to do for the purpose of evacuation and safety of Kenyans in a country. That should be understood as a standard practice that is applicable in every country where Kenya has representation. Where Kenya has no representation, there are adequate measures in place in terms of what happens to Kenyans.

However, in terms of the specific measure the hon. Members is asking for, I would like to ask that we give the Minister for Foreign Affairs adequate time to prepare the comprehensive Statement. If the House would be agreeable, I can push backwards from Wednesday to tomorrow afternoon.

**Mr. Deputy Speaker:** Mr. Keynan, are you comfortable with tomorrow afternoon?

**Mr. Keynan:** Mr. Deputy Speaker, Sir, before I asked for this Statement I consulted the Assistant Minister for Foreign Affairs, Mr. Onyonka and he assured me that he was going to be ready this morning to give this Statement.

Secondly, as of last night, I got calls from more than ten Kenyan student leaders in Egypt. As much as I appreciate the Minister’s position, the information we are asking for is not for our comfort. The Minister needs to appreciate that this is not for the sake of our comfort, it is a reality. Nobody is seeking comfort in seeking that Statement. We want elaborate measures. I am familiar with what happens in all our missions. It is not the way he is putting it. In fact, I can tell him the elaborate measures put in place by different governments; they already have standby planes in Egypt. Some have already started evacuating their people. We want this Statement given this afternoon because the situation is not as simple as he might think. It is not the way it was yesterday. As of this morning, the circumstances were different. In the afternoon the circumstances may be different. Therefore, can he deliver the Statement this afternoon since the Assistant Minister was ready?

**The Minister for Transport** (Mr. Kimunya): Mr. Deputy Speaker, Sir, it does appear that the hon. Member is seeking a Statement to a matter that he has answers to, which is contrary to the Standing Orders. However, the Government will respond tomorrow afternoon. It is a matter that needs to be collated. We need to get you the facts as they are in terms of all the measures.

I want to reassure Kenyans that adequate measures are in place to ensure the safety of Kenyans. If the students call him again, let him ask them to call the embassy and they will be briefed on what to do.

**Mr. Deputy Speaker:** Fair enough! The Chair directs that this Ministerial Statement be delivered tomorrow afternoon.

#### RECRUITMENT OF WILDLIFE RANGERS

**Mr. Bahari:** Mr. Deputy Speaker, Sir, on 19<sup>th</sup> January this year I requested a Ministerial Statement from the Minister for Forestry and Wildlife regarding the recruitment of wildlife rangers at the county level. I have not received any reply to that. I therefore, seek your indulgence to direct the Ministry to provide that Statement.

**The Minister for Transport (Mr. Kimunya):** Mr. Deputy Speaker, Sir, I will contact the Minister for Forestry and Wildlife and ask for the Ministerial Statement to be delivered tomorrow afternoon.

**Mr. Deputy Speaker:** Fair enough, the Statement will be delivered tomorrow afternoon. It is so directed!

Hon. Assistant Minister for Foreign Affairs is it, indeed, true that you are ready to give a Ministerial Statement on the matter that was sought by hon. Keynan?

**The Assistant Minister for Foreign Affairs (Mr. Onyonka):** Mr. Deputy Speaker, Sir, we have to seek some information. We would be able to do it this afternoon.

**Mr. Deputy Speaker:** It is so directed. Next Order!

## MOTION

### CENSURE OF UNITED STATES AMBASSADOR H.E. MICHAEL RANNEBERGER

THAT, deeply concerned about the conduct of the American Ambassador to Kenya, H.E. Michael Ranneberger in respect of his activities which portray Kenyan leaders in negative light; noting further that his recent activities in the country in dealing with the youth and during the pre-referendum period amount to undermining elected leaders in the country; cognizant that his conduct is in indirect contravention of Article 41 of the Vienna Convention which states *inter alia* “without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State and that they also have a duty not to interfere in the internal affairs of that State;” this House censures H. E. Michael Ranneberger, the American Ambassador to Kenya for his undiplomatic conduct and resolves that he be recalled back and another official be deployed in his place in order to preserve the existing cordial relations between the two countries.

*(Mr. Ruteere on 22.12.2010)*

*(Resumption of Debate interrupted on 22.12.2010)*

**Mr. Deputy Speaker:** Hon. Mungatana was on the Floor and had eight minutes to conclude his contributions.

**Mr. Mungatana:** Mr. Deputy Speaker, Sir, I was on the Floor.

I remember that the last time I was on the Floor, I mentioned the fact that this Motion goes deep into questioning the functions of diplomats and their duties in general. We cannot only discuss the conduct of the American Ambassador without holistically looking at the whole of the duties that diplomats are supposed to execute in Kenya.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, the main duties - I speak with authority having served in this Government as an Assistant Minister in foreign affairs - is that these diplomats represent their home country, and therefore, one of the most critical duties is for them to communicate the positions that their home governments hold in as far as issues that affect the host country are concerned.

The manner in which a specific Ambassador executes those duties is not stated. There is no written law that if you want to communicate the position of your home country in any issue, you are supposed to do it in this manner. We know that the American Ambassador has been holding very many Press conferences. In fact, as other hon. Members have said in their contributions, he has been travelling and saying things across the country. What I want to defend here is that it is the duty of every Ambassador to communicate the position of his home country. There are those who choose to give that communication from their offices. There are those who choose to do many things; attend functions, hold dinners and many other things, to give the position of the home country.

Mr. Temporary Deputy Speaker, Sir, I beg to disagree with this Motion when they say that it is wrong for someone whose duty is to say what his country wants to say, to say it, because he is doing exactly what he was sent here to do. The other duty is to protect the home country's interests and even warn citizens from his home country of any situations that might endanger their lives. We have seen this happening many times. On the advice of the American Ambassador here, we have heard a lot of statements from the State Department in Washington, which we do not like, which say that they are advising American citizens not to fly to Kenya for whatever other reasons. All this emanates from the embassy here, which is carrying out its duties to advise on the situation that will protect the citizens of their home country. When he does those things, we do not like what he is doing, but does the fact that we do not like what his advice is to his home country make him an undesirable person and that we must actually censure him in this House?

Mr. Temporary Deputy Speaker, Sir, when the Ambassador communicates the position of the American Government, for example, the establishment of a new constitutional order, is that bad? In Kenya, during the referendum, there were people who were voting YES and others NO. This man was just saying what his home country had told him to say. Does that make him an undesirable person?

The other duty of an Ambassador, if you look at their diplomatic duties, is to issue passports, travel documents, visas and other documents that concern his country. The Ambassador here, like all other Ambassadors, has issued diplomatic passports to some Kenyans and has denied other Kenyans. The argument I want to put is that, does the fact that he has denied me passport or accepted my application for passport make him an undesirable character and, therefore, we must censure him in this House? I think, no.

Mr. Temporary Deputy Speaker, Sir, I want to argue that diplomacy – in fact, if you actually look at their duties – is really about defending their countries' interests. The fourth and most critical duty is to promote commercial interests of their home country. When they take certain decisions; when a diplomat makes certain pronouncements in protection of his country's interests, we may not like it, but does it

warrant us to move a Motion of Censure against him? Does it mean that because he has said something or made a decision that is not pleasing, it warrants us to come to this House and censure him?

I want to argue before this house that we should not support this Motion. The reason is that, when people are carrying out their diplomatic duties, as I have pointed out, they may not be pleasant, nice or may not state positions that we like, but they are simply doing their job. I want to request this House to remember that he is a personal representative of the Head of State on the other side just like our Ambassadors are.

I beg to oppose.

**Mr. Wamalwa:** Mr. Temporary Deputy Speaker, Sir, I stand to oppose this Motion both as a lawyer and a lawmaker. As a student of international law, I do know that there are procedures in which a nation can show displeasure with a representative of another nation, whether it is the Ambassador or the High Commissioner of that particular nation.

Mr. Temporary Deputy Speaker, these are normal channels in international relations and there are channels that any dignified nation should follow. That should start with the Government sending a protest note, which can be done through the Head of State or through the Ministry of Foreign Affairs expressing reservations or grounds on which the displeasure is expressed. That can be done in the normal diplomatic channels, without necessarily resorting to an open and embarrassing confrontation that can strain relations between nations. I do say so, because today we live in a global village. What we do and say in this House today, because of advancement in technology echoes not only across this nation, but across the globe. Those nations that have sent their representatives follow and hear what we say in this House. For this nation, through its elective representatives, to humiliate another representative of another nation will not be taken kindly by any nation. For a nation to appoint and send a representative here, they have ascertained the qualification of their representatives. They send their representatives to the Head of State to actually come and present their papers. It is an elaborate ceremony that is handled at the highest level possible, because that representative is the representative of the Head of State in the other nation.

Mr. Temporary Deputy Speaker, Sir, as I speak, we might not like Ambassador Ranneberger. In fact, we might even call him a later day Governor of this nation, the last Governor having left this country. We look at the colour of his skin; we look at, probably, his utterances that we do not like. However, we must look beyond Ambassador Ranneberger. We must look at who sent him here. We will then realize that we are talking to Barrack Obama, the President of the United States of America. As I speak today, what we say here in expressing our displeasure could have been done in the normal diplomatic channels, without subjecting a representative of the only superpower in the world, through this rigorous process that we are taking through this House.

Mr. Temporary Deputy Speaker, Sir, looking at the Motion itself, the reasons advance why we are seeking to censure the American Ambassador. We are saying that his activities have portrayed Kenyan leaders in negative light. In the cause of debate, we have been told that there were some *Wikileaks* and they had said certain unkind things about our leaders. These are innuendos and rumours. We, as a nation, cannot risk straining our relationship with one of our biggest allies in the free world on the basis of rumours contained in the so-called *Wikileaks*. Whatever was said in those *Wikileaks* was communication through cables between a representative and his principal, that were not meant to be publicised, that were not meant to please us and

that were not meant to actually defend anybody. They were giving their opinion on the state of things and we cannot, on the basis of these *Wikileaks*, say our leaders have been portrayed in bad light and, therefore, this fellow, who has done this should be removed or kicked out of our country.

Mr. Temporary Deputy Speaker, Sir, looking at the other reason given, we are saying that this Ambassador has been dealing with our youth in a manner that undermines elected leaders. What are we saying? Ambassador Rannerbeger has said the President of the United States of America wishes to send US\$3.5 billion to help the youth of Kenya. It is not Michael Rannerbeger bringing this money; it is President Barrack Obama. Barrack Obama is just not another foreigner. He is a son of a son of this soil. He is a son who has come to this nation. A son who has gone to Kogelo, who has carried *Sukuma Wiki* on his back for his grandmother, who has walked in Kondele and knows the problems of the youth of Kondele. He has come to Nairobi, gone to Ofafa Jericho and Maringo. He knows the problems of the youth of Nairobi. If he says he wants to extend a brotherly hand across Atlantic Ocean back home through this Fund to help the youth of Kenya, where has he gone wrong?

Mr. Temporary Deputy Speaker, Sir, we, as a nation, have not put the youth agenda amongst our priorities. It is only recently that as a nation we passed a youth policy. It is only recently that we set up a Ministry for the youth. What have we done? We have practised tokenism, where we have given Kshs1 billion in the so-called Youth Enterprise Development Fund to be shared among the youth of this nation, but the money has not reached the youth of this nation. They are impoverished, jobless and hopeless. That is why they have turned to crime. That is why the youth of this nation are crying out. If across Atlantic Ocean comes a brotherly hand from a son of a son of this soil to help the youth of Kenya, we are saying he should go ahead. He should bring this aid. They should help our youth. We should empower them because what we want now is a paradigm shift in our policy from power politics to politics of empowerment. We want to empower our youth. If we are saying America should not bring US\$3.5 billion to help the youth of this nation, then let us set aside US \$3.5 billion to help the youth of this nation. That we have never done. The most we have given is about Kshs1 billion or so. So, if we are going as representatives of the young people of this nation, who know their suffering in our constituency through the CDF, we are unable to help them. Through lack of proper policies, this nation has not been able to help the young people. What are we saying, if we pass this Motion? That let the youth of this nation remain with their suffering? Let them continue suffering peacefully and let us kick out this fellow who has tried to associate and help the young people of this nation?

Mr. Temporary Deputy Speaker, Sir, the relationship between America and Kenya spans decades. It goes beyond the life of this House. It goes back to the days of the airlifts, when Tom Mboya and Obama's father was airlifted to America and he realized opportunities beyond our borders. We are saying that it is not a relationship we would want to risk straining or breaking because of personal differences between politicians and a representative of that nation. That would be tantamount to cutting our nose to spice our face. This is what this Motion amounts to. We must not support it. We must not allow it to pass because the consequences are much more than we think. We might want even to get out one Michael Rannerbeger, but what are the consequences? This is something we must all ask ourselves as Members of this august House. We must say that looking at the assistance the Americans have given this nation; it is a relationship that spans all sectors of our society in health and economic assistance. American is a major partner in the war against terrorism. They bring lots

of money in this country to help our country and the region in fighting terrorism. This is a country that has put a lot in the fight against narcotics and narcotics control, in military and defence support. It is a relationship we cannot risk straining or breaking especially at this time.

Mr. Temporary Deputy Speaker, Sir, lastly, we cannot forget when this nation was burning, who was our friend, who came and held our hands at that time. We cannot forget how the National Accord came about. We cannot forget about Agenda Four and all those negotiations that went on at Serena Hotel and brought this nation back to peace. It took international partners like America and others who brought us to where we are today. They say: A friend in need is a friend in deed. We cannot do that because personal differences today forget our friendship, forget 2008 when we pulled this country from the brink of collapse. Let us not use this Motion to strain our relationship.

With those few remarks, I beg to oppose this Motion.

**The Assistant Minister for Higher Education, Science and Technology** (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, in keeping with the suggestion of hon. Githae, I would not hit at the Ambassador. I therefore, beg to oppose the Motion.

Mr. Temporary Deputy Speaker, Sir, I agree with those who have said, we must not make this a personal issue, because you have been refused a visa or the Ambassador said something not very nice about some politicians.

After all, why were we not complaining when certain Ministers who are associated with corruption or ethnic cleansing were refused visas? Was that a good move on the part of the Ambassador? As a matter of fact, I like diplomatic missions also to play a role in keeping some of us politicians under check, because sometimes we, especially in this continent, steal money from our countries and go and enjoy it out there. So it is important that there are those who have the courage to say: "If you have stolen property from your own citizens or if you are used to dividing your own people and cause untold damage, you have a responsibility---" If we cannot control them it is up to them to say: "You have no business being in our country".

Mr. Temporary Deputy Speaker, Sir, there is also the issue of freedom of expression. I think just because you are an Ambassador it does not mean you should go by the traditional ethic of hypocrisy in diplomacy, where you never dare say what is in your mind. I think they have a responsibility, being our friends, to also contribute to debate regarding what is happening in our country, just as they contribute to supporting development projects in this country. So, they do not talk as people who have no vested interests. By virtue of their investments in this country and the support that they give us, and given that they are interested very much, as many of us are, in what happens in this country for the good of the people of this country, they have a responsibility to make their positions clear about what they think about us.

We should also ask: "Are there other good things that this Ambassador and others have done?" Firstly, I would like to go back to what Mr. Wamalwa said. When we were in a lot of trouble; when we were butchering each other, what is it that the American Ambassador and the other Ambassadors did in terms of bringing this country together? As a matter of fact, maybe we would not be having a Parliament like the one we are having today debating his character, if the Accord was not signed. So they came in and made it possible, not only by using their time but also in terms of providing resources, for people like Dr. Annan and others to be part of the solution of our problem.

The USA is one of the biggest contributors to development aid in this country and we cannot take them casually. Instead of coming out condemning those who are

advocates of that support, we need to sometimes recognize the fact that this support could have gone to any country. In fact, we are very well placed, as a country; our country is strategic and if we want to continue taking advantage of this support, we need to show our friendliness to this country and others that are part of us.

Mr. Temporary Deputy Speaker, Sir, the point has been made about what he is doing about mobilizing the youth. I do not see anything wrong with mobilizing our youth. I do not see anything wrong with any politician, diplomat or well wisher who wants to bring our youth together to play an important role in the politics of this country. There is no doubt the older generation has been a problem; I am not saying that the youth is necessarily clean; you can be young and very dirty; you can be young and a very hopeless politician who does not live for the good of this country.

*(Applause)*

So even as Mr. Wamalwa and others talk about the youth and how the youth must take over, let them also remember that we will ask them certain questions. Where were you? What kind of politics do you play? What are you associated with? Who mentored you into politics? What company do you keep? What do you believe in? All these questions will be asked!

*(Applause)*

It is not just because you are a young person that you are going to be the president of this country; there are some young people who are dirtier than many old people.

Therefore, I would like to say that in terms of youth mobilization, I appreciate it. The Ambassador and others can give us an opportunity to have young people who are dynamic, who think about this country and who take positions that will move this country forward. That is welcome!

Mr. Temporary Deputy Speaker, Sir, someone has said that there are diplomatic channels of dealing with this matter; that we cannot come to Parliament and say: "Remove so and so". It will not happen anyway. Even the people whom we are telling this have not made any commitment about most of the things that we are saying. So, we need to appreciate that also. As a Parliament and lawmakers, we should appreciate the fact that given that we are the custodians and defenders of law, we cannot ask for an illegality and shout from the rooftops.

*(Applause)*

Finally, as much as we do not like Ambassadors, as much as we may quarrel with the foreign diplomats, let us also not pretend. If we need these people's help, we cannot just go abusing them and at the same time asking them for help. That does not make any sense! So, if we want to be truly independent, we must do what we must do as a country to show that we are dependent on any of these foreign powers, and so we have the courage to tell them: "You can come in or go come out". But right now we are too dependent; we are dependent because of our own problems. It is those problems that this Parliament should solve; we have problems of governance. We should have an economy that is moving forward. Once we solve those problems and we have the right leadership, we will not have to argue about nominations on the basis of ethnicity, or take positions based on tribe irrespective of whether or not nominees have the qualities that we desire. Until we stop arguing on the basis of personalities

or looking at the ethnic groups people come from instead of looking at the principles that they support, we will not get anywhere. People like the American Ambassador and other Ambassadors will be allowed to be teasing us around. So, we better do what we have to do to ensure that we are not subjected to that.

With those few remarks, I beg to oppose.

(Applause)

(Prof. Saitoti moved to the Dispatch Box)

**The Temporary Deputy Speaker** (Mr. Imanyara): Prof. Saitoti, are you giving the Government's response?

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Yes, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Imanyara): Go ahead!

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, first of all, let me say that I understand that, indeed, at the particular time when this Motion was brought here, it was extremely difficult. But at the same time, I want to underline one very important matter that this House and we hon. Members must think seriously about. It is true that the relationship between the Government of Kenya and that of the USA is cordial and, we have been working together very well. Normally - I think this is important - if, indeed, there are some difficulties relating to an Ambassador of one country or the other--- When there is an extremely good relationship between countries, differences between them are settled in a diplomatic manner.

(Applause)

But States do not, based on certain terms, go public and try to wash their dirty linen in public. If going public happens, it can be exploited, and there are many who are ready to exploit such a situation and create unnecessary friction between the two States. I know that at one time we took action in the 1990s when it was felt that an Ambassador of Norway was overstepping his mandate. What we did, even though at that particular time we had excellent relationship with the Government of Norway which had assisted many of our people, especially in constructing the road going all the way to Lodwar and Lokichoggio--- When there was a lot of development taking place there which assisted the people of Turkana, the matter was dealt with in a non-diplomatic manner; the Ambassador was publicly declared a *persona non grata*. The Government of Norway wondered why we did not use diplomatic channels which we could have used to ensure that the individual left the country in a better way, so that the relationship between Kenya and Norway at that particular time was retained. At that particular time, we decided to think with our hearts and not our heads; we decided that he must go and publicly announced it. What followed was the fact that the relationship between Kenya and Norway was terminated from that time. Whatever assistance had been provided to the Turkana people and other nomadic people who were in a lot of difficulties, came to an end. I have to admit one thing that the reason why we are dealing with development partners is because we have a deficit in our own budget.

Mr. Temporary Deputy Speaker, Sir, the gist of the matter is: Why do we go to the World Bank? Why do we go to the International Monetary Fund? Why do we go



to bilateral countries and ask them to assist us? It is precisely because the resources that we generate locally here are not sufficient to meet our needs.

We have a very major job to do. We know very well that if you look at the percentage of the number of Kenyans who live below the poverty line it is about 50 per cent and it is growing. If you look at the streets and even the small towns back at home, you will find that there are a lot of young people all around because there are no employment opportunities for them.

Mr. Temporary Deputy Speaker, Sir, we need to mobilize the resources, both domestically and externally to be able to use them to generate employment opportunities for our youth. This will enable us to fight poverty.

Yes, it is true an Ambassador may say certain things and we become very unhappy. However, when there is good relationship between the two countries, there are some other ways of dealing with it. That is normally done through diplomatic channels. We have not yet exhausted these diplomatic channels.

I would wish to urge hon. Members to allow the Government to follow diplomatic channels, so that we can resolve the problem. As we resolve the problem, the relationship between our two countries will remain. Why should we want now to destroy the relationship between Kenya and America when the current President of America is a son of a Kenyan? Why do we want to do so?

Mr. Temporary Deputy Speaker, Sir, we can talk to the American Government. I want to assure you that diplomatic channels are being followed. We are doing so. So, please, rather than raising the temperatures and following a scenario which we do not know where it will end, let us encourage diplomatic channels.

Mr. Temporary Deputy Speaker, Sir, with the new constitutional dispensation, we are able to build stronger institutions than we had under the old constitution. At that particular time, you will remember that we tried to put in place a local mechanism in the form of a tribunal. It became very difficult because we could not establish a local mechanism to investigate and prosecute those who were heavily involved with the post-election violence. We could not meet the threshold of the Rome Statute because our Judiciary was viewed as totally incapable. Our police was seen to be incapable. The prosecution office was seen not to be capable without having credibility.

Mr. Temporary Deputy Speaker, Sir, with the kind of Constitution that Kenyans have put in place, we should be able to put in place a very strong and credible Judiciary. Forget about the little quarrel here and there because we shall go over that.

**Mr. C. Kilonzo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I wish to rise under Standing Order No.57. With your permission, I wish to read the Standing Order. It says:-

“After the question has been proposed on a Motion, the Motion shall be deemed to be in the possession of the House and cannot be withdrawn without leave of the House.”

Listening to what the Minister has clearly stated, I would wish to ask the hon. Member who moved the Motion to move: -

THAT, the Motion be withdrawn from the House.

**Mr. Ruteere:** Mr. Temporary Deputy Speaker, Sir, having listened to what the Minister has said that there are other channels to handle this issue through diplomatic channels, I wish to withdraw the Motion.

*(Applause)*

**The Temporary Deputy Speaker (Mr. Imanyara):** Hon. Members, you know that leave of the House is required and I have not seen anybody in opposition. So, the Motion stands withdrawn by leave of the House.

*(Motion withdrawn)*

Next Order.

#### ACCELERATION OF IMPLEMENTATION OF MDGS

**Mr. M'Mithiaru:** Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, recalling that ten years ago, world leaders agreed to take decisive action to combat world poverty in its different dimensions using time-bound and measurable targets; further recalling that Kenya is among the 189 countries that signed the Millennium Development Goals (MDGs) in September, 2000 and is committed to the purposes and principles of Charter of the United Nations; concerned that apart from education and possibly HIV/AIDS, Kenya has fallen behind in the race, and has not made sufficient progress towards meeting the Millennium Development Goals; concerned that at the current pace of development with limited resources, Kenya may not meet most of the goals by the year 2015; convinced that parliamentary engagement on the Millennium Development Goals will accelerate progress to achieving the MDGs; this House urges the Government to take concrete measures towards achieving MDGs and report its implementation status and challenges, if any, including remedies within the next six months and at such regular intervals thereafter.

Mr. Temporary Deputy Speaker, Sir, Kenya was among the 189 countries of the world that signed the MDGs in New York. The Millennium Development Goals are a world order to ensure that all the communities of the world live in harmony and their livelihoods will be improved.

The eight goals of the Millennium Development are: eradicate extreme poverty and hunger by the year 2015; achieve universal primary education; promote gender equality and empower women; reduce child mortality; improve maternal health; combat HIV/AIDS, malaria and other diseases; ensure environmental sustainability and develop a global partnership for development

Mr. Temporary Deputy Speaker, Sir, these eight goals may sound as if they are a foreign prescription, but if we go down the memory lane, we do realize that at Independence, Kenya was out to fight poverty, hunger and diseases and ensure that all the citizens of Kenya live and have affordable dwelling houses. So, in some quarters it has been said that the Millennium Development Goals (MDGs) are a foreign prescription, like the Structural Adjustment Programmes of the World Bank and the International Monetary Fund (IMF) of late 1970s and early 1980s. But we do realize that from a Kenyan perspective the MDGs are all about humanity. They are not a foreign prescription. They address the real life situations, whether one is in a developed world or a developing country. Hunger is the same both in developed countries and developing countries.

Mr. Temporary Deputy Speaker, Sir, since we are talking about real life situations, then it behooves the Government to ensure that it stands committed. To achieve these goals, Parliament must be properly involved. We also know that as Members of Parliament, from our own electorates, we are supposed to be carriers of goodies. Members of Parliament are supposed to address the issues of education, health and hunger of their constituents. They are also supposed to ensure that youth employment is actually sustained. So, if we are able to realize the MDGs then all those problems could be solved and even the lives of Members of Parliament would be made easy.

Mr. Temporary Deputy Speaker, Sir, when Kenya signed the MDGs in 2000, many Kenyans including Members of Parliament were not even aware of what was happening. This is because it was not until 2004 that some meaningful approach was taken by the Government towards the achievement of the MDGs. It was not until 2009 that Members of Parliament, under my chairmanship, started a Parliamentary Caucus on Poverty and MDGs. We took on the Ministry of State for Planning, National Development and Vision 2030 which organized a seminar for Members of Parliament in May, 2009, to sensitize them on the relevance of the MDGs. It is out of that, that now we have been able to steer and take on the Ministry concerned to ensure that they live to their commitments and that the Government is actually held accountable for the achievement of the MDGs.

Mr. Temporary Deputy Speaker, Sir, also, when we talk about the MDGs, these are not abstract statements. The MDGs are not about ideologies; they address real life situations. That being the case, as Members of Parliament, we have seen our own Government making commitments to the rest of the world. These commitments that sometimes will make Kenya commit even her own future resources, are not even communicated to Parliament. It is on that score that on the achievement of MDGs, we would like the Government to be making regular reports to Parliament – at six months intervals – on the status and whether we are on course on the MDGs.

Mr. Temporary Deputy Speaker, Sir, from a report that was given by our own President to the United Nations (UN) Assembly in New York, in September, 2010, he said Kenya is on course on Goal No.2, that is, the achievement of universal primary education. He also said that Kenya is on course on Goal No.6, that is, combating HIV/AIDS, malaria and other diseases. Whereas we may say that we are on course regarding Goal No.2, we must also address the issue of quality. As representatives of the people, we know that in this country today, we do not have enough teachers in our primary and secondary schools. With that, it is not possible to get proper quality education. So, in as much as we could be on course, the issue of quality is also queried.

Mr. Temporary Deputy Speaker, Sir, Goal No.6 – combating HIV/AIDS, malaria and other diseases – is 90 per cent donor-funded. This is an issue that we may not be able to sustain. If the donors withdraw that funding, then all the gains that we have so far will be reversed. That is why it is now upon this Parliament to ensure that on Goal No.2, we take on the Government to ensure that it provides enough teachers, so that the quality of education is guaranteed. We also call on the Government to ensure that there is proper funding of our health facilities, so that if there is any withdrawal of the donor funds, we would not be adversely affected. We should be able to contain and sustain ourselves. So, it is time that the Government took that issue very seriously and ensured that we really get these regular reports.

Mr. Temporary Deputy Speaker, Sir, if I may quote our own President again, to show the seriousness of the MDGs, he said in New York in September last year:-

“Kenya, like many developing countries, recognizes that the attainment of the MDGs is an important vehicle towards addressing the problems that continue to afflict humanity. With only five years left to the target date of 2015, this meeting provides us a unique opportunity to review the progress made, draw lessons learnt and chart out a plan of action that creates the necessary impetus for the attainment of the MDGs.”

I am quoting the Chief Executive of this country to show how serious the MDGs are. Now, that could only be lip service and a statement, if something is not done to concretize this and ensure that it is actually seen properly on the ground. It is up to the Government to ensure that the issues of MDGs are properly prioritized, so that the core sectors that address the MDGs are properly financed. In Kenya our main undoing is doing things the wrong way.

That is why the issue of mismanagement and impunity comes in. Luckily, right now, we have a new Constitution that addresses the issue of integrity. We hope that if that is properly addressed, we will be properly on course with these issues. Just to remind ourselves on how polarity can work or bring wonders, we all know that by the time Kenya was attaining her Independence in 1963, we were on the same footing with a country called South Korea. Today, South Korea is a magnet and in a realm of the developed world. It is now referred to as a tiger. Kenya, which was on the same economic status with South Korea at that time, cannot even compare herself with this small country. Whereas South Korea is referred to as a tiger, I think we are still a cat, for that matter. Through our own efforts, we have mismanaged our resources. Mismanagement will always bring the spiral effect because it begets poverty. We cannot eradicate poverty if we continue mismanaging our own resources.

Therefore, I appeal to my colleagues in this House to support this Motion, so that the Government can file this Report. If I can draw an analogy of what other countries of the world are doing today, and more so other African countries, they are not only getting reports from their Parliaments, but some of them have active committees of Parliament to address the issue of MDGs. I will single out Nigeria. Nigeria has a Committee of Parliament that reports directly to the President and takes on the Government to ensure that it stays on course on the achievement of the MDGs. Other countries in Africa like Uganda, Zambia and Malawi have their own Committees within their Parliaments to address the issues of the MDGs. As a Kenyan Parliament, it is not enough for us to have this Report, periodically, being tabled in Parliament. We need a Committee of Parliament to properly follow up these issues and monitor and ensure that the Government is on course.

Implementation of the MDGs requires a serious Government. It is not business as usual. It is a matter of life and death. It is not a question of making reports to New York. It is a matter of where we are supposed to localize the MDGs, so that the reality on the ground and the impact is felt. The impact will be felt by the way people's lives will be changed. To quote the then UN Secretary General Kofi Annan under whose stewardship the MDGs came into being, he said:

“Although the Millennium Declaration was signed in New York, the measurement on the impact on how they have succeeded will not be in New York. It will be at the village level when lives of people will be seen to have changed. That is how it will be seen and gauged that the MDGs have been achieved. “

To conclude on my issue, we need to appreciate the visionary wisdom of our world leaders who signed the MDGs. They were not selfish. They are the developed world and have their own part to play, where they committed 0.7 per cent of their gross net incomes to assist developed countries to achieve the MDGs. We should also check on them to ensure that they fulfill their commitment. We are reminding the

Government that the commitments were not a joke. This should be like a renewal of vows. The Government should be seen to achieve what it vowed to do. This should be by 2015.

With that in mind, I now urge this House to pass this Motion and to compel the Government to be tabling the reports on the performance and implementation of the status of the MDGs within six months and at regular intervals thereafter.

I beg to move and ask hon. Dr. Laboso to second.

**Dr. Laboso:** Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to second this very important Motion on the MDGs. This is a Motion which is definitely long overdue. One of the areas that we know have been an issue in this country has been that of inequalities and the division between the “haves” and the “have nots”. The MDGs clearly address the basic needs. The MDGs are about the basic human needs; basic education, reducing poverty, addressing gender inequality in our society, looking at health issues around women and children and addressing issues related to the HIV/AIDS scourge. The MDGs also address the issues of environment.

These are issues that concern all of us. They are issues related to the security of this country. There is a role for us, as Parliamentarians. We have a clear role to play in ensuring that the MDGs are attained. It is not a foreign ideology. We have been told that when people talk about MDGs, it just sounds like one of those foreign abbreviations like Structural Adjustment Programmes (SAPs), International Monetary Fund (IMF) which sound very foreign and unreal. The MDGs are about real life situations. They are about our daily lives. What can we, as Parliamentarians, do about these goals? First of all, in our legislative responsibilities, it is very clear that Parliamentarians have a very clear role. We, as Parliamentarians, must look to see what legislation is coming to this House that can advance the MDGs. If we can look at the issue of education in this country, what kind of legislation is there? Yes, we have been told that MDG No. 2 is the one we are almost achieving because of our policy on Free Primary Education (FPE). However, we must continue to interrogate further and ask ourselves whether our children are getting quality education with regard to MDG No. 2. Whether, indeed, the issues that have been going around with regard to corruption with regard to FPE are true. If so, how are they addressed, so that we can have universal education for our children?

The MDG No. 3 is on the issue of equality. We are grateful that we passed our new Constitution which will, indeed, ensure that we will have some level of representation as far as appointments are concerned. I would like to challenge our President on his nominations to consider gender equality. Recently, he nominated people to various positions, but there was not a single woman. It is a pity that out of five nominations that he made recently, there was no woman representation. Are we still under the new Constitution or are we back to business as usual? That is an MDG agenda.

We are still not yet at par. The MDGs that are most off-track are No.4 and No.5, which are health-related and mainly to do with women and children. This country has continued to say that women and children play a very important role in the society. We are having problems with health issues and we want to ask the Government to address these two very important MDGs.

Mr. Temporary Deputy Speaker, Sir, we have talked about the legislative agenda for the Members of Parliament. On our oversight role, as Members of Parliament, we can monitor what the Ministries are doing about the MDGs, particularly the Ministry of Education, the Ministry of Public Health and Sanitation and the Ministry of Environment and Mineral Resources. As Members of Parliament,

we can play the role of over sighting those Ministries to see what is being done on those areas. On our representative role, we can play our role as the representatives of the people in our constituencies by looking at how we allocate funds, for example, the CDF. We need to prioritize the issue of maternity services and provide them close to the women, so that they do not have to walk long distances to give birth. Again, in the area of education, we can play our role as representatives to make sure that we give bursaries to the right students, so that they can access education like the other children.

There are many other issues that I can raise today, but for now, I want to give a chance to the other Members to also make their contributions. With those remarks, I second.

*(Question proposed)*

**Mrs. Odhiambo-Mabona:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I want to thank the hon. Member for moving this Motion, which I fully support.

Before I came into the House, I sat in a Parliamentary Taskforce that follows the implementation of Treaty obligations of the country. This is a noble initiative and the Minister for Justice, National Cohesion and Constitutional Affairs should follow and ensure that the issue of MDGs is taken up and followed up by the taskforce. If we get regular reports, as it is recommended in the Motion, then we would, in effect, be doing what we recently saw being practised in the United States of America, which is the State of the Union. As a country, we are entitled under the new Constitution to know what the Government is doing in relation to its international obligations and commitments. We do not make commitments so that we violate them, but we make commitments, so that we can keep them. There is growing trend towards making commitments and then renegeing on them. As a matter of fact, I am bringing a Bill on International Treaty Ratification Process, which seeks to look at some of those issues.

I want to speak to the MDGs in specific. I want to talk on the MDG No.1 on eradicating extreme poverty. I am very happy that the Constitution now addresses the issue of inequalities. If you look at the Waki Report, you will realize that some of the underlying issues that caused the country to go into violence are issues of inequalities. Various parts of the country have developed differently as a consequence of different policies that are not very good for the country. For instance, the Sessional Paper No.10 of 1965, even though it was well intended, resulted in over-concentration of development in some parts of the country against others. Therefore, you have areas that are well developed and others that, to date, have no water, electricity and roads. We, therefore, have parts of the country that do not look like they are part of this generation even if you compare them with other countries.

Being married in Zimbabwe, I can tell you that Zimbabwe is facing a lot of problems, but I get embarrassed when I visit that country because it is very well developed infrastructurally and despite the fact that at one point, we were even buying a soda at one billion Zimbabwe Dollars, still, if you go to the rural areas, you cannot compare with the state of roads in this country. That is why I am happy that this Constitution is seeking, not just to deal with eradication of poverty, but also to ensure that Kenya is at par with other countries that it ought to be with and even surpasses them. If we are saying that we are a haven of peace and we have actually had a lot of international support, I do not understand why we are where we are as a country. I am happy that the Constitution provides for an Equalization Fund that will ensure that

areas that are not developed get priority. I am hoping that in this Parliament and in subsequent Parliaments, we do not start politicizing the Equalization Fund because then, we will be triggering a bomb in the country as we saw in 2007. Human beings can negotiate over a lot of things, but cannot negotiate over empty stomachs. This is a matter of life and survival for the people.

I am happy that the Constitution now provides for, at least, 15 per cent of the Government Budget to go to the devolved governments. Really, as a party, our concern was that it should not be at 15 per cent. We had actually called for a higher budgetary allocation of, at least, 50 per cent. I am hoping that the persons who will be allocating this Budget shall take cognizance of the fact that many parts of this country are not developed and, therefore, push that allocation to 50 per cent or more.

I want to speak on the issue of universal primary education. Even though what the Government has done is laudable, we must do away with certain policies that result in further marginalization. For instance, the policy that was passed recently by the Ministry of Education to deal with the issue of private and public schools, in effect, further re-marginalized areas like Suba. I know of very brilliant girls, who are orphans, who have studied under very difficult circumstances in Suba and have passed and qualified to join national schools. They studied in schools that are supported by foreigners to enable the children access education. These are schools like Christ the King Academy and Gethsemane in Mfangano Island. They did not get an opportunity to join national schools.

From Suba District, there may be only three girls who have gone to university over the last ten years. Therefore, the Government must set aside resources to ensure that we do not become extinct. When the census was conducted recently, my friends were telling me that members of the Suba Community can be put into two buses and told to go away, because they were about 200,000. If we continue with this trend, in the next few years, we might be put into one *matatu*.

Mr. Temporary Deputy Speaker, Sir, I would also want to add my voice to what Dr. Joyce Laboso has said. I was very disappointed by the statement that was made by the Vice-President and Minister for Home Affairs, which seems to give tokenism to the women of this country. I want to name just a few women who even in their respective professions and the offices they hold qualify. In the Office of the Attorney-General, we have a woman called "Muthoni Kimani". She is very hard working. She has been there for several years. Why are we going to look for people from outside when we have Muthoni Kimani? Even if we are looking for ethnic balance, she is Muthoni Kimani. We want women in those positions.

We have Alice Ondieki, who qualifies for the post of Director of Public Prosecutions. We have Dorcas Oduor, who qualifies, and who will probably be the one who will induct the person who has been put there. As women of this country, we are tired of being treated like second-hand citizens. The Constitution has given us our right, and we will not take it anymore! We will not agree to be dormant. We are the ones who have brought reforms in this country, and we shall not be treated in the way we are being treated here.

After the Vice-President and Minister for Home Affairs mentioned all the names of persons on the list being negotiated, as an afterthought, he said: "We then said we might give a woman the position of Deputy". Excuse me! Even I qualify for the position of the Attorney-General of this country. If you want to see papers, we can produce them. Hon. Martha Karua is also here. We have very many women who have qualified. So, we should not be treated that way.

Mr. Temporary Deputy Speaker, Sir, we must also deal with the issue of maternal healthcare. There are many women who are dying because we have not paid attention to this issue. I know that I do not have much time but, again, in addition to what we have said, I would want to conclude by saying that on the issue of HIV/AIDS, I was alarmed by statements attributed to the Minister of State for Special Programmes. She is usually a very sober minded person, and I would want to give her the opportunity to explain herself. If she indeed said what has been attributed to her, then I will be the first one to go to court, because it is discriminatory, as provided for under Article 27(4) of the Constitution.

With those few remarks, I beg to support.

**Mrs. Shebesh:** Mr. Temporary Deputy Speaker, Sir, I want to support the Motion and congratulate the Chairperson of our Caucus, who has brought this Motion.

The purpose of the formation of the Caucus was to bring to prominence the issue of the Millinium Development Goals (MDGs). My colleagues have already spoken on the MDGs relating to Vision 2030. The MDGs are goals which are prioritised. They are goals which measurable, and which have reviews. They give proper information about what they want to achieve. If the Vision 2030 Secretariat and its mother Ministry could borrow a leaf from the MDGs, we would not have a Vision 2030 that would have to become "Vision 2050".

Many of the issues that are detailed in Vision 2030 are the priorities of Kenya, but do we have in place a system of measuring how well we are doing? Do we have a measure of reviewing our progress? How much information are we giving Kenyans? That is why we have brought this Motion here. The MDGs is a bigger issue, but I believe that it should also apply to Vision 2030.

Mr. Temporary Deputy Speaker, Sir, I want to speak specifically on MDG No.7, on environmental sustainability, because I am the United Nation's champion for Disaster/Risk Reduction for Africa. One of the issues we have been dealing with is that of climate change and its negative effects on Africa, which brings about disasters. If we were measuring our success, we would realise that in MDG No.7, on environmental sustainability, we need to have pilot projects in this country that would allow development in Kenya without harming the environment. What do I mean? We have things like biogas, solar energy, wind energy and water harvesting. These are things which, if we were doing measurable and reviewing, we would know that MDG No.7 cannot be achieved without projects at the grassroots level to change the way Kenyans access their cooking and lighting fuel. There are different ways of doing things. We cannot have environmental sustainability and achieve MDG No.7 if we do not change the way Kenyans operate at the grassroots level in terms of sustaining their livelihood.

Mr. Temporary Deputy Speaker, Sir, I would, therefore, like to ask that our national climate change policy looks again into the issue of disaster/risk reduction and re-work it to ensure that we apply disaster reduction measures at the grassroots level rather than pick policies that are mentioned at the national level but do not impact at the grassroots level. Therefore, I support that we do prioritise and have a review mechanism, and that the Government talks to us not only on the MDGs but also on the progress of Vision 2030.

With those remarks, I beg to support.

**Dr. Monda:** Mr. Temporary Deputy Speaker, Sir, I stand to support this Motion on the MDGs.

Our Government became a signatory to this initiative ten years ago. Besides that, it appears to be routine for the Government to sign such treaties and commit the



country into agreements which the same Government does not want to implement. One such agreement is the Abuja Declaration, in which 15 per cent of our national Budget was directed to the health sector. However, up to now, our allocation to the health sector is below or around 5 per cent of our national Budget and yet we are supposed to be headed to 15 per cent by the year 2015.

Mr. Temporary Deputy Speaker, Sir, the Maputo Plan of Action is a similar agreement in respect of which we have not done much to support as Government. To be very precise, looking at our health issues, under MDG Nos.4, 5 and 6, we are talking about maternal health, child mortality and HIV/AIDS. In all this, the Government is required to allocate sufficient funding, so that in our effort to improve maternal health, we can be able to rightly access productive health and family planning commodities, so that we can save mothers from losing their lives during child-bearing.

We lost direction when we had HIV/AIDS in the country. We digressed and went into HIV/AIDS, leaving aside family planning. In development, if we do not know where we stand in terms of our population, it will be difficult for the Government to plan and allocate sufficient funds for the country to meet its obligations. The rate of death of mothers during child-bearing is so high that the country must take action to correct this scenario.

Mr. Temporary Deputy Speaker, Sir, we have Vision 2030, which is simply a plan that was voluntarily done by the Government. However, if you look at the steps being taken to correct the errors we have in Government and push the development of the country to where it is supposed to be in 2030, you will still have questions. Millennium Development Goal (MDG) No.4 is about reducing child mortality, but if you look at the allocations that have been made to the two Ministries in charge of health, you will realise that there is a lot that needs to be corrected. There is a lot that should be corrected. There should be an adjustment of the budget so that there is sufficient allocation to acquire sufficient things by the relevant Ministries so that we have immunization for our children when they are born.

The Millennium Development Goal (MDGs) No.6 is on HIV/AIDS. It is clear to every Kenyan that most of our funding for HIV/AIDS comes from donors and yet we have signed in the MDGs that we shall combat HIV/AIDS by our own designs. It is important to ask the Government to come up with a clear position on how the budgeting process will accommodate funding for HIV/AIDS now and in future because donors will have fatigue.

As I wind up, we are discussing about eradicating extreme poverty and hunger in MDG No.1. In the 10th year of signing the MDGs--- We only have five years to go and we still run around with emergencies of special programmes to feed our people and transport food to people. There is insufficient food and yet we are talking about eradication of hunger. We import cereals that we are capable of growing. We grow cereals but we do not store them properly so that they are available at difficult times. If stored, some are contaminated with aflatoxin. This leads to the importation of grain to feed our starving population.

It is important that our Government comes up with periodical reporting on how we can achieve the MDGs within the remaining five or so years so that in each of the eight MDGs we are in picture on how we can address the issues that affect this country.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I support to the Motion.

**The Temporary Deputy Speaker** (Mr. Imanyara): Is there anybody from the Government to respond on this Motion?

Mr. M'Mithiaru, are you prepared to make your reply now because I do not see anybody wishing to make further contribution or would you like us to defer it to enable the Government to respond?

**Mr. M'Mithiaru:** Mr. Temporary Deputy Speaker, Sir, I would have wished that we get a Government response on this Motion but reading from the mood of the House now, I am ready to reply.

**The Temporary Deputy Speaker** (Mr. Imanyara): What is the position of the Government on this Motion?

**The Assistant Minister for Environment and Mineral Resources** (Mr. Kajembe): Mr. Temporary Deputy Speaker, Sir, we have just come in and we have not done a follow up on these deliberations. If the Mover agrees, with your permission, the Motion can be deferred to an appropriate time when there will be somebody to respond to it.

**Mr. C. Onyancha:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Members of the Government including the Leader of Government Business attended the House Business Committee when this Motion was approved. It has been a very frequent occurrence that the Government is not taking seriously the House business that is on the Order Paper. I do not know whether I will be in order to request you to issue a reprimand to the Government because that Committee is largely composed of Government Ministers who do not communicate with their colleagues in order to be able to respond to such an important issue as the MDGs.

**Mrs. Odhiambo-Mabona:** On a point of order, Mr. Temporary Deputy Speaker, Sir. We resumed early so that we can do urgent business. We have a heavy calendar before us this year. As the Vice-Chair of the Committee on the Implementation of the Constitution, we have 16 priority Bills that we have to deal with. This morning is Private Members' Time and we have done our part. I do not think that it will be in order for us to allow the Government to have time to respond because next week, we need to deal with another Private Member's issue. We are taking our House work seriously and it would be unfair to give the Government undue time. When it was the International Criminal Court (ICC), the benches were full but when it is an issue concerning Kenyans like poverty, the benches are empty. I think we need to proceed.

**The Assistant Minister for Co-operatives Development** (Mrs. Kilimo): Mr. Temporary Deputy Speaker, Sir, I would like to support this Motion. I know my colleague is almost arriving so that he can give us the Ministry's full report on what they are doing.

As a Member of Parliament, we started the MDGs in 1995. It is unfortunate that every year, we are talking about the MDGs and Vision 2030 and we wonder when we will reach there. However, the most unfortunate thing for some of us from the rural constituencies, and I know my sister, Mrs. Odhiambo-Mabona, is also from a rural constituency just like me, the MDGs is about town life. It is about seeing those who are in the slums forgetting that if you look at the houses of the poor in the rural constituencies, they can also be considered to be slums. The only difference is that they are not squeezed together like those in towns. I hope that as the Government makes its commitment in the next six months, it will reach every part of this country.

Mr. Temporary Deputy Speaker, Sir, apart from the MDGs affecting population as a whole, it is about women and children who suffer the brunt of every

evil that faces the country. Why do people engage in cattle rustling? I am sure the people in the northern part of Kenya know nothing about the MDGs. When will these MDGs reach there? I hope that as we adopt this Motion, we will spread our wings and reach the rural parts of this country.

With regard to the HIV/AIDS, I would like to use this House to challenge the civil society and the NGOs that train people on positive living. These bodies should not concentrate their effort in towns. They should go to the rural parts of this country because HIV/AIDS is no longer experienced in urban areas or along the routes frequented by trailers. The HIV/AIDS now affect people in the rural parts of this country and they do not understand it. Most of our population still imagine that HIV/AIDS is witchcraft. Living positively is something that they have never learnt to accept. They cannot even access the ARVs. Information does not reach those people so that they can learn to live positively. The health institutions in the rural areas do not have the ARVs. So, patients have to cover long distances to get them. How do you cover long distances to look for something you do not know? Therefore, I challenge the civil society and the NGOs that deal with those issues to go to the constituency level. They should not just leave it to the Constituency AIDS Control Committees (CACCs) where we have Community Based Organizations (CBOs) in every location that train people and yet they do not know how to disseminate the information because they have not been trained. They do not know how to tell the people to live positively.

In fact, if somebody suspects that he or she is beginning to lose weight and it is as a result of being HIV positive, they will even die before they are diagnosed because of stigma. It is the NGOs which partner with the Government to educate the people. I am grateful to see on television many people who are living positively. How I wish these groups could go to the rural areas of this country where there are no televisions so that they can talk to the people on how to live positively with HIV/AIDS.

Mr. Temporary Deputy Speaker, Sir, I support this Motion. I also want to urge hon. Members to be on the look-out for the implementation. The Back Benchers should put the Government on its toes. I hope my sisters are listening. This is because I want them to keep the Government on toes so that it implements the MDGs which are about women and children.

**Mr. Wamalwa:** Thank you, Mr. Temporary Deputy Speaker, Sir. I also rise to support this Motion. As we speak today, 2015 is just a few years to come. It will not be possible to meet the MDGs. Next year will be 2012 and we will only have three years to go.

However, among the goals and targets set, the issue of reduction of extreme poverty and hunger still remains the biggest challenge to our nation. It is a challenge that our founding fathers declared one of our greatest enemies at Independence. It still remains the biggest challenge we face today, over 40 years later. The gap between the rich and the poor has widened greatly. When J.M. Kariuki spoke of a nation of 10 millionaires and 10 million Kenyans, then Kenya was still a largely divided society in terms of the rich and the poor. However, today, that gap has widened and Kenya is one of the nations with the largest gap between the rich and the poor. Efforts at poverty eradication have not been very successful. When we compare Kenya like a country which has got millions of people out of poverty within 10 or so years, we ask ourselves why as a nation we have not been successful in closing reducing poverty and ensuring that we have sufficient food for our people.

Concerning the issue of hunger, we know that Kenya has the capacity to produce enough food not only to feed her citizens, but also export. We know of Malawi which has come up with policies that have actually taken seriously the Maputo Declaration of ensuring that 10 per cent of a country's budget goes towards agriculture. If we could put enough resources in agriculture from which 80 per cent of our nation earns a livelihood, we can remove this nation from the list of the food-insecure nations of the world. It is not a good list to belong to.

We know that there have been plans to put up a fertilizer factory. I have a Motion before this House which will be urging the Government to establish a fertilizer factory in this country. This is because of the high demand for fertilizer; the delays in importation and the issue of accessibility to and affordability of fertilizer and other agricultural inputs. They have frustrated the efforts of farmers in increasing production to ensure that we have enough food to feed our nation and the rest of our continent.

If the Government was, indeed, serious about achieving national food security, they would have put more in this initiative of availing inputs, particularly fertilizers at affordable prices to farmers. This can be done. We know that previous attempts have not succeeded. There is the old KenRen Project which was a total rip off. As we speak, it still remains in our books and every year, we are told that we are still paying for a fertilizer factory that never existed. Millions of shillings of taxpayers' money are going towards this project that never took off and it is because we guaranteed some questionable companies. If, indeed, we were serious, we would come up with an alternative processing plant will boost production through availability and affordability of these products. I believe this can be done. In reducing poverty and hunger, the first thing we can do is to empower the farmers of this nation.

The second greatest resource in our country is the young people. Remember 80 per cent of our population consists of the young people. I believe that we have not invested enough in them. There are very many young people who drop from school and many of them have resorted to the *boda boda* business. On the Order Paper, we have another Motion touching on the *boda boda* sector empowerment. If only the Government could invest more in its young people – those we have spend so much money educating in primary and secondary school – we would be able to reduce poverty. If we could do that in the largest section of our society, that is, the young people, we would be able to move this country and lift many Kenyans out of poverty. This is one area we have not focused on. However, we believe that with proper policies in place and more investment in the *boda boda* and *Jua Kali* sectors, where many young Kenyans have resorted to informal employment, we will be able to move this country forward.

In the recent past, the NARC regime promised the creation of 500,000 jobs for the young people. This promise never came to pass. These young people, instead of turning out to be the greatest resource for this country, are now becoming a menace in our own society. Instead of being productive, they are being destructive. They have joined illegal gangs. They have resorted to drugs, crime and prostitution when they would have been in the army that would have fought poverty and hunger. That way, they would have been productive and enabled this nation achieve the MDGs and especially the one on reduction of extreme poverty and hunger.

On the issue of achieving universal education, it is a matter that is now in our Constitution. It is a Constitutional right for all Kenyans to access free and compulsory education. In this area, there has been great progress more than on the other MDGs. Here, we have the Free Primary Education (FPE) Programme which has led to an

increase in the enrolment in our primary schools from 67.8 per cent up to 92.9 per cent. Enrolment has almost doubled in our primary schools and secondary schools. The time has come, under the new Constitution, to expand the meaning of basic education. We need to include FPE as well as Free Secondary Education (FSE).

When you look at the Early Childhood Development (ECD) section, up to now, the Government has been promising to integrate the ECD in our education structures. The Government promised to do this last year. There are so many little kids, over 2 million in number, in our ECDs. We have young people who are teaching these kids, but they are not paid by the Government. The Government promised to put them on the payroll, but it failed to do so in the last Budget. We believe and hope that the ECD will be integrated so that the young people who join our education programmes at the tenderest age are also brought on board.

If we want to achieve universal primary education right from Early Childhood Development (ECD) up to the secondary level, then we need to invest more to ensure that, indeed, every child born in this country is able to exploit their God given potential without being limited by the pockets of their parents. The background of the child should not determine the success of the child; its ability should do so. For us to achieve the universal primary education goal under the Millennium Development Goals (MDGs) this needs to be done.

Mr. Temporary Deputy Speaker, Sir, my other friends have already addressed the other issues.

With those few remarks, I beg to support.

**The Assistant Minister for Environment and Mineral Resources** (Mr. Kajembe): Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion.

Within a period of three years to 2015 when we are supposed to meet MDGs we can do wonders. We must change our attitude. The Government and the people should work hard to ensure that every Kenyan gets food, and that every Kenyan has enough money to meet his or her needs.

Mr. Temporary Deputy Speaker, Sir, we are not giving our people awareness. For example, today when we talk of famine, the Ministry of State for Special Programmes will go to rural areas, and give two or five kilogrammes of maize to the needy. How would one survive on five kilogrammes of maize? Kenya needs to develop the agricultural sector. To do that, the Government should change its attitude to develop farming in this country. Doing that would be giving awareness. We must buy more equipment for farming.

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

*[The Temporary Deputy Speaker  
(Dr. Laboso) took the Chair]*

Madam Temporary Deputy Speaker, we should go to the rural areas and farm on a very large scale, rather than giving people five kilogrammes of maize to eat for one month. In big families, that is consumed in a day.

In order to do away with poverty, I think the Government and the people of this country should look forward to doing proper farming. I have just come from the People's Republic of China, a country which has a population of 1.3 billion people, and nobody goes hungry. This is because they have found a solution to lack of food, and give all their people food.

Madam Temporary Deputy Speaker, when I was in China, I went to the rural areas and found out that every person gets food. I know we have very competent people in the Ministry of Agriculture, who can advise our people and the Government on how to go about this. If we do not have them, let us go to countries like the People's Republic of China and see how they do it. What is needed is to feed our people. What is needed in this country today is to see our that people eat good food, wear good clothes and have better life by using clean water and all that. We can do it.

What surprises me is that many years ago, in the 1970s, a country like Kenya used to give grants to Malaysia. This was because Malaysia was behind us in terms of development. Today, Malaysia is one million kilometers ahead of us. What went wrong? I think we need to correct some anomalies. We can do a lot.

Madam Temporary Deputy Speaker, *Kazi kwa Vijana* started in full force. Where is it today? We are Members of Parliament, but nobody now has that *Kazi kwa Vijana Programme*. Let us do whatever we promised the people of Kenya. Let us revive the *Kazi kwa Vijana*, if it is dead. You know that is not the way to find solutions to *Kazi kwa Vijana problems*. Let us go to rural areas and start proper industries there for those young men and women to be employed rather than giving them pangas and jembe. We give them money for temporary comfort and then after two months, there is no money.

Today, the big cities in Kenya like Nairobi, Mombasa, Kisumu and Nakuru have been invaded by young people from rural areas. This is not because they want to come to Nairobi, but because they cannot earn livelihood in their areas. We must change this attitude. After elections we must involve ourselves in development. However, in this country from the day we finish general elections, we go on politicking until the next elections. We must serve our people. If, as leaders of this country we cannot serve our people, let us make a resolution in this House that all Members of Parliament, councilors and other leaders will resign. We should all resign and not stand for election anymore because we have failed to run this country. Let new people come in and run this country rather than cheat people. I think it is time now leaders got serious with their jobs.

I believe my people like me because I have been elected all this time. I have been in leadership for 30 years. I have been a councilor for 15 years and a Member of Parliament for 15 years, because I render services in my constituency to the satisfaction of my constituents and other Kenyans. Everybody should be prepared to do this rather than doing a lot of politics. Politics has its time and room.

I beg to support.

**Mr. Ngugi:** Madam Temporary Deputy Speaker, first of all let me congratulate Mr. M'Mithiaru for bringing this Motion here; it is which is very important.

It is over 10 years since we committed ourselves into making sure that the MDGs are realized. We now have only about four years to go, yet other than education and HIV/AIDS, there is not much to show for it. We do not have to sign any document. We do not even have to be a member of the United Nations (UN) and be forced by charters to develop our people. We understand how the environment has caused hunger to this country. We know that if we degrade the environment, Kenya can become a desert. It is upon us, even without being members of organizations or signing the MDGs--- It is the responsibility of the Government and our own responsibility to protect the environment.

Madam Temporary Deputy Speaker, our people all over have poor health and live under poor sanitation. It is the responsibility of any responsible Government to take care of her people.

Madam Temporary Deputy Speaker, Sir, our people are still dying. Very little research is done. Malaria has been with us for years and yet we have not made tangible progress to make sure that our people do not die because of this. This is why I support this Motion and call upon the Government to increase funding in order to realize the goals that we set.

We just passed a new Constitution which we hope and pray that it is going to do away with impunity and combat corruption. The money which was being misused through corruption and unnecessary projects as a result of impunity can be redirected to meeting the MDGs.

**Mr. Oyongo Nyamweya:** Madam Temporary Deputy Speaker, the first thing I want to emphasize is that, as a nation, we will not develop unless there is political goodwill from the political leadership. The biggest asset this country requires is the political goodwill from the leadership in order to implement the Budget and follow up on what is happening in the country.

At the moment, the country is experiencing drought. People in North Eastern Province are dying because there is no food. This has become a ritual every year. Right now, the Government is raising resources in order to provide water and food. These funds which are availed every year whenever there is a crisis should have been channeled early enough to development of dams and provision of grass. There is no political goodwill for this country to move forward. Corruption has crept in. Let us look at the way the Government procures goods. We all know that there is a procedure of procuring goods and services, and the Act is very clear. It details how the Government should procure goods, but if you go to the actual performance of the officers who are concerned when it comes to procurement, the prices are inflated year in, year out. If you read the reports of the Public Accounts Committee, you will realize that no action has been taken to implement its recommendations. It is just a ritual where money is wasted and we proceed to another year and another general election.

The challenge is for those in Government to be sincere to the nation in leadership and to be willing to do work so that this country can develop and resources which go to waste are no longer wasted. We have local authorities which lack the right personnel to manage the funds they collect. The funds are diverted to allowances for councilors and not for development. Those in leadership should be serious so that the available resources are used for the sake of the development of this nation so that we can attain economic advancement.

Madam Temporary Deputy Speaker, Sir, there is no manpower to do the roads in constituencies. There are no clear guidelines on how goods are supposed to be procured using Constituencies Development Funds (CDF). We should have the political goodwill from this Government to develop and achieve the Millennium Development Goals.

I beg to support.

**The Temporary Deputy Speaker (Dr. Laboso):** I now call upon the Government responder to respond.

**The Assistant Minister, Ministry of State for Planning, National Development and Vision 2030 (Mr. Kenneth):** Thank you, Madam Temporary Deputy Speaker. Let me apologize that I was not here when the Motion began. We were all as a Ministry at the KICC because today, we were getting our ISO

Certificate. That makes us the second Ministry in the Republic to be ISO certified, which in turn means that we have reviewed our processes and that we should be able to give efficient services to the people of Kenya.

I stand here to, first of all, acknowledge that the intention of the Motion by my good friend, Mr. M’Mithiaru, is well intentioned. As a Ministry, we fully support the Motion other than one element on the timing factor which I will be able to articulate about towards the end of my response.

Madam Temporary Deputy Speaker, the MDGs constitute of eight goals which are very critical in ensuring that the country can grow together and can achieve the same development pace in those eight goals. It is important that the attainment of those goals is not only in our capital cities but also in our rural setup. We also have the Vision 2030 which in essence will play a very good supplementary role in backing the MDGs. In that respect, we also have a five year plan which is a first slice of the Vision 2030 which is a medium-term plan which can equally supplement the MDGs. We remain a signatory of the MDG Programme. We remain the inventors of our own vision and as many hon. Members have said, it is not for lack of ideas that we do not move forward, it is purely for lack of implementation that we do not move forward.

I would like this House not to be a House in vain. I would like this House to be a House made of pathologists because the role of pathologists is to deal with patients who are not living. We must not come to this House to discuss issues when they have passed. Therefore, the role of this Motion is to ensure that the House can actually take its mandate in ensuring that certain agreements that we have signed are actually fulfilled in time.

Madam Temporary Deputy Speaker, the accountants have a very good saying that, “good intentions have no place in the balance sheet; it is the bottom line”. Which means, no matter how good intentions we have, if we do not implement those intentions, the bottom line will remain chaotic. I think that is the spirit of this Motion; that the year 2015 should not come and find that we have not implemented the eight goals. We are near perfection on some of those goals, including universal primary and secondary education. But when you look at the agricultural goals and the mother-child mortality rate, we have still not achieved much. When you look at health care, we have not put aside enough money.

It is important for this House to recognize that in developed countries that have achieved MDGs, the main politics of the day have been based on how best the Government of the day has utilized the taxpayers’ money. But the truth is that we get diverted here on very many fronts and we forget to hold the Government accountable on taxpayers’ money. As a result - that is what the hon. Oyongo Nyamweya was saying that the Reports of PAC have become a ritual because we do not hold the Government accountable on taxpayers’ money which is our oversight role here. So, I want to appeal to hon. Members as we pass this Motion, let us not just have plans. Let us not just have agreements; let us come up with a role of implementation.

If we want this country to grow, we must be able to implement our plans. If we would not be able to implement the MDGs, it then shows that even the Vision 2030 itself might not be implemented. The Vision 2030 is anchored on a presumed growth of over 10 percent from 2012 for the year that would run up to the year 2030. We are anticipating the growth rate would be at 6 percent in this year, which means we are not even near the 10 percent that we need to have the Vision grow, which means there would be less money, to not only the MDGs, but also to the Vision 2030. It is time, as a House we interrogated the Executive, me being a Member, in full so that we can have deliberate efforts to achieve the MDGs and Vision 2030.



Madam Temporary Speaker, I want to support the spirit. I want to thank the Mover of this Motion because it is a deliberate way to monitor our achievement of a particular goal within our achievement as agreed in the signing of the MDGs.

Madam Temporary Deputy Speaker, lastly, the spirit of the Motion in terms of response and in terms of the measurements of the eight goals that make up the MDGs, requires quite a bit of time. I notice that in this Motion, the reporting time envisaged is that of six months. Sometimes in trying to assess those goals, it would be difficult to actually assess and carry out a national survey within those six months. That is why it was envisaged when we signed the MDGs that the report card should be made after every two years. That is why His Excellency the President last year had to go all the way to the UN to present that report card. I want to urge the House to allow us be realistic on the timing in terms of reporting. I want to appeal to the Mover of the Motion that it would be possible to actually carry a national survey every six months. Perhaps, between the Mover, and the Minister, if the House feels that the reporting time of two years is too long, we can agree, probably, on a reporting time of one year, because we want to provide the service to the people of Kenya.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker (Dr. Laboso):** I now call upon the Mover to reply.

**Mr. M’Mithiaru:** Madam Temporary Deputy Speaker, let me also take this opportunity to thank hon. Members for supporting this very important Motion.

Madam Temporary Deputy Speaker, by supporting this Motion, hon. Members have shown that they have the political will to support and ensure that the Government programme for implementation of the MDGs is on course.

Madam Temporary Deputy Speaker, the response from the Ministry agrees with us that it is very important to monitor, so that we do not have documents and agreements that do not have an implementation plan. This Motion clearly says that we want the Government to give the implementation status after every six months. The MDGs, the way they have been modelled, have 21 targets with 60 indicators, so as to be able to monitor on the implementation. This is really what we want the Government to do. The Assistant Minister has said that the six months could be overwhelming for them to give these figures, but we are talking of four years to go. If it is four years to go, we really wish to know the status or where we are at this particular time. Six months is really quite reasonable time for us to get a format on where we are at the particular time. But a report to the House is not a joke because we must have proper and authenticated report coming to the House that shows the real situation on the ground. I think between Parliament and the Ministry, it can always be agreed on what kind of format can be arrived at for purposes of reporting to the House.

Madam Temporary Deputy Speaker, I also wish the Members to note that the issues of MDGs are worldwide issues under the auspices of the UN. In fact, lately even the Inter-Parliamentary Union has included MDG issues in their agenda. So, it shows how serious these issues are. It shows also how the legislatures of the world are now being called upon to ensure that they take on the Government and ensure that they hold the Government accountable on the commitments of the MDGs.

With those few remarks, I beg to move.

*(Question put and agreed to)*

## LEGAL FRAMEWORK TO REGULATE *BODA BODA* BUSINESS

**Mr. Wamalwa:** Madam Temporary Deputy Speaker, I beg to move:-

THAT, being greatly concerned by the rising cases of accidents involving motor cycles popularly known as “Boda Boda”, being further aware of this fast growing sector that is providing affordable motorized and non-motorized means of transport to many Kenyans today all over the country; appreciating the role the sector is playing in contributing to our economy and in providing employment to many unemployed young Kenyans, and conscious of the problems and challenges facing this sector; this House urges the Government to urgently provide a policy and legal framework to regulate this fast growing and vital sector of our society and to set up a *Boda Boda* fund to provide funds to facilitate training and empowerment of these young Kenyans.

Madam Temporary Deputy Speaker, when we came to Parliament in 2008, amongst the first issues that were raised before this House was a request for the Government to come up with a clear policy regulating the *boda boda* sector. That came through a Question before this House. At that time, the Government assured us that it was in the process of framing a policy to regulate the *boda boda* sector. As we speak, we have one year to go before the life of this Parliament ends, and we believe that we owe a duty--- As we speak today, very many young Kenyans have dropped out of primary or secondary schools and become unemployed. They have joined the huge army of the unemployed young people of this nation and we owe them a duty of care. We should give them care, employment and something to do to realize their dreams. We realize that as a nation we spent millions in educating these young Kenyans through primary school for eight years and secondary school for four years. Many have passed their examinations but, perhaps due to lack of fees, have not been able to join colleges to train and specialize in certain fields. They have gone back to their villages and towns.

When you look at the history of the *boda boda*, I have been discussing with Mr. Mututho and he has been telling me that the term “*boda boda*” originated in Naivasha but I have also been telling him that the *boda boda* originated in Busia, at the border between Kenya and Uganda. I think one day, we might conclude this debate. I believe, coming from the western region of this country, the concept of *boda boda* was born in Busia, at the Kenya\Uganda border. In between, there is a no man’s land and, therefore, you would find young people with bicycles ferrying passengers from one border to the other. That is how the name “*boda boda*” came about. I do not know where borders are in Naivasha; maybe Mr. Mututho will show me one day where they are, but I believe that the term *boda boda* originated in Busia.

Many young people lacked something to do. Many would ask their parents to give them a bicycle and they would start riding and then would make Kshs20 or Kshs50 a day; slowly and slowly it became a way of earning a living in this country. Many school dropouts decided to treat it as a way of earning a living by many people, and not just by school dropouts. Even those who have passed their examinations, they have papers but have no employment. So, they have also resorted to this occupation. Therefore, when you look at the number of young people out there, it is no longer in Western Province only. You will find them in Kondele in Kisumu, Busia, Kakamega or Kitale. You will find them in Naivasha and even in this city. I was quite surprised to see young people in this city doing the *boda boda* business. I was surprised when I

went to Kiambu and Thika in Central Province and saw *boda bodas* there. We can say today that almost everywhere in Kenya, we have *boda bodas*. The subsector has grown and taken on board very many young people.

In Trans Nzoia alone, we tried to count and establish how many they are; the last head count showed that we had close to 20,000 young people from all over Trans Nzoia who were trying to earn a living from this *boda boda* business. When you look at what they make in a day, you will be surprised that it is actually a huge industry. If it is properly regulated and we have a policy for it, it can contribute quite a lot to the economy. If you have 20,000 young people out there, each making about Kshs500 a day, that will be quite an amount of money. If you were to multiply this in every town--- I know in a place like Kisumu, there are more than 20,000. You will realize that if we had close to one million young Kenyans all over the country doing this business and making this kind of money in a day, they will actually contribute a lot to our economy. But most importantly, looking at the rate of unemployment, this industry absorbs many young people. Therefore, the Government should focus on this area and find out what it could do. If it were to just regulate the subsector properly and have a legal framework and policy for guiding it, it will work to the benefit of the nation.

Madam Temporary Deputy Speaker, you will find as they have grown in numbers, they have become a menace to society. If you go to Kitale District Hospital, you will find an entire ward of women with broken limbs and little children who have been injured by the *boda boda* motor bikes. I was surprised to find out that if you go to any town in Kakamega, you will find a ward where there are a lot of people who have been injured by the *boda boda* motor bikes. I was surprised to hear from Mr. Koech that even in Kericho, there is a *boda boda* ward named after the victims of the *boda boda* accidents. Just trying to find out from the young people why there is such an increase in accidents, you will be surprised to find that very many young people, out of what they do in a day, earn very little money. Many of them do not own these motor cycles. They hire them. They are told in a day, you must give the owner a minimum of Kshs400.

In a day, this young man after carrying very many heavy people, sweating the whole day, will make Kshs700. You then deduct Kshs400 due to the owner of the motor cycle. Along the way, traffic police officers are harassing these young men who are trying to earn a living through a very hard and rigorous way. Every traffic police officer will ask them for Kshs50. Deduct that amount from the Kshs300, you will find that he will remain with just about Kshs250. Out of the Kshs250, if they were to use fuel of Kshs100, these young people will end up at home in the evening, tired and exhausted with only Kshs150 having worked very hard through the day. Having paid the owner of the motorbike and taken it back, he will rise again the next day to try and earn a living. However, what can you do with Kshs150 or Kshs100 on a bad day? He has a young family. Even if he was to buy half a kilogramme of meat, flour or bread, this money is not enough.

Madam Temporary Deputy Speaker, if we could find a way of helping these young people and the Government actually studied the *boda boda* sector properly and developed policies, we can start by developing a training policy. With just about Kshs100 or Kshs150, they are not able to pay for a driving course. When you go to a driving school, they ask the young man for Kshs7,000 and he earns about Kshs150 a day. How will he pay for his course? As a result of this, many young people are not able to go to driving schools. They are not able to train and get driving licences. As a result, they are driving the motor bikes without proper qualifications through driving

schools. In the process, they are trying to earn a living to carry passengers. This has contributed to the high number of accidents because many of the young people who are carrying the women and children of this country do not have driving licences. What can the Government do to ensure that funds are set aside to ensure training in road safety, safety of the passengers and also the safety of these young Kenyans who are trying to earn a living through a very difficult process. This is one area that I do believe, as I come to the end of my contribution, that if the Government focused and developed policies to ensure that these young people are trained and that they have driving licences and that there are driving schools in all the counties, we can reduce the menace of the *boda boda* in our country.

Apart from that, I do believe that due to the challenges they are facing, these young people are not able to cope by themselves and they have had to work through the night. In the process, they have exposed themselves to the vagaries of the night. Many of them have fallen victims. Many of them have been killed in the night and had their motor bikes hijacked. I do believe these are some of the areas that, through regulations minimizing of harassment by the police and enabling young people acquire motor cycles so that out of the Kshs700 even if they were to deduct fuel and other costs that will follow, they will at least go home with nothing less than Kshs500. This will be one way of eradicating poverty because of the low income that these young people are experiencing.

We will propose that the Government should immediately---

#### **ADJOURNMENT**

**The Temporary Deputy Speaker** (Dr. Laboso): Mr. Wamalwa, you still have ten minutes to continue moving your Motion.

Hon. Members, it is now time for interruption of the business. This House, therefore, stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.