

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th May, 2012

The House met at 9.00 a.m.

*[The Temporary Deputy Speaker
(Mr. Bahari) in the Chair]*

PRAYERS

NOTICE OF MOTION

Mr. Pesa: Mr. Temporary Deputy Speaker, Sir, before I give notice of my Motion, I would like to declare my interest as required by the Standing Orders of this House. I have been a teacher and I am one of those who retired during the period in question. My Notice of Motion is directed to the Office of the Prime Minister.

PAYMENT OF DUES TO RETIRED TEACHERS

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

THAT, noting that the Government has not paid teachers who retired between 1997 and 2003 their dues in revised pension funds amounting to Kshs17.6 billion; aware that the Minister for Finance on 22nd February, 2012, informed the House that the money had not been paid due to a query by the Controller of Budget which required guidance and opinion of the Attorney-General; further aware that Kshs3.34 billion has been factored in the current Budget of 2011/2012 and risks being returned to Treasury at the end of this financial year; noting that the Minister said that the payment of these funds will be effected as soon as the Attorney-General renders an opinion; mindful that the delay has caused the parties untold pain and suffering; this House urges the Government to pay retired teachers their dues without further delay.

QUESTIONS BY PRIVATE NOTICE

MURDER OF JAMES MWAI NJOKA AT CANOPY BAR/RESTAURANT

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, although I have not received the written reply, I beg to ask the Minister of State for Provincial Administration and Internal Security the following question by Private Notice.

(a) Is the Minister aware that Mr. James Mwai Njoka was killed around Canopy Bar and Restaurant in Zimmerman Estate on Sunday, 15th April, 2012?

(b) Could the Minister provide a list of suspect(s) so far arrested in connection with the murder?

(c) What measures will the Minister take to reduce the numerous cases of insecurity in the country?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, the hon. Member has just walked in. Maybe that is why he has not received a written answer, but I have already supplied the written answer!

However, I beg to reply.

(a) I am aware that Mr. Mwai Njoka was killed on 15th April, 2012 while on a drinking spree at Canopy Bar and Restaurant with a friend Mr. Eric Inga Wairimu within Zimmerman Estate in Nairobi.

(b) Following the murder, one suspect namely Mr. Eric Inga Wairimu was arrested on 16th April, 2012 and charged with murder by Kasarani Police Station Criminal Case No.123/2010/2012.

(c) The following measures have been put in place to reduce and forestall such future incidents.

(i) Specialized units to deal with carjacking incidents, homicides, robberies, kidnappings and rape, to mention but a few, have been formed to deal with such kind of crimes in the country.

(ii) Members of the public are being sensitized through community policing meetings on the importance to co-operate with police and help reduce crime through fast reporting methods.

(iii) Intelligence gathering among the various security agencies has been up-scaled. This has enhanced joint policing by the agencies throughout the country.

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, while I appreciate the answer given by the Assistant Minister, I note the cases of insecurity in the country are on the rise. Any time we ask a Question on a murder in this country, he keeps on giving us assurance. When will these things cease?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I want to begin by saying that my officers are really doing their level best to contain situation like the one the hon. Member is talking about. Dealing with 40 million Kenyans is not an easy job. So, it is better to give credit where it is due. The police have actually tried to contain situations of kidnappings, homicide and even fighting within households. Because of the complexities of the technologies associated with digitalized era, we should be expecting that we have to overcome some of these things. I also said that what will reduce these things completely is when we implement and give to the police money and reforms. We require about Kshs90 billion in order to reform the entire police force. I am pleading with my colleagues to help us in sensitizing their constituents that they should be reporting matters of this nature to the police in order for us to follow up and take action immediately.

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, this problem reflects what occurs in the country almost on a weekly basis. The Assistant Minister is aware that one of the contributing factors is lack of equipment that the police can use. How much money has he put in the current Budget, so that vehicles, firearms and communication equipment are bought to ensure that the police are up to date?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, that is a good question. In the next financial year which is starting next month, I have requested for Kshs1.4 billion for the purchase of vehicles and I want to request my colleagues to support me on this particular issue. Kshs1

billion will go directly to the purchase of police vehicles while Kshs400 million will go directly to the purchase of Administration Police (AP) vehicles. I have also requested Treasury to set aside the final payment for police salaries; about Kshs6 billion, which has been pending for the last two years. So, I expect that I am going to get Kshs1.4 billion for the purchase of cars and the issue of cars will not be a problem anymore because I need to give these cars to constituencies. I am on record in this House having said that each and every person in the constituency or district will get a police vehicle.

Mr. Mwangi: Mr. Temporary Deputy Speaker, Sir, while Mr. Njoka met his death while drinking, drinking is not prohibited. What is disturbing are the statements that have been given. Over the weekend, one of the Ministers was quoted saying that grenades and bullets are all over the market. Could the Assistant Minister confirm that the Government is unable to control the sale of illegal ammunitions in our society?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, those are some of the problems we are facing because of the porous borders we are having. We have beefed up security within our porous borders because the guns which are being sold here come from neighbouring countries where there are no governments, for example, Somalia and elsewhere. We are going to try our level best as Government and, in fact, there should be no panic at all. We are trying to round up all those who are having illegal guns and I also want to say that those who are having illegal guns must surrender them because the law will catch up with them and we will take them as robbers. What is it that an individual is doing with a gun if he cannot even register it? So, those who are having illegal guns must surrender them to the police, chiefs, assistant chiefs and District Commissioners (DCs) with immediate effect.

Mr. Nyambati: Mr. Temporary Deputy Speaker, Sir, it is very unfortunate that the Assistant Minister gives us an answer that this gentleman was killed during a drinking spree. That is a very unfortunate statement coming from the Assistant Minister. It is very clear that insecurity in this country has gone up. It is very clear that this Ministry is not doing its work. I know this House will give money to the Ministry in order to buy whatever he is asking for, but is this Ministry doing its work? Could the Assistant Minister tell us what measures he has taken to ensure that Kenyans are secure and that the security of this country is paramount because as it is right now, insecurity is increasing day in, day out? The entire Manga District does not have even a single police station – not even a single police post. Is this fair? Can he tell us what measures he is putting in place to ensure that security is assured in this country?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, if I start with the first question which he asked about the late James Mwangi Njoka; the late Njoka was invited by a friend called Derrick Inga Wairimu to a drinking spree within Zimmerman Estate. While drinking, the two picked a quarrel and started fighting over unknown reasons. The suspect---

The Temporary Deputy Speaker (Mr. Bahari): Order, Assistant Minister! Can you restrict yourself to the question asked by hon. Nyambati?

Mr. Ojode: I am coming to that, Sir.

(Mr. Mbadi tripped)

Mr. Mbadi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Those who are close to me have just noticed the way I almost had an accident in the House. This is a security risk.

The Temporary Deputy Speaker (Mr. Bahari): Order, hon. Mbadi! Can the Clerk look at what is happening there please?

Proceed, Assistant Minister!

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, when I am answering sensitive questions of this nature I would not want anybody to play around. Let us take this as a very serious issue. Kenyans should know what hon. Nyambati is saying. Hon. Nyambati is asking about the need for a police post and police station. I want to say here that, yes there is a police station in his constituency. But if indeed he needs an additional---

Mr. Nyambati: On a point of order, Mr. Temporary Deputy Speaker, Sir. I have said very clearly that Manga District does not have a police station and not even a single police post. Is the Assistant Minister in order to mislead this House that there is a police station or post in my district? More so, could he name it here and now?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, when the districts were being split, I am aware that there are some districts where police stations were not created. This is because we are still looking for housing. That has been a problem. Manga was created out of an existing constituency but I am sure that we are going to take care of his concerns and we will definitely come up with a police station together with officers to man it. We have been having some isolated cases of insecurity and that is why it is important for us to create a station. If need be, we will have a police post in order for us to contain the situation in Manga. So, do not worry. We will do that.

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, now that you have heard the Assistant Minister say that it is a challenge to deal with a population of 40 million people because of the limited police force, could he consider withdrawing some of the security personnel dealing with the *Al Shaabab* so that they can come here and protect our Kenyans?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I am not in a position of withdrawing any security agents from any quarter because the police officers who are in their fields working in their stations are more than enough.

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

*[The Temporary Deputy Speaker
(Prof. Kaloki) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, we will still try to beef up security in areas where they are required and if they want me to withdraw some of the security officers, I will start with his. I will withdraw them. I can ask him to give us his police officer – the bodyguard, in order for me to redeploy him, if he does not need his services. However, again, I want to say that there is no cause for alarm. The country is fine. We do not have any problem.

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to keep confusing this House? This time he is saying he can withdraw the security from the hon. Member and last time he was encouraging everybody to have his own security. Which is which?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I said that if he does not want the services of his bodyguard, then I can have his bodyguard to deploy to hon. Ethuro who needs the bodyguard. It is as simple as that!

The Temporary Deputy Speaker (Prof. Kaloki): Next Question, hon. Chachu Ganya!

UPSURGE OF HIGHWAY BANDITRY
ALONG MARSABIT-ISIOLO ROAD

(**Mr. Chachu**) to ask the Minister of State for Provincial Administration and Internal Security:-

(a) Is the Minister aware that a truck owned by M/s Sarimo Co-operative was attacked on 18th April, 2012 and six (6) bullets remain lodged in the body of the truck driver, Mr. Gurach Roba Gaache?

(b) Could the Minister indicate the number of incidents of highway banditry as well as the respective number of people killed, injured along Marsabit-Isiolo Road for the last two years?

(c) What measures will the Minister take to curb highway banditry along the road?

The Temporary Deputy Speaker (Prof. Kaloki): Is hon. Ganya not here? We will come back to the Question.

Ordinary Question, hon. Joseph Kiuna!

ORAL ANSWERS TO QUESTIONS

Question No.1173

REVOCAION OF TITLE DEEDS IN SETTLEMENT SCHEMES

Mr. Kiuna asked the Minister for Lands:-

(a) whether he is aware that farmers in Nessuit, Teret, Kapkembu, Sururu, Likia and Sigotik locations in Njoro District cannot access credit facilities from banking institutions because their title deeds were revoked;

(b) whether he is also aware that the title deeds to Marioshoni, Ngongogeri and Kapsita settlement schemes were also revoked; and,

(c) when the title deeds will be validated so that the farmers can use them as collateral for credit facilities.

The Temporary Deputy Speaker (Prof. Kaloki): Is the Minister for Lands in the Chamber? We will come back to the Question after the Minister gets into the Chamber. Let us allow him some time.

Next Question, hon. Isaac Muoki!

Question No.1403

STALLING OF FRESH PRODUCE MARKET PROJECTS IN IKUTHA

Mr. I. Muoki asked the Minister for Local Government:-

(a) whether he is aware that the Fresh Produce Market projects funded under the *Economic Stimulus Programme* at Ikutha stalled at the foundation stage; and,

(b) what measures he will take to ensure that the project is completed.

The Temporary Deputy Speaker (Prof. Kaloki): Minister for Local Government! I can see that he is not here! Let us allow him some time to get into the Chamber.

Next Question, hon. Erastus Mureithi!

Question No.1219

STALLING OF COMMUNITY MARKET
CENTRE PROJECT IN GATIMU

Mr. Mureithi asked the Minister for Local Government:-

(a) whether he is aware that the Government had set aside a plot of land for a community market centre at Gatimu shopping centre; and,

(b) whether he is also aware that despite availability of Kshs200,000 from the CDF kitty for fencing and building of a toilet on the plot, the project has stalled due to illegal allocation of the plot.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, this Question goes to the Minister for Local Government, who is not in the Chamber. So, let us allow him some time. Hon. Mureithi, we will come back to the Question.

Question No.1536

CENTRAL BANK ACTION AGAINST
CHARTERHOUSE BANK LIMITED

Mr. Mwau asked the Minister for Finance:-

(a) whether he is aware that the Central Bank of Kenya accused Charterhouse Bank Limited of violating the Banking Act in 2006 and yet the bank was let off without being fined and, if so, whether he could explain why this happened; and,

(b) if he could clarify whether or not the manager appointed to manage Charterhouse Bank under S.34 (2) (a) of the Banking Act has continued to operate and manage the bank while the alleged violations persist.

The Temporary Deputy Speaker (Prof. Kaloki): Is the Minister for Finance in the Chamber? Hon. Mwau, let us allow the Minister some time to get into the Chamber.

Next Question, hon. Jeremiah Kioni!

Question No.1271

NON-PAYMENT FOR CROP DELIVERED TO PBK
BY FARMERS IN NYANDARUA COUNTY

Mr. Kioni: Mr. Temporary Deputy Speaker, Sir, Question No.1271 is on the Pyrethrum Board of Kenya (PBK), which has not been paying farmers, and I am looking for an answer from the Minister.

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Kioni! We have the Question on the Order Paper.

Mr. Kioni asked the Minister for Agriculture:-

(a) whether he is aware that the PBK has not paid farmers in Nyandarua County for crop delivered; and,

(b) what measures he will take to ensure that the farmers are paid promptly for their produce.

The Assistant Minister for Agriculture (Mr. Mbiuki): Mr. Temporary Deputy Speaker, Sir, I am here to clarify that the PBK has been paying farmers.

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

(a) I am aware that the PBK has not paid pyrethrum farmers in Nyandarua County for the crop delivered between August, 2008 and June, 2009.

(b) The PBK has made arrangements to pay farmers on monthly basis, now that the flower delivery is increasing and will enable the factory to operate continuously.

Thank you.

Mr. Kioni: Mr. Temporary Deputy Speaker, Sir, you would want to know that I did not get any written answer and that explains the “no” answer from the Assistant Minister. Can the Assistant Minister stop misleading this House that crop delivery to the PBK is increasing? Just to illustrate this fact, in the year 2003, the PBK received 11,000 tonnes of dried flowers. In 2005, flower delivery to the PBK went down to 1,000 tonnes. Last year, the PBK received only 470 tonnes and they expect 350 tonnes this year. Given this statistic, how would the Assistant Minister convince this House that there is anything to be expected from the PBK, which has been on the decline since 1993, when we were the leading pyrethrum producing nation in the world? This decline has been recorded while the sector is under the management of this Assistant Minister and his other colleagues.

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, I would like to discount what the hon. Member is alleging – that there has been a decrease in the production of pyrethrum in the country. I would like to appreciate the fact that sometime back up to early 2008, production of pyrethrum had been going down. However, from 2009 to date, production of pyrethrum in the country had been going up.

In the year 2009/2010, we had a production of 462,000 metric tonnes whereas in 2010/2011, we had 518,000 metric tonnes. In the Financial Year 2011/2012, we have projected to receive more than 700,000 metric tonnes of pyrethrum that will be produced in the country. I will table a document containing those statistics, so that the hon. Member can go through them.

Mr. Kioni: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House? If production of pyrethrum has been going up in this country, and the PBK has continued to receive increased flowers at its Nakuru Depot, why is it that they have not been able to pay farmers since 2008? Why is it that there are no farmers planting pyrethrum within the county? All of them are uprooting their pyrethrum crop. Is he in order to mislead this House and actually tell a blatant lie to Kenyans?

The Temporary Deputy Speaker (Prof. Kaloki): Assistant Minister, are you misleading the House or you have facts with you?

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, I have my facts right. As at now, farmers have been paid for all the flowers that have been delivered to the PBK and processed by 10th March, 2012. The only pending payments are those relating to the old debt, which is only

Kshs52 million. This debt relates to 2008 and earlier years. All payments have been made for flowers that were delivered to the PBK from the year 2009 to date.

Thank you.

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, is the Assistant Minister in order to energetically continue misleading the House? Is he aware that I brought a Question to this House three years ago, when he assured me that those farmers in my constituency would be paid but up to now they have not been paid?

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, I want to state again that the only debt which exists relates to the period between August, 2008 and June, 2009, which amounts to Kshs52 million. Out of this, farmers in Nyandarua County are owed Kshs7 million. The PBK is trying to dispose of all of its non-core assets, so that it can clear this historical debt amounting to Kshs52 million. From then onwards, the PBK will be paying farmers on delivery.

The Temporary Deputy Speaker (Prof. Kaloki): Yes, hon. Mureithi!

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

The Temporary Deputy Speaker (Prof. Kaloki): I will give you time, hon. Kioni. Proceed, Mr. Mureithi!

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, there is a contradiction by the Assistant Minister for Agriculture. He said at the very beginning that because of the increase in production of pyrethrum, he is now able to pay farmers, whom he had not paid previously. In Nyandarua County, farmers have not been paid for pyrethrum deliveries from the period between 2003 and 2008 to date. As a result of this, they are not growing pyrethrum any more. Who are the farmers that the Assistant Minister has been paying, and who have been giving him pyrethrum flowers? Why has he not paid farmers in Nyandarua County, who are uprooting the only cash crop that they have in that area?

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, it seems that the hon. Members are not getting me right. What I am saying, which is a statement of fact, is that the only outstanding debt is the old one, amounting to Kshs52 million. This debt is for pyrethrum that was delivered between August, 2008 and June, 2009. All the deliveries by all farmers in the country thereafter--

Mr. Koech: On a point of order, Mr. Temporary Deputy Speaker, Sir. Farmers in the Rift Valley region have been uprooting pyrethrum. I can confirm this because I come from there. The Assistant Minister has continued to give contradictory statements in this House. Would I be in order to request that you defer this Question and let the Assistant Minister visit farmers on the ground, so that he can bring a genuine answer to the House?

The Temporary Deputy Speaker (Prof. Kaloki): Assistant Minister, on part "a" of the Question - the issue of paying the farmers in Nyandarua County - when are you going to pay? Do you have any plan to deal with this aspect of the Question?

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, I have stated very clearly that we have an old debt of Kshs52 million, and that the PBK is trying to dispose of all its non-core assets so that we can pay this debt. Payments for all the deliveries to date have been made. I would like to table a document on the analysis of all the payments that have been done to date, worth more than Kshs129 million, so that hon. Members can appreciate what the PBK is doing.

(Mr. Mbiuki laid the document on the Table)

The Temporary Deputy Speaker (Prof. Kaloki): So, you are aware there are some farmers who have not been paid?

Mr. Mbiuki: Yes, Mr. Temporary Deputy Speaker, Sir, and it was Kshs52 million for that particular period.

The Temporary Deputy Speaker (Prof. Kaloki): You will be able to deal with that by when?

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, I want to assure this House that the Cabinet has given authority to the PBK to dispose of the non-core assets and I can table the list in this House. We can settle all these debts immediately all the non-core assets are disposed of.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Assistant Minister, do you have to sell these assets to be able to pay these farmers? You have no---

Mr. Mbiuki: Mr. Temporary Deputy Speaker, Sir, we will have paid everything by July, this year.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Kioni, the Assistant Minister has made a commitment here that the bills of all the farmers should be settled by July.

Mr. Kioni: Mr. Temporary Deputy Speaker, Sir, this is not a light issue as the Assistant Minister is trying to put it. In 1992, this country controlled 92 per cent of the world market of pyrethrum. As we sit here today we only control two per cent. We have lost 90 per cent of the world market because of mismanagement of the pyrethrum industry by this Ministry. Actually, it will be very dangerous if we allow the Assistant Minister to get away with these answers. He has told us that the PBK is selling assets to pay for the pyrethrum that was delivered by farmers from Nyandarua County. What will happen after all the assets have been sold? These are farmers who derived their livelihood from pyrethrum farming just like coffee, sugar-cane and any other cash crop which has completely been mismanaged by the Ministry of Agriculture. It is important that we get a proper answer to this Question because we are dealing with an industry that has been killed by the Ministry. To allow the Ministry get away with this is killing farmers in Nyandarua County and in the other five counties in this country.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Assistant Minister, indeed, Mr. Kioni is right. This Question has far-reaching implications to that industry. We also need to determine whether selling the assets is the best thing that your Ministry can do. Can you not find other ways to be able to settle the claims from the farmers?

Mr. Assistant Minister, I think we need more time to deal with this matter. I want to direct that the relevant Committee of the House takes up this matter and determines the entire issue pertaining to pyrethrum farming so that we can also understand whether the selling of the assets is the right way to solve this problem, and what is happening in that industry. As we prepare for that, Mr. Assistant Minister, let us also get the relevant Committee to deal with this matter. That way we can get information from all the stakeholders pertaining to the PBK. This Question is referred to the relevant Committee and the matter rests there.

(Question deferred)

Hon. Members, if you go back to the Order Paper, you will realise that there is an item there---

Mr. Kioni, regarding your Question, we will give the relevant Committee, at least, one month to deal with that matter and bring an answer to this House. That rests the matter there.

Mr. Kioni: Thank you, Mr. Temporary Deputy Speaker, Sir. I am sure that the farmers in all these counties will have a relief that, at least, something is being done by the House.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, we will defer the other Questions to a later date because if you look at the Order Paper, you will find that Order No.9 deals with the Presidential Address which he gave in this House. We have been debating it and we need to allocate it, at least, three hours today. Today is the second day

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

The Temporary Deputy Speaker (Prof. Kaloki): So, the Questions---

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

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Mwau! I will give you time. So, the Chair has directed that we will deal with these Questions on Tuesday and Wednesday. So, that marks the end of Question Time!

Question No.1306

CONSTRUCTION OF DAM ON KIPKARREN RIVER

(Question deferred)

Question No.1390

COMPENSATION FOR ACCIDENT VICTIMS

(Question deferred)

Question No.1411

DELAY IN REHABILITATION OF
KAKAMEGA-KISUMU ROAD

(Question deferred)

Question No.1467

CLOSURE OF NAMANG'OFULO COFFEE FACTORY

(Question deferred)

Question No.1474

NON-PAYMENT OF PENSION DUES TO
ERNEST OBWOCHA/HARRISON BUYUKA

(Question deferred)

Question No.1516

REMOVAL OF PRINCIPALS OF MEDICAL TRAINING CENTRES

(Question deferred)

Question No.1521

FREQUENT ACCIDENTS AT KAGWE-GACHOIRE BRIDGE

(Question deferred)

Mr. Mwau: Mr. Temporary Deputy Speaker, Sir, my Question is slightly urgent. I thought it could be put on the Order Paper tomorrow. It is a matter of urgency.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Mwau, we have communication from the Ministry of Finance requesting that the Minister himself would like to come and answer your Question. That is why we are also deferring the Question because the Minister has communicated with the Chair. So, we will deal with that Question on Tuesday, next week.

Mr. Mwau: Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Thank you, Mr. Mwau. We need to move on because of time. The clock is ticking and I want to go to the next Order.

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

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

The Temporary Deputy Speaker (Prof. Kaloki): Order, all of you!
Next Order!

PROCEDURAL MOTION

EXEMPTION OF BUSINESS
FROM PROVISIONS OF S.O. 38

The Minister for Lands Mr. Orengo): Mr. Temporary Deputy Speaker, Sir, I beg to move the following Procedural Motion:-

THAT, this House orders that the business appearing in today's Order Paper be exempted from the provisions of Standing Order No.38(1), being a Wednesday morning, a day allocated for Private Members' Motions.

Mr. Temporary Deputy Speaker, Sir, the Presidential Address that was made before this House was made in pursuance of the Constitution of Kenya as promulgated in the year 2010. This Address, in terms of the current constitutional dispensation, is very important in the calendar of the House. It is not only provided for in terms of the new Constitution but it is also provided for in terms of the old dispensation where it is contemplated by the Standing Orders.

Therefore, the Speech of His Excellency the President which sets the Motion and the framework of debate of the business of the Government in this House is a critical intervention on the part of the Executive in trying to prosecute its business in the House.

Therefore, I would urge the hon. Members present to agree to have this Motion passed to enable us discuss and debate on His Excellency's Address which was made from the Chair and laid on the Table of this House on Tuesday, 24th April, 2012.

The normal practice in the past, if one can use the practice of this House before, the Speech and the Motion on the Presidential Address used to be undertaken uninterrupted subsequent to the Address without any other business being conducted. It would appear to be an incongruity if the Presidential Address is dealt with in between other business, Motions or Bills because it will fall completely out of context.

Therefore, I would urge the hon. Members in the House to accede to this Motion. I request hon. Ojode to second this Procedural Motion.

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

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I want to second this Motion. We are supposed to have the second allotted day of discussion of the Presidential Address, which is very important. We have other Motions which are also lined up and I believe that if Members concur with us then we will definitely discuss this Motion in order for us to continue with the other Motions.

I beg to second.

(Question proposed)

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, today I think we need to deny the Government opportunity to use our time. This Government is getting into this habit of always trying to use our only time. We have four sittings in a week and only one is set aside for Private Members to bring their Motions. We are so many and there are so many Motions pending, but we keep seeing the Government take our time. If you look at the Order Paper for the afternoon you do not see such serious Motions and Bills; why did the Government not utilize their time in the afternoon to debate the President's Address?

I oppose this Motion. Let us deny the Government the opportunity.

Mrs. Shebesh: Mr. Temporary Deputy Speaker, Sir, I also want to oppose this Motion. This is because in the last one week we have had various incidents of no quorum in this House.

We have set a record in bringing Private Members' Bills. These Bills have changed history. I would like to give the example of the one Dr. Otichilo is bringing on climate change, and the one Ms. Amina Abdalla is bringing on the issue of drugs. These are fundamental issues in this country. The Government needs to get its work in order. They can set down their business and we discuss the President's Address but they certainly cannot use the Private Members' time.

We oppose and reject this Motion.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I also wish to oppose this Procedural Motion in the strongest terms. This is the second time the Government side is pleading with the House to grant them their wish. The first time we were so generous and we did it. What did the Government do? They even failed to do the basic thing, namely mobilizing their Members and we had to adjourn because of lack of quorum. What assurance is the Minister going to give us that if we allow them the time now they will be able to sustain the numbers? In any case, they are paid to do so.

Secondly, this is the only day in the weekly programme that is dedicated to Private Members' Motions. I have the weekly programme which shows all the Motions for Wednesday, including mine on the effects of climate change, and it has been on the Order Paper for eternity. Every time it is deferred because the Government cannot organize its own time when it has priority, according to Standing Order No.38.

Mr. Temporary Deputy Speaker, Sir, finally, we are not arguing about the content of the President's Address. We are talking about allocating time and giving each one of us their rightful share. In fact, if this House continues allowing the Executive to take our time, we will be defeating the whole purpose for separating the institution of Parliament from the Executive. This is a fundamental point and whoever is saying "*tosha*" can go to hell!

I oppose.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Ekwe Ethuro! I think you can withdraw the word "hell" and---

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I have not imputed improper motive on anybody. I just said "whoever". If the one who said so can identify himself or herself, then I will apologize to them.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Ethuro, just withdraw that remark.

An hon. Member: You are Mr. Temporary Deputy Speaker!

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, even if I am a Mr. Temporary Deputy Speaker, I am a Backbencher. When I am on this side I perform as expected; when I will be on that Chair, I will perform as expected and the House knows this.

Mr. Temporary Deputy Speaker, Sir, because Ekwee is a man of honour, I withdraw the word "hell".

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I want to oppose this Motion for the same reasons that the other Members have given. More importantly, it is because Mr. Orengo is here; Mr. Orengo the Minister for Lands, this is your Motion. I want you to think about what I want to say now.

Mr. Temporary Deputy Speaker, Sir, I am opposing this Motion so that we give the Government an opportunity to go and have a re-look at it and realize that all the Ministers and co-principals are all stuck in the past. This is because what we are doing here is what used to be done under Standing Order No.16 of the old Standing Orders and the old Constitution. This Motion is moved is under Standing Order No.18 (3). Allow me to read.

"(3) The Leader of Government Business may give notice of Motion to adopt the Speech or Presidential Statement but debate on the Speech or Statement shall not exceed four sitting days."

Mr. Temporary Deputy Speaker, Sir, nowhere in the statutes, including the Standing Orders, do we have a provision that we come here and do the things that Parliament used to do in the old days; hon. Members would come here and thank the KANU Government and the President. They would tell him he was leader number one, teacher number one, farmer number one and what have you. This was a deliberate effort to make sure that when a President makes a Speech, if it is a Speech which captures the imagination of the nation, and where Members of Parliament would like to see Kenya going, Parliament would adopt it. If it fails in that respect Parliament would reject it.

Therefore, a Motion which is wrong has been brought here. This is a Motion for the exposition of public policy contained in the President's Address. We are not here to thank the President. We want to look at the President's Speech, interrogate it and if we are satisfied that the President and the Prime Minister are steering the country in the right direction, we adopt that Speech. If we are convinced that it is not going to achieve that for the country; Standing Order No. 18 (3), which I have read out, says that we reject it. So, why are we being asked to thank the President? We want a Motion here that will give us an opportunity to either thank him, if he is right, and, therefore, adopt the Speech or condemn him and reject the Speech.

Mr. Temporary Deputy Speaker, Sir, I oppose the Motion so that the Leader of Government Business can go back and bring an amended Motion, so that we debate it in accordance with Standing Order No.18 (3). On this one I beg that the Chair now makes a ruling on my request and finds that this is not procedural.

By the way I have already consulted the office of the Clerk of the National Assembly, who is one of the very experienced members of the parliamentary establishment; he has a lot of knowledge on matters of procedure, and he has concurred that I have a serious point which must be ruled on.

The Temporary Deputy Speaker (Prof. Kaloki): Dr. Khalwale, we will come back to that. Let me hear more Members.

The Minister for Medical Services (Prof. Anyang'-Nyong'o): Mr. Temporary Deputy Speaker, Sir, it is my understanding that Mr. Orengo moved a Procedural Motion before we go to the substantive Motion. Dr. Khalwale has proceeded to discuss the substantive Motion rather than the Procedural Motion. My point is that we must first of all dispose of the Procedural Motion and then we can go to the substantive Motion. The Procedural Motion is that this House orders that the business appearing in today's Order Paper be exempted from the provisions of that Standing Order. I think Members have to make a decision on whether we are exempting; skip discussing Private Members' Motions so that we go to the Motion at Order No.9.

Mr. Temporary Deputy Speaker, Sir, I think on the Procedural Motion I support it. When we come to the substantive Motion, hon. Members can raise their various objections. One of the reasons I think it is important to discuss this Motion today is precisely so that Members do not lose track of what they have been discussing, and get over this discussion, and so that we can move to much more urgent things as Members are saying.

I think that the President raised very important issues in his Speech to the House and, indeed, the nation. One of them was about political parties which I think hon. Members who come from a political party need to discuss because since Independence, we have had a history of changes in political parties which have not been very good in this country, particularly during the authoritarian regimes that have passed. We have now reached an era under the new Constitution which gives legal protection to political parties. Indeed, the Political Parties Act describes how political parties will be reformed and how they will function. Since the President made a very important contribution in his Speech saying that we need ideological political parties which focus on issues, I think that is something very urgent that I think we should discuss. So I think hon. Members should let us conclude the Procedural Motion so that we can go to the substantive Motion where Dr. Khalwale can now make his point or recall his points so that he puts them on the table. But just before I stop, when he said "thanks" it does not mean that you flatter. The word "thanks" has many meanings. The word "thanks" in English can mean appreciate, commend, approve--- You cannot thank somebody for something you do not approve of. If somebody kicks you on the back, you cannot thank them unless you are Jesus.

I beg to support.

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I stand to oppose this Procedural Motion.

(Applause)

I want to go on record that this country has changed; that this country has a new Constitution; that this country is not the old presidency. It is not the old presidency who used to come and give

a speech to Parliament and Parliament discusses it. If you look at this Standing Order No.18, it talks about adoption of the Presidential Speech. As a Member of Parliament who comes from the north, there is no way I can adopt this Presidential Speech for the simple reason that the President, in addressing his legacy for the last eight or nine years, talked of 4,000 kilometers of roads done. The President did that in particular parts of this country. There was not a single kilometer of road that was done in northern Kenya.

(Applause)

Mr. Chachu: On a point of order, Mr. Temporary Deputy Speaker, Sir. With due respect to my very good friend, Mr. Duale, is he in order to say that not a kilometer of road was done by this President when he knows that for the first time in 50 years Marsabit-Isiolo-Moyale Highway which is 165 kilometers has been completed and the next section is on going? Is he in order?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Duale!

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, if the hon. Member heard me very categorically and I stand by that, I referred to the three counties of Garissa, Wajir and Mandera. I want to go on record that since Independence not a single kilometer has been done. The President of the Republic of Kenya stood here---

(Mr. Chachu stood up in his place)

Relax! The President of the Republic of Kenya---

The Temporary Deputy Speaker (Prof. Kaloki): He is answering your point of order!

(Mr. Chachu remained standing in his place)

Order, Mr. Chachu!

Mr. Duale: I am still on your point of order! You need to read your Standing Orders!

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Duale, just proceed!

Mr. Chachu: Mr. Temporary Deputy Speaker, Sir, the HANSARD will bear me out!

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Chachu!

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I understand---

(Several hon. Members stood up in their places)

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Duale, proceed!

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I want you to protect me! The President in his Speech--- Some of us did not come to this House to become sycophants of---

The Assistant Minister for Justice, National Cohesion and Constitutional Affairs (Mr. Cheptumo): On a point of order, Mr. Temporary Deputy Speaker, Sir. I wish to seek your guidance because what we have now done is that my colleague has gone to deal with Order No.9. You need to guide the House because we need to deal with the issue of the Procedural Motion before we go to Order No.9. Please give us your direction.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Duale, would you restrict yourself to the Procedural Motion?

Mr. Duale: Absolutely, Mr. Temporary Deputy Speaker, Sir. I am laying the basis for why this Procedural Motion is not in order.

(Applause)

That is why we are saying that the Leader of Government Business should go back---

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Duale, are you able to conclude your remarks? Are you able to do that?

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I want to conclude my remarks and my lawyer is just standing up and he wants to contribute.

(Mr. Haji stood up in his place)

I want to conclude! The Minister of State for Defence is out of order!

The Temporary Deputy Speaker (Prof. Kaloki): I will give you time, Minister. Mr. Duale, I want you to conclude your remarks in the next 30 seconds!

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I have cited the Standing Order. There is nothing to celebrate about the President's Speech. Some of us have been marginalized and this Procedural Motion is not in order and the Leader of Government Business must bring a Motion for this House to adopt or reject.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, I will now put the Question which, of course, Dr. Khalwale you will vote on the issue that you raised. We should be able to deal with it by the only option we have; the Motion that is properly before us. It is already listed on the Order Paper. We have already gone through all those particular stages and so the only option now is just to put the Question and then we can deal with that particular matter that you are raising.

(Question put and agreed to)

Next Order!

MOTION

THANKS FOR THE PRESIDENTIAL STATE OF THE NATION ADDRESS

THAT , the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair, laid on the Table on the House on Tuesday, 24th April, 2012.

*(The Vice-President and Minister for
Home Affairs on 25.4.2012)*

*(Resumption of Debate interrupted
on 2.5.2012)*

The Temporary Deputy Speaker (Prof. Kaloki): Is Mr. Kiuna in the House? He was contributing last time and he had additional time to contribute.

He is not here! Mr. ole Metito!

Dr. Khalwale: On a point of order, Mr. Temporary Deputy Speaker. A few minutes ago I argued very strongly that the Motion which is now before the House has no relevance in our Standing Orders. It is not founded in our Constitution and I had invited you to make a ruling to the effect that for us to be seen to be proceeding in accordance with the new Constitution and in accordance with the Standing Orders and I have read Standing Order No.18 (3), you direct the Leader of Government Business to either amend this Motion or withdraw it and bring the Motion that is provided for under Standing Order No.18 (3).

If hon. Members will recall, when the Vice-President gave notice of this Motion when the President was seated where you are, I rose on a point of order and Mr. Speaker mistook my intentions. I had wanted that afternoon to point out that the Leader of Government Business was moving a Motion under the old order. I beg that the Chair gives this matter the seriousness it deserves, so that we proceed in accordance with the Constitution and in accordance with the Standing Orders of this House.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Khalwale, on the Standing Order No.18(3), you also understand the procedures of the House. One, the Motion was approved by the Speaker, the Chair himself, taken to the House Business Committee, dealt with there and then it was put on the Order Paper. You need to live with it. We are going to deal with it and there will be opportunity to deal with this particular matter, but the Motion is properly before the House. All these matters have been considered and that is why we have the Motion here. So, we need to accept the Motion as it is. It has already been approved by the relevant organs before it gets us. So, I want to proceed with contributions. That is my decision and we are not going to deal with it further.

The Assistant Minister for Regional Development Authorities (Mr. Ole Metito): Thank you, Mr. Temporary Deputy Speaker, Sir. I want to take this opportunity to---

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

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Duale, is it on the Chair's ruling? No, no. I have already ruled! You cannot question that.

The Assistant Minister for Regional Development Authorities (Mr. Ole Metito): Mr. Temporary Deputy Speaker, Sir, you have already ruled.

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

The Temporary Deputy Speaker (Prof. Kaloki): I cannot go back to an issue that I have already ruled on. Hon. Duale, not on the issue the Chair has ruled on. Proceed, hon. Ole Metito!

The Assistant Minister for Regional Development Authorities (Mr. Ole Metito): Mr. Temporary Deputy Speaker, Sir, I want to take this opportunity to support this Motion. I really want to congratulate His Excellency the President for the way he has ably expressed the policy statement of his Government. His Excellency the President's address to this House and the nation at large was basically a report card on his Government during his tenure.

If you recall, the President started by saying that he first addressed this House as the Head of state and Head of the Government on 18th February, 2003 and he went on to enumerate his successes for at least the nine years that he has been the Head of State and Head of Government in this country. I really want to appreciate the following successes. On the economic front, His Excellency the President said that when he took over in 2003, the economic growth of this country was 0.8 per cent and by 2007, it was 7 per cent. Just within those five years, there

was a growth rate of 775 per cent. It is very rare to achieve such a growth rate. The estimated growth rate for this year as His Excellency said is about 5.5 per cent. Even with the post-election violence, the global economic recession and the high oil prices that determine economic growth, we have still managed to move from 0.8 per cent to 5.5 per cent, an economic growth rate of 587 per cent, during his tenure.

On education, His Excellency the President said that when he took over in 2003, the number of primary school-going children was 5.9 million and by now, it is 10 million. In that period, the positive recorded margin was 69 per cent. That is very commendable. If you go to university records, His Excellency the President said that in 2003, there were 60,000 university students in this country. Currently, there are 200,000 university students. That gives you a positive increase of 233 per cent. On electricity, by the time His Excellency the President took over in 2003, there were 700,000 electricity connections in this country. Currently, there are 1.7 million electricity connections. That is an increase of 143 per cent. If we were to be genuine and understand that these are big and very expensive projects which have a lot of impact both on the social and economic wellbeing of the people of this country, we will definitely agree that the score card for His Excellency the President for the nine years has been very impressive.

During his tenure, we have had 2,700 kilometres of tarmac road and 47,000 kilometres of tarmac road on rehabilitated roads. I wish my good friend, hon. Duale is still here because he was saying that in Garissa County, there is not a single tarmac road during the tenure of His Excellency the President out of the 2,700 kilometers. I am reliably informed that for the first time in Garissa, there are 28 kilometres of tarmac road in Dujis Constituency. We should be fair and give His Excellency the President a commendable report for these projects. On fishing, His Excellency the President said that the number of fish ponds in the country rose from 4,000 to 20,000, an increase of 400 per cent. If we are to be fair to His Excellency the President and his team in the Government, from 2003 to date, we have seen a lot of changes. The fact is that a lot of mess had been done there before, which has really taken us back, and to correct it required the energy, the policies and the determination of His Excellency the President, as he has said, to take us to that other level.

Take for instance the CDF, which is a good legacy; it came in during the tenure of His Excellency the President, Mwai Kibaki. The CDF has really transformed this country. It was rejected in the previous regime but during this time, he agreed and assented to the CDF Act, which became law. From that time to date, Kshs100 billion has been disbursed to constituencies through the CDF. Just to mention a few, 1,000 dispensaries and 10,000 classrooms have been built across the country using the CDF.

Mr. Temporary Deputy Speaker, Sir, this is one of the greatest legacies of the Kibaki Administration. He started devolution even before the new Constitution came into being. That is really devolution of resources through the CDF. Other facilities have also been devolved during his administration. For example, there is the Constituency Roads Committees where money is going directly to the constituencies. Even electricity is taken straight to the constituencies. There are bursary schemes for secondary schools through the constituency bursary schemes. That is already devolution. But to top it up, His Excellency the President oversaw the coming in of the new Constitution. The new Constitution came in during his tenure. I think that is a very good legacy that he has left.

There is also the issue of political parties where he said that we should have political parties that have a national outlook, that are competitive, that will advocate for issue-based ideologies and issue-based politics. I think that was very good. He also assured this country

during his Address that there is going to be free and fair elections, whether this year or next year. The elections are going to be free and fair. He has repeatedly given that assurance to this country. He also promised in this House and also in so many other occasions that there will be a smooth transition. He repeatedly said that leadership that will be elected by the people of this country should continue the gains of his administration. The biggest of it is national cohesion; putting this country together. I remember the way he expressed the need to have a unitary State, one Kenya. Even if we have devolution through counties, we should not mistake our counties to mean independent countries. Otherwise, we will have 47 sub-countries in this country. That was ably said by His Excellency the President. He reiterated that we should, as leaders, always advocate for unity, cohesion, one country and one people.

Mr. Temporary Deputy Speaker, Sir, I really want to appreciate and congratulate His Excellency the President for what he has done for this country for the nine years he has been the President, even without looking at the future. We owe him a lot of appreciation and thanks.

With those few remarks, I beg to support.

Mr. Affey: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to speak on this very important matter of the President's speech.

Mr. Temporary Deputy Speaker, Sir, the President's Speech, as I saw it, was a farewell speech. It was a farewell speech to the country. I think he has known that he has finished his term and that now, perhaps that was the last occasion he will have an opportunity to speak to this country from Parliament. So, it was an important Statement.

Mr. Temporary Deputy Speaker, Sir, a lot of what the President said can be confirmed to be true. He talked about things that have happened in the country such as infrastructure, attempts by the Government to fight insecurity - and I can see the Assistant Minister is always punctual and ready even though at times, he might not be quite factual in the manner in which he answers the questions - but, nevertheless, he has always shown determination and passion to answer Questions that come before this House.

Mr. Temporary Deputy Speaker, Sir, the President spoke about security. This is quite an important aspect, particularly our engagement in Somalia. I think that the Government was correct and morally right to deploy our troops in Somalia in order to forestall possible attacks that might happen in our country. But as we do that, it was also important - and we said that - that our military engagement in Somalia must be alongside a political engagement. There can be no way - and it has shown, particularly, in the Somali case - that military engagements in Somalia is not the end to the crisis in Somalia. So, I expected that by now, the engagement will have been done and, perhaps, our troops will have come back home. By then, we will have prepared sufficient infrastructure inside Somalia, particularly political dialogue of the Somali parties in Somalia so that, at least, we leave Somalia a better place than we found it. I am sure we are going to leave Somalia better than we found it. But it is important to do that. I want to echo the President's remarks that we support our engagement, particularly our troops and we give them the necessary support. It is also important that we have a programme that can finish our military engagement in Somalia as soon as possible, so that the Somalis can then have an opportunity to take care of their own matters.

Mr. Temporary Deputy Speaker, Sir, on the issue of security again, where the President spoke about the Mombasa Republic Council (MRC), I think this House must rise to the occasion. We are not going to support destabilization of this country. We are not going to support any move, any group or any party that intends to separate Coast Province from the rest of the country. But it is also important to underscore the reasons and grievances those people are

expressing. I think it is important to dialogue. I think those fellows who are saying *Pwani si Kenya*; we need to call their bluff. But it is also important to identify the leaders. Who are these people who are funding it? Who are supporting them? We should dialogue with those Kenyans because they are Kenyans. They have not denounced that they are not Kenyans. We should tell them that this country is enough for all of us.

Mr. Temporary Deputy Speaker, Sir, if you saw what the Minister for Transport did, it re-enforces the spirit of hate in that part of the country. Therefore, I think what the Minister for Transport should have done is that the moment he realized there was an outcry at the Coast, he should have just revoked those nominations and appointed other Kenyans who can be able to take up those jobs. We do not want to re-enforce a feeling of marginalization. If you re-enforce the feeling of marginalization, the cost implication will be heavy. So, it is important that when grievances like that are expressed, sometimes, the first action should have been just to redress them. But to protect and to give an image that what was done was right only re-enforces marginalization, pain and hate for no apparent reasons. Therefore, certain actions by our Ministers end up re-enforcing a feeling of exclusion in this country. That is what we do not want. We do not want a feeling that, that part of the country or community gets excluded from the mainstream.

Mr. Temporary Deputy Speaker, Sir, the Constitution that we passed has provided all the medicine we require. If only the Government officials implemented it both in spirit and the letter, this country will have gone far. Therefore, issues affecting those youths at the Coast must be addressed in a manner which is different from the manner in which the Government is approaching it; high handedness, arrogance and intimidation. That only re-enforces a desire to resist. I think it is important that this matter is addressed and the President, himself, takes the lead. The President goes to Coast every other month or every two months. He can even go there any other day. It is not difficult for him to summon them to his office in Mombasa and ask them: "What is it that you want and the Government has not done?" He can then reassure them that the Government is going to do that. I think if that is done and the reassurance is given, I think that matter can be resolved.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to talk about the issue of infrastructure, because I think I have a few more minutes left. I want to agree in great details with what the hon. Duale has just said. We expected by now, even though the parts of the country that were developed in terms of infrastructure are still important and they are part of the Kenyan territory--- But you can imagine that from Mandera to Nairobi is a distance of 1200 kilometres. Almost 45 years after independence--- It is a shame! I even asked at the beginning of our Session four years ago: Let us have a rotational Sitting of Parliament. That way, if this Parliament sat in Mandera and we debated--- There is a place in Mandera where there is a facility for debating. That way, even our leaders will appreciate the pain that people in Mandera, Garissa and Wajir are going through. You can imagine the spirit of threat that exists in the communities that live in that part of the country.

We cannot transport our livestock. These days we even grow crops in Mandera. There is a lot of irrigation along Dawa River. But what does it help if we over-produce foodstuffs in Mandera for consumption in Kakamega, but we cannot deliver them in time? They get wasted in Mandera. There is no international airport in Mandera. At least, the one we have in Wajir has never been serviced for many years. They have even refused to upgrade it to an international status where the civilian population will have absolute control over it. That is why we are now happy that under the new Constitution each county will decide what to do. We will decide what

to do with our airport in Wajir County Assembly. It is a facility that exists within Wajir County, but it is underutilized. It could have been used more for the betterment of the region and the country. That is part of the infrastructure we are talking about; the President's proud legacy which, unfortunately, has been dented by the fact that northern Kenya, particularly Garissa, Wajir and Mandera, which are an integral part and a very important part of this country, there is not a single tarmac road! All these billions are being spent to construct roads in other parts of the country. Some friends of this country want to assist us build our roads. However, we cannot get a letter of comfort from the Kenya Government or Treasury. We cannot even get a letter of comfort to say that the Kenya Government will be able to chip in a certain amount of money even if the bulk of it will come from the friends of this country, particularly the Arab world who want to develop that part of the country.

Mr. Temporary Deputy Speaker, Sir, it is important that before the President leaves office in the next few months, he ensures that the construction of a road network in northern Kenya begins, so that his successor can take over from him. It is also important that he plays a role in identifying a suitable leader.

Mr. Temporary Deputy Speaker, Sir, we have got leaders who are being propped up on the basis of ethnicity in this country. Every region wants to come up with its own leader. Therefore, the President knows them and he knows who can be a good leader for this country after him. He can tell them: "No, no, you cannot be a good leader; I think you will be only useful to your tribe. But you are the right leader for the country." As a Kenyan, he is entitled to his opinion. When he identifies that person, as he did last time when he said his able deputy can take over from him---

(Laughter)

Maybe he feared he would be turned into a project. It is not a project!

Mr. Temporary Deputy Speaker, Sir, there is a Vice-President, why do you go around, looking for a President? Already the Vice President is there. The President should only say: "My Vice President is able; you Kenyans elect him!"

With those few remarks, I beg to support.

Mr. Bahari: Thank you, Mr. Temporary Deputy Speaker, Sir, for this golden chance. I wish to make my contribution on the President's Speech as exposed in his Address to the Nation.

Mr. Temporary Deputy Speaker, Sir, it is true that when the President took over, this country had gone down the drains and through his two terms in office, a lot has been done. This is undisputed. But this only lays the foundation for further growth and development. In a number of key areas, like hon. Members have said, education, roads, water and in certain specific areas, definitely a lot has been done.

But, Mr. Temporary Deputy Speaker, Sir, I want to talk about an issue of security. As you have seen even in this House, every other time the Ministry of State for Provincial Administration and Internal Security has had more than its fair share of questions in this House. This used to be true with the National Social Security Fund (NSSF). I remember we used to have questions such as: Why has the NSSF not been decentralized? Why has the NSSF not been digitized? There used to be many questions in this House asking about the benefits that accrue to a member retiree. Although it still has a lot of problems, but when it was overhauled to some extent, that issue ceased to be an issue in the House. So, the more Questions you see here on certain specific Ministry or Ministries, that Minister should not be happy to come and answer

those Questions here. It is because they are not addressing the issues at source. It is because hon. Members are inclined to come and ask these Questions because they cannot get answers from where they are supposed to get them. As you can see, largely in Nairobi, in the other cities and in the pastoral areas in particular, the level of insecurity has increased. Counties like Isiolo, Marsabit, Turkana and Pokot are experiencing many cases of insecurity. That is a sizeable percentage in terms of land mass and population of this country!

Mr. Ethuro: Tell them!

Mr. Bahari: And the Ministry goes around like literally nothing has happened. Why would, for example---

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Abdul Bahari is making such fundamental earth-shaking statements and contributions to the House. But I cannot see any serious Minister of Government being present even when hon. Members are contributing to the Motion of their own appointing authority. This is an insult to the authority that is appointing them.

(Several hon. Members stood up in their places)

The Temporary Deputy Speaker (Prof. Kaloki): What is it, hon. Ojode?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I am at a loss; I do not know what my colleague is talking about because the "Government himself" is sitting here. My counterpart in the Ministry of Labour is also here to listen to issues pertaining to employers and employees.

Mr. Temporary Deputy Speaker, Sir, he will be a Minister in the next Government or may be in this Government; who knows? I want him to be a serious person because he can be in the Government any time from now. We are here, we are taking notes. We will deal with issues and concerns of my colleagues. Here is a friend of mine saying that there is nobody who is serious. Could the hon. Member apologize and withdraw the remark?

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Ojode! Indeed, hon. Ekwee Ethuro, if you---

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, before you give directions, let me just respond to him.

The Temporary Deputy Speaker (Prof. Kaloki): Yes, go ahead.

Mr. Ethuro: Thank you, Mr. Temporary Deputy Speaker, Sir. In fact, hon. Ojode, both in posture and in his substance of contribution, has actually proven my point; that he is not one of those serious Ministers.

Mr. Temporary Deputy Speaker, Sir, Standing Order 18, where we are debating this particular Address, talks of the Leader of Government Business giving a notice. If you saw who moved the Procedural Motion, it was the substantive Minister for Lands in the spirit of shoring up the Coalition Government.

Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has said he is taking notes; surely, are we too blind not to see that you have neither a pen nor a piece of paper? How else do you take notes?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, when you are listening to your colleague's concerns, you do not have to do it as if you are a teacher. I have the brains!

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order, hon. Ojode! Let me help you. Indeed, hon. Ekwee Ethuro, on the side of the Government, we have two Assistant Ministers in the Chamber. So, they are present.

Hon. Bahari, make your final conclusions there!

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, I hope my time was saved.

(Mr. Ojaamong stood up in his place)

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order, hon. Bahari!

Are you on a point of order, hon. Ojaamong?

The Assistant Minister for Labor (Mr. Ojaamong): Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Okay, proceed.

The Assistant Minister for Labor (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, do not let hon. Ekwee Ethuro get away with these allegations because when he says there are no serious Ministers, these are very serious allegations on the part of us. Let him withdraw---

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order, Assistant Minister! There is no need for you to make your remarks because the Chair has already ruled on the same. There was a concern he had and it was fully addressed.

Hon. Bahari, proceed.

Mr. Bahari: Thank you, Mr. Temporary Deputy Speaker, Sir. I have no doubt that hon. Ekwee is right on this because the Minister just walked in as hon. Ekwee was finalizing on the Statement. So, he cannot convince us that he was here and taking notes.

In any case, this is a Motion on the appointing authority and this Bench ought to be full. It does not augur well that an appointing authority has appointed people who do not care about--- I want to stop there because I have made my point.

Mr. Temporary Deputy Speaker, Sir, just to add to the seriousness, if the Minister for Labour wants to be serious--- I will come to that issue; let me finish my speech on insecurity. I remember hon. C. Kilonzo complaining bitterly about insecurity in Matuu, including even his mother who was affected. I cannot drive on Thika Road to Isiolo at night because of the level of insecurity. The Member for Gatanga who is here can confirm that. Everywhere in this country the level of insecurity is very high.

(Mr. Ojode stood up in his place)

Mr. Temporary Deputy Speaker, Sir, these are factual things and the points of order will not change that.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): On a point of order, Mr. Temporary Deputy Speaker, Sir. When people are contributing to issues pertaining to the security of this country, we must be factual. The level of insecurity in this country is not as high as the hon. Member is saying. Even hon. Bahari goes to Isiolo and comes back to Nairobi driving. If, indeed, it was true that the level of insecurity is high, he would not be driving. He would be taking choppers and flights. I agree that we had some level of insecurity within hon. C. Kilonzo's area, but we have since sorted it out, and will continue doing so. You will never hear of those cases again.

Dr. Laboso: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to deceive the House? Each and every single day on the Order Paper there are not less than two or three Questions on insecurity in the country. Is he in order to deceive the House?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I am completely in order. The reason we are having three or four Questions on insecurity is because of the number of people that we have in Kenya. There are 40 million people and my police officers must take care of them. Even those who are fighting within their homesteads, that is insecurity on my part and I have to defend. Forty million is not an easy number!

Mr. C. Kilonzo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to purport that because of the population of 40 million people in this country they are not able to provide security? In India and China the population is in billions and there is security. Even more serious, his own Minister is never in the office because I understand that he imagines that he can be the President of this country and is busy campaigning. Is this Assistant Minister in order to waste the time of this House by purporting that this Ministry is providing security?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, with due respect, the fact that the Minister of State for Provincial Administration and Internal Security is busy looking for votes does not necessarily mean that there will be insecurity. In fact, that is what will bring security to our people. We are in control and there is an able Assistant Minister, who is in charge whenever the Minister is not there. We are doing all we can to maintain the security of this country.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Ethuro, I will give you the last chance on that issue and then we go to the contribution by hon. Bahari.

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to persistently use this Floor to endorse a candidate of his choice by virtue of being his boss, and continue misleading Kenyans on what is so obvious? They have even been unable to determine who have been hurling those grenades every weekend in Nairobi. Kenyans cannot go for entertainment and the President said that this is a working and caring nation.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Ojode, I just want you now to make your final remarks and address the nation on the issue of security and what you are doing; just for a minute.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, first, let me correct the statement which was made by my friend, hon. Ethuro, that I am endorsing Prof. Saitoti. I have never and will not, because this is not a rally. This is an honourable House where we need to contribute on issues affecting the country. If I were to endorse anybody, my stand is known. Even the hon. Member knows my stand and who I support. Even the Chair knows.

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order! You cannot draw the Chair to your campaign!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, yes, we had some problems here and there on the issue of grenades. But that came about as a result of the *Al Shabaab* recruiting our local fellows in the country. We have tried as much as possible to stop those

grenades. Hon. Ethuro knows that we get intelligence information and, with the able Commissioner of Police, we have tried and cases of grenades have gone down. I want to urge this country not to worry. Go about your business as usual. We are in control and will reduce cases of grenades, kidnapping, mugging, homicide and all other cases, including the *Mungiki*, *Mombasa Republican Council (MRC)*, *Chinkororo*, *Baghdad Boys* and the rest. We are going for elections and I want to assure this country that security will be provided in each and every polling station, district and constituency.

Mr. Temporary Deputy Speaker, Sir, those who are going out there to campaign should not insult one another. I will ask the police to arrest on the spot anybody who insults, because campaigns are not just about insulting one another. Campaigns are meant to sell what you want to do for the country after the exit of the President. I would also request my colleagues to support our initiatives and report those who are insulting their colleagues and competitors. They will be arrested on the spot.

An hon. Member: That is not insecurity!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): That is insecurity, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Very well!

Hon. Bahari, make your final remarks!

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, I hope you will consider that my time was consumed in this debate and give me a few more minutes.

Mr. Temporary Deputy Speaker, Sir, the more I listen to hon. Ojode, the less I understand him. Right now, I understand him to be fairly making an attempt to answer Questions, but probably I do not see any actions on the ground. He is talking about the general election and insecurity, and yet in Isiolo we have faced insecurity for all these years. I do not need to wait for general elections. From Isiolo to Marsabit and all those counties that I have mentioned--- I am being told about insecurity that may likely arise during the general elections. We are already facing it. We are talking about the current situation. I want to stop there because I think I have made my point.

Mr. Temporary Deputy Speaker, Sir, the next issue is drought in this country. One of the things that have undermined development in this country is the drought that affects the area where I come from. We have lost a lot of livestock. In this area we still do water tankering. What exactly do we mean? At what level of development are we?

This is the very reason for which Commission on Revenue Allocation (CRA) should reconsider its formula. In some of these areas the basics are taken care of within the shortest time possible, perhaps, in the first three years. We need to fundamentally address the issue of insecurity that he has superficially addressed.

The other issue is about the Ministry of Labour and Human Resource Development. There are a lot of Kenyans in Industrial Area and other areas in this country whose issues are mishandled. Labour laws are not followed. This Minister, who was claiming that he has been doing a good job, should visit Industrial Area. The complaints we receive as Members of Parliament with regard to the way employers mishandle junior employees, or those who are lowly paid, are numerous. We are unable to handle those complaints because the Ministry does not do the right job.

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

Mr. Ethuro: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I want to start by really thanking His Excellency the

President of the Republic of Kenya, hon. Mwai Kibaki, for doing a good job for this country as he concludes his presidential term. You will all remember that when we elected our President, the very first time, this country was considered one of the countries with the highest level of optimism in the whole world. We have seen the benefits of this presidency. We have seen infrastructure improve. Somebody who has been to Nyeri and has not been in town, say, for the last five years will require some special escort to help him navigate himself or herself around the country.

Mr. Temporary Deputy Speaker, Sir, our President has made our country remain steadfast in the limelight, and continue with the legacy for which the late Nyerere used to tell people that they did not need to go to Europe; they should just go to Nairobi and see the skyscrapers and how cities work.

I also want to applaud the President for the Free Primary Education (FPE) and the partial bursary for secondary schools, and more importantly the Constitution. I think there is no other legacy of this President apart from the fact that for the last 20 years we were unable to get a new Constitution, but President Kibaki, under his able leadership which is willing to allow institutions to work without interference and showing vested interests, has demonstrated that you can actually create an enabling environment as a Head of State and institutions will work.

As we appreciate that, this is basically a farewell Speech to the nation and the House. The President has also appreciated the fact that Kenya remains a unitary State. There is no doubt in mind that those of us who, particularly, come from the frontier districts of this nation, are continuously challenged by whether the territorial integrity of the country means the same thing as enjoying the benefits of belonging to the country. While I agree that the unity of the country is paramount, we must also look into why certain sections of this nation do not feel they are part of this Kenya. Why should people from northern Kenya and Turkana say that they are coming to Kenya? Why should people from North Eastern Province--- For the last ten years of Kibaki's presidency they are still saying that the only tarmacked stretch of road in North Eastern Province is the 11 kilometres in Garissa. Why should the people in the coastal are in this day and age, in the 21st century be talking about the Sultan, Seyyid, or the coastal strip? This is an indictment of the economic policies that we are pursuing. The good things we are doing are concentrated in particular areas. This is a demonstration of flawed Government policies that have failed in terms of the trickledown effects.

The new Constitution has now empowered this nation in terms of human rights in particular, and no Kenyan must die for lack of food. No Kenyan must die because of thirst. I can see the Minister for Water and Irrigation, hon. Charity Ngilu here. It means that when hon. Ngilu is building the dams and digging boreholes, they must be widely distributed; boreholes must also be found in northern Kenya. Why should people in Turkana be water tankering? Why should people in Mandera be water tankering in this day and age? This is what is going to confront the legacy of the President of the Republic of Kenya. This is what the President must appreciate.

Mr. Temporary Deputy Speaker, Sir, the President did not talk about corruption in spite of the fact that one of his pronouncements was that Kenya was going to be free of corruption, and that corruption was not to be a way of life. Only yesterday, we heard of the NHIF scandal! Previously, there was the Maize scandal! The skeletons are coming out of the cupboards in the Office of the Prime Minister, the Presidency and in all the Ministries you know of, yet the President did not mention this. We want to see heads rolling. We are very quick to refer to Singapore as a model for development in relation to Vision 2030, but people in Singapore also

took a deliberate decision that those who were in power must abide by a certain code; if somebody was found to be corrupt then he would be killed, if not, you commit suicide.

The post election violence (PEV) is going to be another blow to this presidency. It happened; we want to forgive each other and proceed. We want to deal with our issues including the ICC cases in this country. On that one, as a member and Chairman of the AMANI Forum, I support that our region must be free of conflicts. However, the greatest legacy now that the President has asked us to elect competent leaders is that he must also start by appointing competent Ministers to the Cabinet. We must ensure that in the next general election the President takes responsibility. The fact that chaos took place when we had a President sitting pretty is a big indictment of this presidency. I want to tell him that he will never get a second chance to do things. This is the final chance.

Let the President take charge in the next general election. He should make sure that no single Kenyan is displaced or dispossessed because of exercising a democratic right to elect a person of their choice. He must ensure that all candidates are free to campaign wherever they want to. This country is balkanized, and you need permission to go to Nyanza Province. I need permission to go to Coast Province or Central Province. There is no justification for people of the Turkana community to refuse others to come and campaign in Turkana. I lead by example. I invite everybody to come to Turkana. Whether I support you or not, nobody will throw a stone at you. We did not participate in the PEV. What we know is that we will watch you and deny you the votes if you are not the preferred candidate.

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

Mr. Kiilu: Mr. Temporary Deputy Speaker, Sir, I also want to join the other hon. Members in commending the President's Speech in which he covered quite a number of issues of national interest.

While commenting on the President's Speech, I would like, first of all, to say that during his term we have seen massive expansion of education facilities. He has made sure that most of our people access education, particularly higher education. The only thing of concern is that at the primary and secondary school level, disbursement of funds and bursaries has been slow. This is an area where this Government could do better.

A lot of praise has been heaped on the President with regard to infrastructure development. While this is so, one would easily observe that it is regionally based, and there are areas in this country where people, since Independence, have continued to pray that the Government looks at their infrastructural needs, particularly in the construction of roads.

Mr. Temporary Deputy Speaker, Sir, when you go to the southern and the north eastern regions of this country, you will appreciate that these people need to be assisted. There is need to upgrade the roads in those areas so that the legacy of the President can also be covered in those areas. If the President went to those areas today, very little would be said about what we are seeing in Nairobi and other areas in this country.

I am seeing the Minister for Roads here. When I was elected four years ago, a bridge was done in my constituency. However, to date, that bridge is not used. A beam bridge was put up to connect Makindu and Kathonzwani District in my constituency. That bridge is not useful and yet the Ministry has continuously said that it is looking for money. This will remain part of the legacy of a white elephant if the Ministry does not move in and complete the bridge.

On a more serious note, the President talked about security. However, every other day, we raise issues of increased incidences of insecurity in this country and we get assurance that all is well. In the President's Speech, one issue that has been nagging me, that I did not hear him

address, is on the police reforms. If we want to have a good election, and our people to have confidence in the management of security in this country and in the coming general election, we need to complete, as a matter of urgency, police reforms so that the necessary structures are put in place before the next elections. I would have wished to hear the President address this issue. What measures has the Government taken as a matter of national interest in addressing the issue of police reforms?

You have noted in the last one month that this country has witnessed massive destruction of our infrastructure. However, I did not hear the President address the issue of disaster management and preparedness. Many of our people have seen massive infrastructure destruction. We have also seen our people drown. Is it difficult for this Government to plan how this water which has destroyed our infrastructure and washed our people away to the Indian Ocean can be harvested in dams? Can the Government not come up with dams along our rivers so that the water harnessed and harvested can be used for irrigation purposes so that it becomes useful instead of destroying our environment and killing our people? These are areas I thought the Presidential Address should have highlighted so that this water is used to enhance food security. The Government should build dams in this country.

Mr. Temporary Deputy Speaker, Sir, I want to support the President's Speech as I wind up.

Mr. M.H. Ali: Thank you, Mr. Temporary Deputy Speaker, Sir. I wish to commend our President, hon. Mwai Kibaki, for the excellent Speech he made in this House. Of course, it cannot address all the issues. He could not have dealt with all the issues he wanted in such a short time. One of the things that he talked about, which I agree with him, is the Constituency Development Fund (CDF). I believe this is the greatest thing that happened in the tenure of the President. This is the first time since Independence that allocations of up to Kshs100 million reached some parts of this country, including North Eastern Province and for that matter, Mandera County. This money has made a lot of difference in that region. Before the CDF, we had no schools, dispensaries, health centers or hospitals. We also did not have other facilities like boreholes and other necessary facilities in the area.

Through the CDF, we have been able to construct, particularly in my constituency, over 25 schools consisting of primary and secondary schools. We have also done more than 20 dispensaries in Mandera East Constituency alone with the same Fund. The only problem that we have right now is lack of personnel. If the Government would have deployed the necessary staff in those schools, then the enrolment would have been much higher than it is now.

The other thing that the President introduced during his time is the Free Primary Education (FPE). We thank him for introducing that programme because quite a number of young people have accessed education. However, the problem, as I have said earlier on is that despite building schools, we have a serious shortage of teachers and equipment. Free Primary Education alone should not only consist of giving free exercise books and text books. It must also go with the provisions of equipment and infrastructure because the CDF cannot do justice to all the requirements in the constituency; it cannot cater for the entire infrastructure in the constituencies. I believe that the Free Primary Education should also have gone alongside with the provision of equipment and infrastructure. All the same, I can say that during this President's tenure, we have realized Free Primary Education and enrolment has gone up even in North Eastern Province. However, we have not achieved the level of enrolment that we really want to achieve in that province. Right now, the enrolment of children in school in North Eastern Province is less than 40 per cent whereas in some parts of this country it is almost 100 per cent.

So, you can understand that disparity. Our young people are languishing in that region. You will find a number of parents taking their children to schools but due to lack of facilities, they are turned back. Those children are not accepted because you will find a class of over 100 pupils being taught by one teacher from 7.00 a.m. up to around 5.00 p.m. How can that teacher give quality education to those children? He cannot attend to over 100 children. These are the problems that we have raised and we want the Ministry of Education and the Ministry of Finance to ensure that enough teachers are employed so that they can address those problems in order for us to get value for Free Primary Education.

On roads, the President said that during his time, he has done over 2,700 kilometres of tarmac road and over 4,000 kilometres of road were rehabilitated. Out of this, what has North Eastern Province gained? In Mandera County, not a single inch of tarmac road has been done.

When it comes to rehabilitation, I do not think that there is 100 kilometre of road that has been done between Mandera and Ramo. Even that road was not done properly. Yes, we appreciate that Kshs700 million will not be able to cater for this country. Since Independence, North Eastern Province has never had a good road. It is only from Garissa to Modekare that something in a range of 10 kilometres was tarmacked. Therefore, North Eastern Province has not had its share.

As hon. Members representing Mandera, Wajir and Garissa, we wish to ask this Government to do justice and ensure that we also get our share in terms of roads. Without roads we cannot access facilities in Nairobi. Nairobi is about 1,200 kilometres from Mandera. So, how do you expect traders from Mandera to do reasonable business? The price of fuel is very high in Nairobi. It is even higher in Mandera. So, the cost of transport in Mandera is double the price of Nairobi. So, you can imagine the kind of development that we can do there. When a classroom in Nairobi or other areas can be built using about Kshs400,000 in Mandera, you will require about Kshs1,000,000 just to do one classroom because of the cost of transportation. These are the kinds of problems that we are talking about.

Mr. Temporary Deputy Speaker, Sir, North Eastern Province is a very rich region in this country. We have a lot of livestock. We have goats, sheep, cattle and camels. These are resources. How shall we be able to market them to the right market if we do not have proper infrastructure? We do not have good roads and airports. In fact, railway transport is not even known to the people of North Eastern Province. I know the funds might not be available for every development required, but justice must be done, so that we are not depended on relief food all the time. Since Independence up to now, our people are given relief food whenever there is drought or famine. If these people are supported by properly handling their livestock through marketing and infrastructure development, they will do business all over this country because they are very enterprising. They go to every region of this country. They do business in Nairobi, Kisumu and Mombasa. So, if proper infrastructure was there, they could do business all over the country. The livestock would be useful to them. Just like the oil that has been discovered in Turkana, livestock is also a resource and we can utilize it.

Mr. Temporary Deputy Speaker, Sir, the other issue that I want to address is security. Security is of paramount importance to our people in this country. Since the deployment of our military forces in Somalia, North Eastern Province has experienced insecurity due to the closeness of that region to Somalia. Quite a number of incidents have taken place. There have been a number of explosions in Mandera, Wajir and Garissa, but our internal security mechanism does not seem to be up to the task. Whenever such things happen, no arrests are made and no prosecution takes place. We wonder where these criminals who cause problems to our people

hide. If our security forces are inside Somalia trying to help our neighbour, why can they not nab the criminals in Kenya and carry out explosions? How can they be free, go around and even use our transport system and yet, they are not arrested? The other day, there were explosions in Nairobi. Some people were arrested and released the next day. Nowadays, we can see people going to churches and other places of worship to throw hand grenades. They kill people, maim others and destroy property, but nothing happens. I am asking the Ministry of State for Provincial Administration and Internal Security what they are doing. Where is the investigative arm of this Ministry? Are they up to the task? If our military forces are doing something useful in Somalia, then we cannot leave our security in Kenya to the dogs. We must be able to handle it.

Because of insecurity along the border, banditry has increased in North Eastern Province. You remember there was a time when Kenya trained some soldiers for Somalia. When some of these soldiers were deployed into Somalia, they deserted. Quite a number of them have left the service of the Transitional Federal Government (TFG) in Somalia. We want to know where these people go to when they desert. Is our Government able to account for the deserters? Do they have their bio-data, so that when they leave the service of Somalia, do they come to Kenya as criminals, Kenyans or foreigners? These are issues that we need to address.

Mr. Temporary Deputy Speaker, Sir, because of time, I want to stop here and say that I support this Motion.

The Assistant Minister for Labour (Mr. Ojaamong): Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to the President's Speech. In the President's Speech, he praised the enactment of the new Constitution which created 47 counties. Busia County is where I belong. We now have seven constituencies and around 35 wards in Busia County. The people of Busia County are happy with that. They will say thank you to the President for having enabled the creation of all these areas of representation.

While creating the seven constituencies, the Independent Electoral and Boundaries Commission (IEBC) took consideration of the contributions of the people of Amagoro. Amagoro is a very expansive constituency. Funyula Constituency is represented by Minister Otuoma, Budalangi Constituency is represented by Mr. Namwamba while Butula Constituency is represented by Mr. Odhiambo. If you combine all these three constituencies, they are equal to my constituency. So, I have been going through hell representing that massive constituency. The creation of another constituency in Amagoro has at least given us relief. That is what I promised my people when I joined Parliament some nine years ago. I said that before I finish my ten years, at least, God would have answered their prayer to get a constituency. As we talk now, we have Teso North and Teso South Constituencies. I hope that the matters pending in court will be resolved very soon, so that everybody is sure that the constituencies that were created are a reality.

Mr. Temporary Deputy Speaker, Sir, regarding again Busia County, the Commission for Revenue Allocation (CRA) deliberately relocated the population of Teso South and Teso North from Busia County to Bungoma. As a result, our share of the resources has been denied. However much we are in Busia County, our resources have been relocated to Bungoma County. We have made complaints both written and verbal, but to date, there seems to be no move to effect any changes to correct the anomaly.

Mr. Temporary Deputy Speaker, Sir, from the Floor of this House, I want to say that the issue is causing tension because of the historical injustices that we have suffered previously and this is just treated casually but eventually it will become official. I am telling the Government or the institutions concerned that the resources from Busia County that have been allocated to

Bungoma County must be returned back immediately because that is an issue that we are not going to entertain.

Mr. Temporary Deputy Speaker, Sir, the Commission for Revenue Allocation (CRA), in trying to allocate the Kshs200 billion they are talking of, has designed a formula on how to distribute that money. Some of us who have been fighting for devolution, what we actually wanted was power to go back to the people. We wanted resources to be taken to the people. So, if you look at the national Budget as a whole which goes beyond Kshs800 billion, the Kshs200 billion is just peanuts to the people. I would appeal to hon. Members of Parliament if they really care to convince the CRA to move the minimum amount of Kshs200 billion to something like Kshs400 billion so that the people themselves can be able to manage their resources and enjoy the services they have been yearning for, for a very long time.

Mr. Temporary Deputy Speaker, Sir, the President also tried to clarify on the role of the central and the devolved governments but you find that in the first three years of the transition, I do not think that the devolved governments will be having chiefs to actually decide their duties which the President stated as provision of essential services such as health, water, agriculture and local transport.

*[The Temporary Deputy Speaker
(Prof. Kaloki) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, we need the provision of the transition from the national government to the devolved one to be very clear and they should at least come into effect as the President put it like the deployment of resources, staff and equipment by August. At least by December this year, everything should be very clear to those who will be elected in the next Government.

Mr. Temporary Deputy Speaker, Sir, the President also urged Kenyans to elect competent leaders during the next elections. There have been arguments and counter arguments on who a competent leader is where people have been rushing people who want to be country representatives, Members of Parliament, senators and governors masquerading that they are managers and so on. When it comes to leadership, when you are a manager maybe of a company, it does not necessarily mean that you can manage the people on the ground. The management of human beings is quite different from the management of non-human beings in factories and elsewhere.

I am appealing to the public - because they have now been made to believe that politicians cannot be managers and so on - that the people who are engaged in civic education should give the members of public the right information so that they can make the right decisions on who a leader is because people who have specialized in other fields might not be able to manage the human resource or the people in the various respective areas and also manage the resources.

Mr. Temporary Deputy Speaker, Sir, with these few remarks, I will say that the President has tried during his term even though the people I represent in my community have always complained that they have been sidelined in employment opportunities, provision of services and

so many other things. However, all said and done, at least we have not gone without anything. We have got an extra constituency. So, we say: "Thank you for the little we got."

Thank you.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, allow me to support the President's Speech but with some reservations. When the President was contributing, and I will quote what he said on page 9:-

"I thank the Kenyan people for paying their taxes thus making it possible to transform our country into a working and caring nation."

The intention of the President was to have this country as a working and caring nation but now let us look at the intention of his Ministers.

Mr. Temporary Deputy Speaker, Sir, without mentioning names, there is this one notorious Minister who practices tribalism day and night. In his Ministry, virtually all departmental heads are his tribesmen. The same applies to parastatals under his Ministry. Just the other day, in the Kenya Ports Authority (KPA) Board, he appointed 70 per cent of its members from his tribe. Is this Minister a caring Minister? Is he a working Minister? I think he is not. We expect the Head of State to replace such people like yesterday. They are a bad example for the young generation of this country.

The issue of insecurity was not adequately addressed and I say so because I have been a victim of insecurity. In the last Parliament I was carjacked. Last year, my office was robbed two times. The water company was robbed three times. The hospital was robbed twice. This year alone, three watchmen have been killed in one location in my constituency and yet the Government tells me that there is security. As far as I am concerned, more needs to be done. More reforms in the police sector need to be effected.

Mr. Temporary Deputy Speaker, Sir, the President emphasized the importance of Kenya as a unitary State. Those who are advocating that the Coast is not Kenya should put their case but they should remember that even the Tamil Tigers of Sri Lanka attempted that and it never worked. At the end of the day they had to go to the negotiating table. My advice to the Mombasa Republic Council (MRC) is to form a political party and bring the matter to the House. If this is allowed, you can imagine Turkana saying: "*Turkana si Kenya*" because there is oil. Kitui would be saying: "*Kitui si Kenya*" because there is coal which is worth billions of money. I support the position of the Government and the position which was taken by the President.

However, in the same speech and I quote what the President said:-

"I call upon Members of Parliament to work closely with the Executive to ensure that all necessary laws are passed on time."

However, it is Parliament which has been working closely with the Executive. The Executive has not been working closely with Parliament. This has been very evident in the delay in bringing these laws to Parliament. This particular statement was misdirected. This is something which should have been told to the Cabinet; that they should work closely with Parliament or perhaps he should have said: "I have instructed my Executive to closely work with Parliament." This Parliament is committed to ensuring that we implement the new Constitution to the letter.

Mr. Temporary Deputy Speaker, Sir, on civic education, the President emphasized the importance of having massive civic and voter education to educate people on the new Constitution and the electoral system. However, you remember the last time we had a referendum in Kisumu, when the defunct Electoral Commission of Kenya (ECK) went to do civic education, the citizens of Kisumu said that they had been told that if one person has read the Constitution then that was enough.

Politicians should not be the ones doing civic education because they will read the law selectively to favour what they want to pass over to the electorate. Civic education should not be a one day or two day affair, as it was at that time. Civic education needs to be done for close to three months. I do not understand how that old lady and old man in the village is going to be told that she or he is going to elect six people at the same time. This is a very complicated affair which needs more time; so as to educate the electorate for the benefit of democracy in this country.

Mr. Temporary Deputy Speaker, Sir, it is unfortunate that four years after the post-elections violence of 2007/2008, we are still talking about Internally Displaced Persons (IDPs). In addition to the post-election violence IDPs, there is a new brand of IDPs, namely, urban IDPs. These are people who have been displaced from particular areas, from which they have been evicted. This issue needs to be addressed. I recall that when the NARC Government took over in 2003, they promised to provide 100,000 housing units every year. What has happened since then? If from that time this had been provided, today we would be talking of over a million housing units that have been provided.

Therefore, the Government needs to go back to the drawing board and come up with a better housing policy to ensure that even the poor people of this country have acceptable shelter as opposed to living in slums. If you have not been to Mathare and Kibera slums, you cannot imagine that indeed there are people living there. If we had a proper housing policy, this problem would not be as serious as it is today.

Mr. Temporary Deputy Speaker, Sir, in Nairobi, we have a crisis of traffic jam. Only the other day, a motorist died in his car, having stuck in a traffic jam for three good hours. I suppose he died of high blood pressure. Every time there is a single drop of rain in this city, we have heavy traffic jams. You stay on the road for close to six hours. The Government needs to address the problem of traffic jams within the City Centre and in other major urban areas.

This problem is becoming unbearable. It is very costly to do business in a city where traffic jams take so long to clear. We hope that the Government will act very fast to open up the missing links within the city centre to ensure that this problem is addressed quickly.

Mr. Temporary Deputy Speaker, Sir, I expected a better commitment from the Government when it comes to the issue of employing teachers. The Government has said that it is going to employ 10,000 teachers. We are talking about a shortage of 60,000 teachers. The Government needs to come out clear on the policy of education. There is no point of having a free education system and have no teachers. The end result will be the same – poor results.

So, it is crucial that the Government comes out very clear on this matter. The Government needs to employ at least 20,000 teachers every year for the next three years and solve the problem of teacher shortage. It will also create employment. It will be a form of economic stimulus package. What is the point of having superhighways for use by only a few rich people?

Mr. Temporary Deputy Speaker, Sir, we keep on talking about famine all the time. Constituencies such as Yatta have a lot of agricultural potential. I would have expected such constituencies to get over Kshs2 billion each for irrigation. I might be one of the few lucky Members of Parliament because I am going to get a water dam, which is being constructed for that purpose but what about other parts of this country? The Government needs to invest more in irrigation as opposed to investing in relief food supplies.

With those few remarks, I beg to support.

Mr. M’Mithiaru: Mr. Temporary Deputy Speaker, Sir, I thank you for giving me the opportunity to also contribute on the Presidential Address, in which he exposed national policy and the achievements of the Government.

From the word “go”, I would say that the Kibaki Administration has done a good job. Starting from the very beginning, we had a loose coalition arrangement. Given that to date the Government is in force, to say the least, the Government has done beyond expectation.

Mr. Temporary Deputy Speaker, Sir, I want to repeat the issue of the achievement of the Government in terms of free primary education, which my colleagues have spoken about, and emphasize one point, namely, quality education. In as much as we can have so many children going to school, if they do not receive quality education, really, we are not in business. Therefore, I call upon the Government to employ adequate teachers to ensure that we have the required teacher to pupil ratio.

As we all know, in terms of the international promises such as the Millennium Development Goals (MDGs), we are actually on course on MDG No.2, which is universal primary education. What we are lacking in this area is the quality. So, in as much as the Government has made progress in this area, I would also urge hon. Members of this House to ensure that, through the Budget process, we provide enough funds to ensure that adequate teachers are employed.

Mr. Temporary Deputy Speaker, Sir, we also have the youth programmes that the Government had introduced. I would say that whereas the programmes are in place, their impact is not being properly felt on the ground. This is because of the administration of the Youth Enterprise Development Fund (YEDF). In particular, where the youth funds go through financial institutions, you find that the financial institutions have come up with other conditions for the youths to access those funds. This makes the funds inaccessible and for that matter, the youth programmes are not assisted as it is intended.

I would also have expected the President to talk more about the marginalized and the disadvantaged youths, especially those who come from ASAL areas. I have in mind the *morans* who engage in cattle rustling. We have already talked in this House about alternative employment. Those youths engage in cattle rustling because there is no any economic activity for them to undertake. If there were adequate Government programmes, starting from the school level to vocational training, and also to induction of the youth on how to engage in meaningful employment, our youths in the ASAL areas would be moving away from *moranism* towards an elite society that embraces peaceful activities for them to earn a living.

Mr. Temporary Deputy Speaker, Sir, still on youth programmes, there are Government officers who are frustrating these programmes. I am aware that the President himself, in one of the national policies, said that when it comes to award of contracts, especially at the district-level, 25 per cent of those awards should go to those youths who are capable of undertaking the programmes but we have people in the name of District Procurement Officers (DPOs) and other officers and engineers in the Kenya Roads Boards (KRB) and the Kenya Rural Roads Authority (KeRRA), who do not implement that policy. Instead, they are busy looking for contractors who will corruptly undertake the jobs for them to benefit. Therefore, our qualified youths do not get those contracts.

In the area of road works at the district level, especially, even very incompetent contractors are given the jobs and when complaints are lodged you find that, in the next year, the same contractors are again brought on site using different company names. So, I would also like

to call for investigations to ensure that all those contractors who undertake shoddy jobs are actually blacklisted to ensure that they do not qualify for any other Government jobs.

I would also like to commend the President for the infrastructure that we now have in place. This is especially the roads and the Rural Electrification Programme which has gone a long way in lighting Kenya. I personally wish to relay my appreciation because one of the roads that is being constructed right now is called Maili Tatu-Lare-Mutuati Road. This road is in Igembe North which is my constituency. That is really a good job that the Government is doing and our constituents are very happy about this.

Mr. Temporary Deputy Speaker, Sir, the same vigor the Government has undertaken some programmes such as roads, highways and the rural electrification should be reflected in water projects so that Kenya can be self reliant in food production. That is why I also support the earlier speakers who spoke about irrigation to increase food harvest. We should not over-rely on rain fed agriculture.

Even as we rely on rain water, sometimes we have a glut of production. The other year Kenyans had to pour milk because there were no adequate facilities to accommodate or ensure that that milk is preserved. For that matter, that milk should be processed and preserved as powder milk so that we have something to use later on and not to import the commodity.

Mr. Temporary Deputy Speaker, Sir, other times we have had a good harvest of maize but our preserving methods are wanting. Last year, there was a good harvest from Eastern Province but most of that maize was infected with aflatoxin because there were no dryers to ensure that the preservation of that maize was properly done.

One area that the President mentioned concerning security but he did not go very far is about the Mombasa Republican Council (MRC). Every Kenyan knows that Kenya is a sovereign nation and yet a section of that country says that *Pwani si Kenya*. That is not even an issue to talk about. The Government should have taken action immediately. This is because there are mechanisms through which the Government can hear people. They should not go to the streets saying that *Pwani si Kenya*. That is insurgency and in other extreme terms, it is an area that needs to be properly investigated in case there was any kind of incitement.

Mr. Temporary Deputy Speaker, Sir, still on the issue of security, whereas we commend the police for the good job they are doing, the Government has done enough to ensure that security arm is properly provided. In my constituency, we have about three police stations namely Mutuati and Lare but they do not have a single police vehicle.

I also come from a marginal district which they call an operation area. The response is not immediate whenever there is cattle rustling and the constituents raise alarm when they have been attacked. This is because the police do not have vehicles. I have even been promised that as and when the vehicles are acquired, we shall get one, but it is now three years down the line and that has not been so. So, I again request---

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is talking about the police vehicles. I have been saying even on the Floor of this House that, yes, we are acquiring some vehicles. We have a grant which was given by the Chinese and---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Ojode! If you rise on a point of order, you must be specific and precise.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, is the hon. Member in

order to say that he has not received vehicles which were promised three years ago to date and yet he is aware that we have vehicles coming from China? We also have money which has been allocated---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Assistant Minister! The Chair will not entertain you using the opportunity of a point of order to make statements that only support the Member of Parliament. When you rose on a point of order, I thought you were going to tell him that you delivered the vehicles and so, what he was alleging was not correct. However, you are still giving more promises after three years. So, you are completely out of order, Mr. Assistant Minister!

Proceed, Mr. M' Mithiaru!

Mr. M' Mithiaru: Thank you, Mr. Temporary Deputy Speaker, Sir, for coming to my assistance. I was not aware about the importation of vehicles from China. However, all I am saying is that for the last three years, I have been promised vehicles for our police stations. Whereas I know that all Kenyans are equal in the eyes of the Government, but marginal areas like mine should have received some vehicles.

With those few remarks, I support the Motion.

Mr. Samoei: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to make comments on the President's Speech made on this House on the 24th April, this year.

Mr. Temporary Deputy Speaker, Sir, I want to commend the President for the statement he made to this House. A good portion of it gives a reflection of what the Government has managed to achieve over the last four years. The President did mention specific areas which I want to comment on one being the area of the road network.

It is, indeed, granted that His Excellency the President has spearheaded the construction of the road network in our country. He did mention that 2,700 kilometres have been constructed in the last almost nine years and about 4,000 kilometres rehabilitated. This is a very commendable achievement on the part of the Government as communication in the country not only helps in enhancing the movement of goods and services but also gives greater impetus to economic development.

There are very legitimate concerns by the people of this country when it comes to delivery of Government services. Specifically, the President mentioned about the Tourism Unlimited Liability Bill. Tourism being a very critical component of our development as a country requires greater attention. I would have expected the President to give clear indications on what the Government position, policy and programme is with respect to tourism. Why do I say so? As we are talking, the country receives less than two million visitors every year and yet truth be told Kenya has among the best tourism products in the whole world.

(Applause)

Let me mention just three or four outstanding features of our tourism products. First, Kenya is home to the oldest fossils of man in your own constituency, Mr. Temporary Deputy Speaker, Sir. That is where we find the earliest indications of human beings on earth. We can actually ask anybody in the rest of the world; in Australia; in Europe and in America. When they come to Kenya, we can tell them welcome home because this is where humanity started.

Mr. Temporary Deputy Speaker, Sir, we have beaches. We also have our game reserves, complete with wild beast migration, which was amongst the candidates to be listed as the eighth wonder of the world.

An hon. Member: It is already listed!

Mr. Samoei: I am informed it is already listed, Mr. Temporary Deputy Speaker, Sir.

With that kind of product, what reason do we have, as a country, to receive only two million tourists when other destinations in the world – I will be specific; Paris, a city with just sculptures and old buildings receive 72 million tourists a year. London receives 30 million tourists a year. Last year I went to Malaysia, a country as good as Kenya; they receive 23 million tourists a year. It is a country of 25 million people. What reason do we have? From the statistics I have given, 72 million, 30 million, 23 million, why is Kenya receiving only two million tourists a year? We must get our act right. The Government must begin to tell the country what it is that we are not doing right. What is it that we have not got right in our strategy of expanding tourism to our country?

Mr. Temporary Deputy Speaker, Sir, this is especially important because it is documented that for every one tourist who comes to Kenya, two Kenyans, or a maximum of three Kenyans, will get a job. With proper planning and ensuring that there is adequate security, making sure our road network is good enough, it is possible for us to increase our tourist arrivals from the one point something million tourist every year to five million within a year. With this, we can put up to five million Kenyans in a jobs.

Even if we concentrated our energies on areas where we have comparative advantage like in tourism we would manage to turn around the economy of our country and we do not need rocket science.

Apart from the mention of the Tourism and the Limited Liability Bill, I would have expected the President to expound the Government policy on what we, as a country, are doing to bring the areas where we have comparative advantage to the mainstream, so that we can tap into the potential that they have for economic development of our country and for generation of jobs for our young men and women.

Mr. Temporary Deputy Speaker, Sir, the area of devolution, which the President did mention to an extent in his Speech, is today in controversy. This is because what the people of this country voted for in the new Constitution was a clear mechanism to mainstream the participation of millions of Kenyans, who to date have no access to Government resources, in decision making. They have no access to the decision making organs of this country. Through devolution, it was envisaged that we would bring more Kenyans in our rural areas into the table to make decisions and secondly, to mainstream their participation in the use of public resources. What we see, through the Commission on Revenue Allocation (CRA), is almost a reversal. That Nairobi will continue to get the lion's share of resources meant for devolution, is, indeed, an insult of the original concept of devolution. We would have expected criteria that ensure that the marginalized areas of our country, the areas that for a long time have been on the periphery of development of our nation are mainstreamed. Resources should be allocated to those areas in a manner that will develop this country in an equitable manner. That is the only way we can eliminate the current perception amongst many Kenyans that there is a minority who are proud to be Kenyans, and there are a majority who are persevering to be Kenyans. We must move, as a leadership, towards ensuring that we tackle the challenges that face our nation head on. It cannot continue to be business as usual. We cannot continue to make mere statements. It is time we

match what we say with what we do; we must confront the challenges facing our country head on with concrete and precise solutions to them.

Mr. Temporary Deputy Speaker, Sir, the issue of security continues to be a great source of concern to many Kenyans. As late as last week, we had bombs being thrown at churches and Kenyans continuing to lose lives. We must go out of our way to get value for the money we put in our security agencies. As we are talking our budget has Kshs100 billion every year set aside for our security agencies. Are we surely getting value for that money? That is a question that Kenyans continue to ask. If we are not, why not? Where is this money going to? We have to begin to look critically at what we are going to do to ensure that there is transparency, clarity and accountability when it comes to expenditure of money that is meant for our security agencies; we should not continue to shroud security purchases in secrecy.

We have to be very clear. How does buying a gun become an item of secrecy? A gun is a very basic thing. The policemen carry them on the streets. So, how does it become an issue— Why do you have to hide how much you pay for a gun? These are issues that we must get accountability on. This House must have access to security purchases, so that we get value for money and we improve our security.

I beg to support.

The Minister for Trade (Mr. Wetangula): Mr. Temporary Deputy Speaker, Sir, thank you for the opportunity to also contribute to this policy statement by His Excellency the President and laud the content as being critical to moving our country forward.

This country is facing many challenges; some challenges are surmountable others insurmountable. We are going to elections and given our previous history and how Kenyans have behaved at elections, in 1992/93, 1997 and 2007, we must be extra vigilant in making adequate security preparations, so that we do not have any reckless loss of lives, destruction of property and mayhem born out of possible disagreement on the outcome of elections.

Kenya is not the only country that goes through hotly contested elections. We have this world over. We have just had one very hotly contested election in France. We had one recently in Zambia. We had one in Ghana four years ago, where the winning President defeated his nearest rival by a paltry 29,000 votes. In Zambia, the winning President defeated his rival by 35,000 votes, and nobody threw a stone. Nobody picked a machete. Nobody picked a gun. The winner was not exalted unnecessarily, neither was the loser vanquished. They saw their country as bigger or greater than any one of them and their countries have moved on.

I want to urge we, leaders, in this country that those in contention and those who support those in contention should know that an electoral process is a competition of ideas for the people of Kenya to choose whom they want to lead them. It is not an act of war. Those in charge of security apparatus must do everything humanly possible to make sure that those hell bent on compromising our peace and security are tucked away where such people are tucked, so that this country can enjoy unparalleled peace, security and development.

Hand in hand with that, we cannot have adequate security without adequate policing. We need an adequate police force, a police force that is not demoralized, a police force that is well paid and has adequate facilities in terms of movement. I have always said it that defeats logic to put the police officer in charge of Turkana County, give him one Land Rover and expect him to discharge his duties. Police officers in counties like Turkana, Marsabit, Moyale, Wajir and Garissa should be given helicopters to be able to manage the challenges of security. There are no roads and the Land Rovers will not move. The communication even in terms of telephones is poor and by the time they catch up with wrongdoers, they have either crossed the border into our

neighborhood or disappeared all together. That must be done! We have lost lives in Todonyang and Moyale because of the incapacity of the police to meet the challenge.

Mr. Temporary Deputy Speaker, Sir, this country has done very well in the last ten years on infrastructure. A lot of roads have been done and a lot of facilities put in place. But sometimes it disturbs me to hear like today we are having heavy rains for the last two months and new roads are being washed away. How do roads survive the weather in the Amazon Basin, Congo Basin and the jungle of Indonesia and Malaysia where it rains from January to December? Why should a week's rain wash away a highway? It means we are not doing the correct things and somebody has to be held to account. We vote money, roads are done; they are actually just a veneer of roads because I cannot understand how a week's rain can wash away a tarmac road or a bridge made of concrete. These are issues that we must address. The Government has provided money, roads are done but they end up not being roads. People must be held to account!

On the issue of teachers, this Government has done extremely well. We must congratulate ourselves for free primary education and for nominal free secondary education. Unfortunately this has not been matched by the generation and creation and employment of equal number of teachers to meet the challenges in education. I wish it can be addressed so that when you go to rural schools, you find a school with a thousand children in school but with six teachers. This, obviously, cannot enable these children to compete with those in urban centers where a school with a thousand children has 20 teachers. First, we need to rationalize and dispatch the distribution of teachers properly and employ even more teachers if the rural and urban children have to be brought at parity to compete for the same national exams that we so much value in the progression to the next level.

I am a firm believer in regional integration and it is only through regional integration that this country will be able to move forward in terms of economic well being. We have consciously said that our market outlook is a leading regional hub than elsewhere. Little wonder if you look at the trade figures, Tanzania is slowly overtaking Uganda slot as a trading partner. For the first time, the trade balance between Kenya and Tanzania is favouring Tanzania. I hope this will spur some positive thinking in our brothers and sisters in Tanzania to see the meaning of regional integration.

(Applause)

I want to encourage that we continue pursuing regional integration even in areas where as Kenya; we feel we run a comparative disadvantage. We must look at the bigger picture. We should not simply look at narrow issues that can derail the process of integration. The East African Community (EAC) has now a Customs Union. We are moving to a Monetary Union and you can see we have applications to join from Somalia – hopefully this will stabilize Somalia – from South Sudan, the Sudan and I hope in the very near future, we should be able to entice Ethiopia with their 90 million people to join the EAC. The bigger the better; the bigger the more successful!

This country is suffering from excessive consumption of alcohol. If you go to the countryside, the number of drunken – helplessly drunken – young people is worrying. We have passed a law here to regulate alcohol drinking. The problem is the enforcement and if we really want this country to harness the potential in its people, a person who has consumed alcohol to the level of temporary insanity cannot be productive in any way even in social ways. We need to find a way of controlling consumption of alcohol especially among the youth because we are

losing generations to reckless consumption of alcohol yet we have a law that can control the consumption of alcohol.

Mr. Temporary Deputy Speaker, Sir, we have done well in the implementation of the Constitution. For the remaining parts, I have no doubt that this Parliament will meet the expectations of the people of Kenya. What is critical is not just meeting the deadlines but passing laws that are widely consulted; that are helpful to the people of Kenya and that the people of Kenya accept. What worries me sometimes is that we set up constitutional institutions, give them a mandate to do their jobs, when they roll out what we set them out to do, we are the first to throw stones at them. This does not help the country! This is not good! Let us respect the institutions we have set up ourselves and let us respect what they decide for this country if we are to move forward.

With those few remarks, I beg to support.

Mr. Keynan: Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to contribute on the Presidential Speech. I would like to join my colleagues who have raised a number of issues on this particular Speech. For a country to prosper, the issue of security, the issue of psychological security, the issue of comfort and the issue of citizenry rights must be given prominence. In this country, we have continuously lamented on the issue of pathetic insecurity in different parts of this country but there is one issue that we have failed to address as a country. I am glad that some of the leadership of this House has commented on the pathetic state of insecurity in this country but one issue that we have failed to appreciate is how we facilitate our law enforcement officers. Traditionally, over the year, we have attempted to give a big portion of our Budget to traditional security sectors and completely neglected the key role the police play. Our police officers have done a commendable job under very difficult circumstances and this is one thing that the leadership of this country must appreciate. Just like Mr. Wetangula has said, they are not facilitated and if they are facilitated they are facilitated very poorly. They are not motivated! If you look at the Budget, for over the 50,000 police officers as compared to one of the small departments in some of the other key sectors, you will realize that our police officers are some of the most poorly paid in developed countries and yet we expect them to perform miraculously. This issue of insecurity is one of the issues that have affected negatively our tourism sector. How do you visit a country where you expect carjacking, where you expect to be mugged in the streets, where you will not have the freedom to visit different social sites? Until and unless we address the issue of insecurity in Kenya, then the issue of tourism, unemployment rate, underemployment and drunkenness, militarism, illegal youth gangs coming up in different parts of this country will always be a feature.

I want to urge the Government to seriously consider the issue of the plight of our police officers. For a country to enjoy peace, the issue of internal security, homeland security, must be given critical prominence. I see this lacking completely in the context of the Government implementation of some of these key security sector reforms.

On the issue of regional economic and political integration, theoretically, we have always projected ourselves as the big brother in the region, but practically, we are the poorest when it comes to implementation. How do we explain a situation where today Kenya is the last in remittances of the East African Community (EAC) bills and yet we project ourselves as the big brother? Even to the countries that we have enticed to join the East African economic block recently, how do we explain our role? I am aware today and I am ashamed to say that Kenya has defaulted in her remittances to the EAC to the tune of Kshs600 million. How do we expect to benefit from this very important economic block if we do not lead from the front? This is why as

much as theoretically this is a very important Speech, but is it being implemented? Are the different technocrats adhering to the Presidential Speech? The answer is no. They only implement to the extent that benefits them. How can we ignore the EAC and yet it remains our biggest trading block? How do we explain that Kenya has defaulted? How do we explain that our EALA representatives are the least facilitated? How do we explain that we do not follow procedures that will help us integrate properly as far as judicial, economic and political integration is concerned? We are the last in implementation. These are issues that we must address.

I remember that His Excellency the President in 2007 went to northern Kenya and in particular, Garissa, and talked about the issue of the major highway from Garissa to Wajir and Mandera. Was that an election gimmick? What has happened to that promise? Is His Excellency going to retire without seeing an inch of tarmac road in North Eastern? Will he have addressed some of the historical injustices that we have complained about? The answer is no. therefore, the same discriminatory policies applied by the colonialists and the Kenyatta regime is what is being applied by this Government. Until we see the tarmac road from Garissa to Wajir, the people of North Eastern will not have benefited and will still remain in the dark ages and His Excellency will have nothing to celebrate as far as the people of northern Kenya are concerned.

This is an issue that His Excellency handlers must remind him that indeed, in 2007, to be precise in September, 2007, he went to Garissa and declared that in the next two years, the people of Garissa, Wajir and Mandera would see tarmac road. That is yet to be realized and he is retiring. How can I be proud of his legacy? How can my children and other residents of North Eastern be proud of his legacy when none other than the President, who is supposed to be a unifier, has not implemented some of the commitments that he made?

The issue of youth unemployment must be addressed. That is what contributes to insecurity. That is what contributes to the emergence of illegal gangs because they do not have any other source of income. That must be addressed to minimize incidents of corruption, spur economic development and apply prudent economic policies that will see this country enjoy one of the highest economic growth rates in the region.

Mr. Temporary Deputy Speaker, Sir, the issue of relief food depends on where you come and where I come from. Over 87 per cent of the residents still rely on relief food. Is it a situation that we are ever proud of? If you look at the current Budget Estimates, over Kshs16 billion has been voted for the purchase of relief food. Why is that money not being used for irrigation? Why is that money not being used for construction of big dams? It is simply because, through relief food, agents of impunity get the opportunity to trade. That is why they do not want to invest in important economic projects that will have assisted those people. Therefore, their desire is that we continue to depend on relief food. That has been the culture.

Mr. Temporary Deputy Speaker, Sir, look at the new Constitution. We have a new Constitution. We have celebrated and we have implemented it. But are the technocrats following it? Are they adhering to the letter and spirit of the new Constitution? The answer is no. Agents of impunity are re-grouping.

Right now, we are aware that the Judiciary, within the next few months, is going to be under immense pressure to implement some of the unpopular executive driven decisions. We want the Chief Justice to be alert and remain alive because in the next few months, there will be a lot of pressure by agents of impunity to coerce the Judiciary to do certain things that will be compliant with the old thinking. Hon. Justice Mutunga must be alive to that. He must be ready to defend the rights of the 40 million Kenyans. That is one thing that we are not about to forfeit.

It is our right and the Judiciary must project itself as a national arbiter to some of those key emerging issues.

Mr. Temporary Deputy Speaker, Sir, on the issue of human resource capital, this country was voted as one of the best in that respect, courtesy of our good education. What are we doing to enhance the role of the diaspora? What have we done to have labour relations with different entities that we enjoy diplomatic relations with? If the leadership was serious, the issue of unemployment will not have been there in our midst. The reason is that Kenyans are highly skilled and highly educated. We have some of the best professionals in the world. But are we facilitating them? There are millions of Kenyans who are in the diaspora courtesy of their individual efforts. How about if they have the support of the Government? That is why I appreciate what His Excellency did when he visited the Government of United Arab Emirates. He should do the same with Saudi Arabia and all the Gulf States. That is where there are employment opportunities. That is where the expertise of Kenyans is required. We need to walk the talk and have concrete labour relations with those countries.

Mr. Temporary Deputy Speaker, Sir, finally, individuals come and go but institutions remain. As a country, we cannot be complaining day in, day out. Front line issues in different media - politics. We are not going to eat politics. We need to compare. Look at our domestic debts and compare the same with external debts. Look at our GDP. These issues must be calculated and we must be prepared to support Kenyans. Thank you.

The Assistant Minister for Tourism (Ms. Mbarire): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to add my voice to those of my colleagues on the Presidential Address. I would like to begin by congratulating the President for the Speech that he gave to this House and the whole nation. I really congratulate him for what he has done for the past nine years since he became the President of this great nation. We have seen ourselves move from an almost near dead economy to an economy that has been growing despite the challenges. I wish we will be able to complete the work that he has started in the next years to come.

Mr. Temporary Deputy Speaker, Sir, we have a new Constitution. I think that is one of the greatest milestones that we have been able to achieve during the tenure of His Excellency the President. I am particularly happy about the fact that we have been able to come up with a devolved system of Government. We have 47 counties across the country. We did that in order to bring services and development closer to the people. We can begin devolving the growth of economy so that it grows from the bottom and not from the top. We can give counties a chance to just grow and create jobs at that level. My concern is the formula that was brought forth by the Commission on Revenue Allocation (CRA) on how resources will be distributed across the 47 counties. While we agreed that formula should take into consideration the population, land mass and poverty levels of an area, it is very important that the CRA does consider also what opportunities a particular county has in order to generate resources at the county level. What opportunities a county has in terms of revenue generation?

Mr. Temporary Deputy Speaker, Sir, of great concern is that you will find that Nairobi, of course, comes first with a lot of money allocated to it. You see also a county that has little chance for self revenue generation being given very little money. I think it is important that as they allocate this money, they look at counties at individual levels and ask themselves: "Does this county has a chance at this point in time to be able to generate revenue before it begins to depend fully on the central Government?" If those opportunities are less, then that county needs more support than the one that already has revenue generating mechanisms available for it at the county level.

So, Mr. Temporary Deputy Speaker, Sir, I hope the CRA will truly live to its expectations and look at the challenges facing each county, so that they come up with a formula that will reflect a fair balance revenue allocation to all these counties.

Mr. Temporary Deputy Speaker, Sir, I also want to add my voice on the issue of the Mombasa Republican Council (MRC). These individuals may have some genuine concerns. However, it is important that the Government states clearly and categorically as the President did say, that Mombasa has been and will remain part of Kenya. When they recognize that, then the Government should sit down with them and listen to the grievances of these people because Mombasa or any other town is part and parcel of Republic of Kenya. I really support the President's remarks as far as this is concerned. The same should apply to all other groupings that may come up with concerns that may be genuine; that Government should get time to listen to them, but with an understanding that they really are part and parcel of Kenya.

Mr. Temporary Deputy Speaker, Sir, let me also talk about the general elections. We know that elections are around the corner. I think we are still at a point where it is not very clear when it shall be, but I am hoping that this date will be made final, so that we do not leave it "either/or" and that we will know clearly when we will have the elections.

But more importantly is that we have passed very critical legislation on this Floor which deals with regulating the elections to ensure that we will have very peaceful and fair elections. These two legislations that we have passed; namely the Elections Act and the Political Parties Act have come up with some very major changes or almost radical changes on how we run our politics in the country. What worries me is that Kenyans have not yet understood the new ways of elections. They do not understand how the different offices will be elected. I am concerned that as much as there has been a lot of talk about voter education and civic education, that has not really started in earnest. A majority of Kenyans at the grassroots level are still at a loss on how they will vote. They are yet to understand the new laws that they will follow. It is very important that Kenyans understand beforehand how these elections will be carried out. We must understand the laws around it, the issue of voter bribery and the issue of violence during elections, so that we ensure elections are carried out peacefully.

So, I am urging the Government to allocate more resources towards voter education. We need to be told when these voter education seminars will take place. We want also to know where they will be conducted, so that we be part and parcel of voter education exercise. All candidates must understand these new regulations of elections. We are also looking forward to getting the rules and regulations governing elections, as emanates from the Elections Act, through the Independent Electoral and Boundaries Commission (IEBC), so that candidates may be adequately prepared for the changes that are coming.

Mr. Temporary Deputy Speaker, Sir, I want to add my voice on the issue of Internally Displaced Persons (IDPs). I am very happy that we are finally putting enough resources to be able to resettle all the IDPs. The allocation of Kshs2.9 million for land, Kshs1 million for forest evictees and Kshs4.4 billion for houses, food and non-food items, with the Ministry of State for Special Programmes is a good idea. What is most important is the manner in which that resettlement will take place, so that we do not have IDPs who will say that they were never resettled at the end of this process. Money should get to the right hands and not into people's pockets as has been the case before. So, there has to be a very clear system of resettling these IDPs. We must not go to the general elections with people being homeless or living in tents. We must get everybody settled in the country. Even more importantly, those who still have land need

to go back to their land. I think the process of reconciliation should begin at that level, so that we do not have a repeat of these unfortunate events.

Mr. Temporary Deputy Speaker, Sir, I want to speak about regional stability as regards Somalia and now Sudan and South Sudan. Part of the reason we get challenges within the tourism sector is because of perceived insecurity in the country, especially that which emanates from our neighbouring countries. I think that this country must do whatever it takes to ensure that Sudan and South Sudan do not go into full-blown war, because it will have a direct effect on our country economically. Other countries within the East African region, and the entire world at large, should really support our country, so that we ensure that there is stability in the region.

Mr. Temporary Deputy Speaker, Sir, I also want to add my voice on the issue of the roads sector. It is great that we have been able to do 2,700 kilometres---

The Temporary Deputy Speaker (Mr. Ethuro): Your time is up!

The Assistant Minister for Tourism (Ms. Mbarire): Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

Prof. Kaloki: Thank you, Mr. Temporary Deputy Speaker, Sir, for this opportunity to contribute on this very important Speech by the President.

Mr. Temporary Deputy Speaker, Sir, the Presidential Speech was a presentation to this House which was able to highlight a lot of policies by the Government and what the President and his Government intends to do for the remaining term of his presidency. He is now serving the last part of his second term and seems to be very clear on his agenda which, of course, he wants the Members of Parliament to understand.

On the issue of infrastructure, the President dwelt at length on the development we have achieved in this area. Although some areas have benefitted during his term in office, there are some, for example, in Eastern Province, which have not. A good example is the Kibwezi-Kitui-Ethiopia Road. The construction of this road has started in some parts, but work has been very slow. The section between Kibwezi and Kitui needs to be tarmacked. It is a major road which will decongest the traffic. All the vehicles from Kitui have to get to Nairobi before proceeding to Mombasa. The Government should channel resources towards the tarmacking of this road in order to benefit the people of this area. The people living in Kibwezi will also benefit as a result of the expansion of the towns along the road. We urge this Government to build this road, so that the people of this area benefit.

Information Technology (IT) in this country is a key thing. I must thank the Government for putting adequate resources into this area. We must commend this Government highly because it has spent Kshs1 billion in this regard. At a place called Malili in Makueni County, the Government purchased 5,000 acres to put up a modern city that will be used to expand opportunities in the country. Real estate will develop in this place. Also, banks and IT related companies will move to this area, thus create a lot of jobs for the people living in this area. We must commend the Government for this, because there will be provision of education, health care facilities and universities will be set up in this new area. It will be a modern city and IT related companies will develop. All companies will be moving to this area. Actually, on the ground now, there is movement. The ground breaking occasion will take place any time now. I want to commend the President and the Ministry of Information and Communications, which is spearheading this particular project.

On the issue of devolved Government, we must thank the President because he was very instrumental in ensuring that this country had a new Constitution during his term. He moved this process forward. He mobilized people and now the implementation of a devolved Government is

a reality. We are likely to have it and development will move to the areas of devolution. We will now realize devolved services. As a result of this, it will be easy to plan. The devolved units will be in a position to prioritize their development issues because there will be no central planning by the central Government. The decisions will be devolved.

In my county, Makueni, we have major rivers such as Kaiti, Mbooni, and Athi. We will now prioritize construction of dams along these rivers. That way, we will be able to deal with the problems of water and roads, which have affected our area for a very long time. We will now have water for irrigation, and thus deal with the problem of food insecurity which has been a problem for many years. I believe that the areas along Mbooni River and in Kilome will now be able to generate a lot of food for consumption and sale to neighbouring counties.

Mr. Temporary Deputy Speaker, Sir, I must also bring out the issue of the youth and women empowerment. This is one area where we wanted to see a clear cut policy because our youth are the ones affected by unemployment in this country. Unemployment is rampant in this country and we wanted to see a policy to deal with this.

Another area is that we will call for the Trade Development Bill to be enacted by this Parliament so that we put all policies together. The Bill will encourage and promote trade in the region especially in Uganda, Rwanda and the entire region so that we tap their resources. We should be able to come up with similar policies that deal with the East African Community in order to bring the countries together. Although the President is working on this area, it is good that we come up with a Trade Development Bill which will put all this together and the people of the area will benefit from this.

Animal and human conflict is a sensitive issue. This one goes hand in hand with the provision of tourism and ensures that we get more visitors in this country. Although we appreciate what the Government has done to protect game reserves and game parks so that we have more tourists coming in to see the animals, we must also realise that this has also brought a lot of conflict. This is because wild animals invade areas where our people live and kill them. I am talking about the Tsavo East and Tsavo West National Park. Wild animals cross over to Kibwezi Constituency where they destroy my constituents' farms. The wild animals also affect education in the area because people fear them. This is one area we wanted to see a clear policy that deals with compensation of people especially when their crops and classrooms which they have invested in have been destroyed by wildlife. This is one area that I felt that the President should have come up with a policy to deal with.

Lastly, is on the issue of resource allocation. What we have seen lately from the Commission on Revenue Allocation (CRA) is inadequate. There is no way we will use a formula which is punitive and say that 60 per cent of all the revenue should be allocated to areas which are densely populated. That is not devolving growth in all the areas of this country. This is one area we feel we need to revisit and revise the formula so that we can minimize the amount of allocation that is made by the CRA. We can minimize this to 30 per cent and increase the percentage depending on the poverty index. There will be equity in the development and flow of resources in this country if that is done.

If we borrow a leaf from the developed countries, for example, the United Kingdom and the United States of America, anybody can live anywhere because the central governments devolve funds in an equitable manner. Everybody feels that he or she can live in any State because the Government provides basic necessities such as water and security.

I can see that my time is over. I beg to support.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! That concludes the business on the Order Paper. Therefore, the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.