

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday 4th April, 1995

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table of the House:-

- (i) Annual Report and Accounts of Jomo Kenyatta Foundation for the year ended 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations)
- (ii) Annual Report and Accounts of Moi University for the year ended 30th June, 1992 and the Certificate thereon by the Auditor-General (Corporations)
- (iii) Annual Report and Accounts of Moi University Pension Scheme for the year ended 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations)
- (iv) Annual Report and Accounts of University of Nairobi for the year ended 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations).
- (v) Annual Report and Accounts of Students Welfare Association for the years ended 30th June 1990 and 1991 and the Certificate thereon by the Auditor-General (Corporations).
- (By the Assistant Minister for Education (Mr. Komora) on behalf for the Minister for Education)*
- (vi) Annual Report and Accounts of Kenya Wildlife Service and related projects for the year ended 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations).
- (vii) Annual Report and Accounts of Kenya Tourist Development Corporation for the year ended 30th June, 1992 and the Certificate thereon by the Auditor-General (Corporation)

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- (viii) Annual Report and Accounts of Kenya Tourist Development Corporation, Utalii Investments Ltd for the year ended 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations)

(ix) Annual Report and Accounts of Catering Levy Trustees for the year ended 30th June, 1993 and the Certificate thereon by the Auditor-General (Corporations)

(By the Assistant Minister for Education - Mr. Komora on behalf of the Minister for Tourism and Wildlife)

NOTICES OF MOTIONS

PROTECTION OF FISHERMEN

Prof. Mzee: Mr. Speaker, Sir, I beg to give notices of the following Motions:-
THAT, since the beach areas and the adjacent ten square kilometres of the Indian Oceans water extending from Nyali, Bamburi, Shanzu and Mtwapa, were declared by the Minister for Tourism and Wildlife to be national Park on 9th December, 1986; and since the laws that control movement in these areas are the same as those spelt out in the Wildlife Conservation and Management Act, and are inapplicable to beach and marine conservation; and, since the local fishermen are unable to continue accruing income from fishing since they are prosecuted for trespassing into the National Park, this House urges the Government to review the Wildlife Conservation and Management Act Cap.376 to:-

- (a) make it more relevant to the environment and living conditions of the people within the marine park areas; (b) make provisions which will allow fishermen in the areas affected to continue with their traditional fishing profession without impediment.

SALE OF PLOTS TO SQUATTERS

THAT, since most of the residents in Changamwe, Kisauni and Likoni Constituencies in Mombasa District are squatters; and, since they are unable to improve their houses because they do not own the plots, this House urges the Government to enter into negotiations with landlords to make them sell the plots at a reasonable price to the existing tenants. **A.3 - 04.04.95**

IMPROVEMENT OF SCHOOLS

Mr. Sifuna: Mr. Speaker, Sir, I beg to give Notice of the following Motion:

THAT, while noting with appreciation the Government effort in providing milk to primary schoolchildren in the country under "School Feeding Programme", and considering the heavy burden of cost sharing the parents are facing towards the education of their children, this House urges the Government to allow schools through their respective D.D.C.s and D.E.B.s choose whether or not they prefer the milk, and those schools that do not prefer milk, be given the money instead, which will enable schools to purchase school equipment and construct new classrooms and workshops.

ORAL ANSWERS TO QUESTIONS

Question No.001

EMPLOYMENT OF MR. KITUR

Mr. Kirwa asked the Minister for Education:-

- (a) Why the Kenya National Examinations (K.N.E.C.) failed to award Mr. Nicholas K. Kitur, Index No.61-1-91-272, a grade in teaching practice, and
- (b) when Mr. Kitur would be employed by the Teachers Service Commission.

The Assistant Minister for Education (Mr. Lengees): Mr. Speaker, Sir, I beg to reply.

(a) The Kenya National Examinations Council failed to award Mr. Nicholas Kitur, Index 61-1-91-273, a grade in teaching practice because of his marks for teaching practice were not submitted together with those of other students who underwent inservice course at Iregi Teachers College. However, the college has now submitted his marks with the Kenya National Examinations Council and the Council has credited him and informed the Teachers Service Commission for the necessary action.

(b) The Teachers Service Commission is processing his employment and he will be informed very soon.

Mr. Kirwa: Mr. Speaker, Sir, while I appreciate the answer given by the Assistant Minister, could he tell the House whether Mr. Kitur's employment is going to be back-dated because this particular teacher has suffered due to mistake of his own?

Mr. Lengees: Mr. Speaker, Sir, I cannot say here now that the employment of Mr. Kitur is not going to be back-dated but the Kenya National Examinations Council could be asked to consider the request.

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Mr. Sifuna: Arising from that reply, Mr. Speaker, Sir, could the Assistant Minister tell this House the exact date when Mr. Kitur will be employed. I am asking this because it is quite some time now since this teacher left college and has not been employed ever since **Mr.**

Lengees: Mr. Speaker, Sir, as per available information, the National Examinations Council has already forwarded the recommendation to the Teachers Service Commission and Mr. Kitur's employment is being processed. So, the teacher will start working very soon from now.

END A

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Mr. Sifuna: On a point of order, Mr. Speaker, Sir. Is it this term or next term? If he says "as soon as possible", it is a very vague answer. Could he be specific enough and tell us whether it is this term or next term?

Mr. Lengees: Mr. Speaker, Sir, it is difficult for me to give an exact date. The Teachers Service Commission will send a letter to the teacher and he will start working as soon as he gets that letter.

Mr. Magwaga: Mr. Speaker, Sir, I would like to find out from the Assistant Minister if this answer can also apply in the case of other students who have not received their results and are also in the same category?

Mr. Lengees: Mr. Speaker, Sir, they are working for all of them as shown here. The

teaching practice marks were not only for Mr. Kitur but also for other students who were with Mr. Kitur. So, the TSC will be working for them together.

Question No. 006

EXISTENCE OF CIRCULAR

Mr. Shikuku asked the Minister for Local Government:-

- (a) if he can confirm or deny the existence of Circular No. C/1252X/33 of 21st June, 1991;
- (b) if the answer to "a" is in the affirmative, if he could tell the House whether the said Circular is still in force and being complied with; and
- (c) if the answer to "b" is in the affirmative, do Limuru, Ruiru and Kiambu County Councils comply with the said Circular.

Mr. Speaker: Anyone from the Ministry of Local Government to respond? None. We shall come to it later. Next Question.

Question No. 005

OPENING OF DISPENSARY

Mr. Obwocha asked the Minister for Health:-

- (a) what has delayed the opening of Bosiango Dispensary in West Mugirango Constituency, in Nyamira District; and
- (b) when the dispensary will be opened.

The Minister for Labour (Mr. Masinde): Mr. Speaker, Sir, on behalf of the Minister for Health, I beg to reply.

(a) Bosiango Dispensary in West Mugirango, Nyamira District, is operational. It started serving the community on 6th June, 1994.

(b) Since the dispensary is operational, the question of opening it does not, therefore, arise.

Mr. Obwocha: Mr. Speaker, Sir, this is a very old dispensary in my area started in 1968 and the local community completed buildings in 1970 and by 1972 there were also staff houses. Recently, when the Provincial Commissioner went to Nyamira District, I have a memorandum here from the Committee asking him to open the dispensary. Can the

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Assistant Minister tell the House where the RDF Funds which were allocated to this dispensary in 1972 are, how much money was allocated by the RDF and how was that money used?

Mr. Salat: On a point of order, Mr. Speaker, Sir. We need guidance here. The hon. Questioner says the dispensary has not been opened, but the Assistant Minister says that the dispensary is operational since 1994. Which is which?

Mr. Speaker: Maybe Mr. Masinde can tell us!

Mr. Masinde: Mr. Speaker, Sir, in fact, I want to confirm that the dispensary is operational. The other question about the RDF Funds and so on have nothing to do with the opening of the dispensary because the dispensary is operational. To confirm that, we have staff

already working there. For instance, we have two Kenya Enroled Community Nurses, one public health technician and one subordinate staff. I have even their names here! So, I do not know what the hon. Member wants to know.

Mr. Obure: Mr. Speaker, Sir, now that the Minister has said that the dispensary is operational and stated very clearly that we have technicians there and maybe even doctors, but we are all aware that there are no medicines in dispensaries in Kisii District. Can the Minister deny or confirm that the staff is sitting idle with the patients because there are no medicines? What is he going to do about that?

Mr. Masinde: Mr. Speaker, Sir, the dispensary is open and it is operational. It has drugs and personnel.

Mr. Obwocha: Mr. Speaker, Sir, for record purposes, can the Minister tell the House the names of those workers? I will be on the ground to confirm that whether it is true or not.

Mr. Masinde: Mr. Speaker, Sir, the two Enroled Community Nurses are, one, Mr. Makori Magengo and the other is Mr. Moses Machiwe; Public Health Technician is Mr. Kebaso; and Subordinate Staff is Mr. Wilfred Nyakundi.

Mr. Speaker: Next Question, Mr. Njoka Mutani.

Question No. 013

ELEPHANTS MENACE IN NITHI

Mr. Mutani asked the Minister for Tourism and Wildlife:-

(a) If he is aware that farms in Kagumoni, Mugwe, Mugiririwa and Murugi Location have been devastated by elephants; and

(b) if the answer to "a" is in the affirmative, what measures he has taken to control the elephants and compensate the affected farmers.

The Assistant Minister for Tourism and Wildlife (Mr. Kisiero): Mr. Speaker, Sir, I beg the indulgence of the House; I am waiting for the reply to come.

Mr. Speaker: Okay, we shall defer it for a while.

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Question No. 012

SETTLEMENT OF THE LANDLESS

Mr. Speaker: Mr. Mwaura not here? Shall we go back to Mr. Shikuku's Question for the second time?

Question No. 006

EXISTENCE OF CIRCULAR

Mr. Shikuku asked the Minister for Local Government:-

(a) if he can confirm or deny the existence of Circular No. C/1252X/33 of 21st June, 1991;

(b) if the answer to "a" is in the affirmative, if he could tell the House whether the said Circular is still in force and being complied with; and

(c) if the answer to "b" is in the affirmative, do Limuru, Ruiru and Kiambu County Councils comply with the said Circular.

The Assistant Minister for Local Government (Mr. Walji): Mr. Speaker, Sir, I apologise for being late and I am sorry, Mr. Shikuku. I beg to reply.

(a) The Circular No. C/1252X/33 of 21st March, 1991, does exist.

(b) The Ministry issues circular from time to time and the 1991 Circular has since been overtaken by subsequent circular, including Circular No. C/125211/76 of 21st July, 1994, through which I directed Local Authorities to hold their 1994 annual meetings for the purposes of electing mayors, deputy mayors, chairmen and vice-chairmen on or before 15th August, 1994.

(c) In view of the answer to part "b" above, the question of Limuru, Ruiru or Kiambu Town Councils complying with the said Circular does not arise.

Mr. Kamuyu: On a point of order, Mr. Speaker, Sir. In order to facilitate us all to participate in this question, it would be good if hon. Members knew the contents of this Circular No. C/1252X/33 of 21st June, 1991?

Mr. Speaker: Order! Mr. Kamuyu, I think you know I do not participate in the drafting of questions or answers. Maybe Mr. Shikuku and Mr. Walji wanted to communicate to each other.

(End B.)

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Mr. Ndicho: On a point of order, Mr. Speaker, Sir. One of the areas that has been mentioned in this Question falls under Juja Constituency and I would like to know what this circular is all about so that I ask a supplementary question.

Mr. Speaker: I think one of you can tell the House what the circular is all about. Maybe Mr. Shikuku will do that.

(Both hon. Walji and hon. Shikuku walk towards the microphone)

Order! Order! I suppose the Questioner is the one who set the ball rolling and I suppose he understands what it is that he wanted to communicate to the House and, therefore, I think it is best that he does clarify the issue so that hon. Members who are interested in the Question follow what it is exactly that they want of the Assistant Minister.

Mr. Shikuku: Thank you, Mr. Speaker, for giving me that opportunity. I will concur with the hon. Members who do not know what this circular was all about though the Assistant Minister is aware of it. Unfortunately, I do not have the circular with me here. I have just arrived and found the Question on the Order Paper. Could I be allowed to circulate it because I want all the hon. Members to be aware of what we are talking about so that they can fully participate? I am willing to do that because it is now the property of the House. Thank you.

Mr. Speaker: What would you say Mr. Walji? Are you in a position to tell us what it is all about?

Mr. Walji: Mr. Speaker, Sir, I can read out the contents of the circular since it is not long.

Mr. Speaker: You can go ahead.

Mr. Walji: This is circular No.C/1252X/33. The circular had been copied to the Town Clerk, Secretary, Nairobi City Commission, Kisumu Municipal Commission, all town clerks, all county clerks and to all clerks to urban councils.

ANNUAL GENERAL MEETING

"This is to inform you that while this Ministry is aware of the provision of Sections 74,30 and 15 of the Local Government Act, Cap. 265, and while appreciating that the local authorities should follow the law as laid down in the various Acts of Parliament it is has, however, been decided that the elections of Mayors, Deputy Mayors, chairmen or vice-chairmen shall not be held this year until further notice. In case of any clarification please contact this office" This circular was dated 21st June, 1991.

Mr. Shikuku: Now, Mr. Speaker, Sir, the hon. Members have heard that. Does the Assistant Minister know that this circular was not followed and elections took place where one of the members who was the chairman was actually physically thrown out not taking into account the circular from the Ministry?

Mr. Walji: Mr. Speaker, Sir, I would be grateful if hon. Shikuku can give us the exact incident which occurred.

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Mr. Shikuku: Mr. Speaker, Sir, just as I had asked earlier on it would be better for the hon. Members, including myself to first look at the circular because I just rushed here. I have the details of this circular and I have got all my notes on it. If the hon. Member can agree that I bring the details of this circular to prove to the House that this circular was not complied with in respect of Limuru, Ruiru and Kiambu country councils I would be grateful.

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

Mr. Speaker: Would you like some information? Who are you, hon. Nyanja, informing, hon. Shikuku or hon. Walji?

Mr. Nyanja: I am informing hon. Shikuku.

Mr. Shikuku: Well, Mr. Speaker, Sir, I would not mind that information but I thought that if I had my notes it would be better but nevertheless let him inform the House.

Mr. Nyanja: Thank you hon. Shikuku. Mr. Speaker, Sir, the area under consideration falls in my constituency and this is exactly what happened. Elections were never held. To the contrary the chairman who was earlier on elected was thrown out using the police and he happens to be in one of our Galleries right now. He is here now. What happened the other day is that this chairman was installed by the policemen using guns and defected to Kanu the other day and he is now using that office as of today. So, I have three councillors in one of our Galleries to hear the verdict on this issue because this is very serious. It is either we use the rule---

Mr. Speaker: Order!

Mr. Nyanja: That is the information I intended to give to hon. Shikuku.

Mr. Speaker: Order! Order, Mr. Nyanja! I thought you have put across what you wanted.

Mr. Walji, any communication as to what Mr. Shikuku said earlier on?

Mr. Walji: Mr. Speaker, Sir, I would not mind if Mr. Shikuku can bring details to the effect that those particular councils did not stick to these rules and regulations from my Ministry.

Mr. Shikuku: Mr. Speaker, Sir, I am very much obliged and I was wondering when this Question will appear on the Order Paper again. Personally, I am ready to bring that

information tomorrow. I do not know whether that is convenient to the Assistant Minister.

Mr. Speaker: Have we not dealt with the Question already?

An hon. Member: No!

Mr. Speaker: Order! I think it is the burden of every hon. Member asking a Question to be prepared when the Question is on the Order Paper.

Mr. Shikuku: Mr. Speaker, Sir, I do concur with your ruling but I explained earlier on that I was not here and I had not expected that Question to be on the Order Paper because I was away. But now with the co-operation of the hon. Assistant Minister I think we would like to unearth everything and I think he is ready to do that.

Mr. Speaker: Next Question, Mr. Mutani's Question for the second time.

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Question No. 013

ELEPHANTS MENACE IN NITHI

Mr. Mutani asked the Minister for Tourism and Wildlife:-

- (a) whether he is aware that farms in Kagumoni, Mugwe, Mugirirwa and Murugi locations have been devastated by elephants; and,
- (b) if the answer to "a" is in the affirmative, what measures the Ministry has taken to control the elephants and compensate the affected farmers.

The Minister for Tourism and Wildlife (Mr. Ngala): Mr. Speaker, Sir, I apologise for not being here the first time the Question was asked. I beg to reply.

I am not aware that farms in the above mentioned areas have been devastated by elephants. The Kagumoni and the Mugwe locations are in the lower regions far from Mt. Kenya forest and no elephant damage to crops has been reported as occurring there of late.

Mr. Mutani: Mr. Speaker, Sir, I would like to say that there is no wildlife in Kagumoni. It is supposed to be in Magumoni Location.

My Question was asking the Minister whether he is aware that farms in Magumoni, Mugwe, Mugirirwa and Murugi Locations have been devastated by elephants. He has only said no elephant damage to crops has been reported occurring in Kagumoni and Mugwe Locations. So, Mr. Speaker, Sir,---

Mr. Speaker: Let the Minister reply to that question first.

Mr. Ngala, would you like to respond?

Mr. Ngala: Mr. Speaker, Sir, I think I have already answered the hon. Member. I have said I am not aware about the damage of crops by elephants.

Mr. Mutani: Firstly, I come from this area and I asked this Question in May June last year. I wanted it to be a question by private notice. In fact by then animals were seen there. I went there and personally saw them coming from Mt. Kenya and the owners were lining up in the District Commissioner's office to air their grievances. Those concerned with presentation of these questions decided to present this Question in a different manner. Does the Government value animals more than human beings?

Mr. Ngala: Mr. Speaker, Sir, I would like to tell the hon. Member that we are not changing the contents of this Question by the hon. Member. We are answering it according to the way it has been asked.

The other thing is that we do not value wildlife more than human beings. Every area and creature is respected and we are not definitely giving more attention to the wildlife than we give

to people.

End C

Mr. Mak'Onnyango: On a point of order, Mr. Speaker, Sir. The Minister tells this House that he is not aware of the devastation of this particular farm by wildlife. But since the hon. Questioner raised the question and made the Minister aware did he undertake any investigations? If he did, what are his findings?

Mr. Ngala: Mr. Speaker, Sir, my answer has resulted from investigations and that is why I have said that we are not aware of any devastation that has taken place.

Mr. Kamuyu: Mr. Speaker, Sir, now that the Minister has been made aware by a reliable hon. Member from the area can he tell the House how much money has been set aside to fencing off that particular area in the on-going fencing off of wildlife areas, which is meant to separate wild animals from human beings?

Mr. Ngala: Mr. Speaker, Sir, the Question did not require me to come and give figures. However, if the hon. Member will be interested to know how much money is being spent on fencing we can give that answer.

Mr. Mwiraria: Mr. Speaker, Sir, the problem of the locations in Tharaka-Nithi is common to very many parts of Kenya, particularly those of North Imenti, where elephants have made very hard working farmers in a land of high agricultural potential paupers. This is because they destroy crops every season in places like Ruiru, Githoka, Nari and others. What is the Ministry doing to ensure that people are not impoverished by wildlife, particularly elephants? If the Ministry does nothing I can assure him that wananchi will protect themselves by killing the elephants.

Mr. Ngala: Mr. Speaker, Sir, I am aware of the losses that are incurred by farmers from rogue elephants. Where it is possible things are done; where we find rogue elephants are causing excessive damage, we have also done a lot of fencing off of wildlife areas in many areas in the Republic. Further, when we get reports from wananchi game wardens go and chase away the rogue elephants. So, we are taking various measures to ensure that our people are not impoverished by elephants.

Mr. Mutani: On a point of order, Mr. Speaker, Sir. My questions touched on four locations but the Minister's reply has touched on only two locations, Kagumoni and Mugwe. Is he in order not to have touched on Mugirirwa and Murugi, which are around Mount Kenya?

Mr. Ngala: Mr. Speaker, Sir, I think my answer has covered all the areas the hon. Member is concerned about, even though I have not repeated the names of the places mentioned in his Question.

Mr. Speaker: Mwaura's Question for the Second time.

Question No. 012

SETTLEMENT OF THE LANDLESS

Mr. Speaker: Mr. Mwaura is still not here, and so his Question is dropped.

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

MOBILIZATION OF TROOPS

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

In view of the reported troop mobilisation on the Kenyan border, what measures is the Government taking to ensure the safety and security of the residents of West Pokot and other districts along the border?

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

Following reports that Uganda had mobilised and deployed her troops close to our common border our Government has beefed up security along the border in order to protect the lives and properties of Kenyans.

Mr. Rotino: Mr. Speaker, Sir, the Assistant Minister says that security has been beefed along the borders but he does not even visit the borders. Some of us who come from districts that border that neighbouring country do not see anything which the Government has done, not even normal patrols. As I speak now even Kacheliba Divisional Headquarters does not have a police Land Rover. So, how can he say that security has been beefed up along the border?

Mr. Awori: Mr. Speaker, Sir, in the first instance I better correct my hon. friend and tell him that I also come from a border district and so I know what I am stating. Even at Kacheliba we have got a mixture of General Service Unit, the Kenya Police and the Administration Police officers. This is a situation where we have to use several security officers.

Mr. Leshore: Mr. Speaker, Sir, in view of what the Minister is saying about security, will he consider seriously to arm West Pokot, Turkana and Samburu warriors so that they combat the Odongo and Uganda troops across the border?

Awori: No, Mr. Speaker, Sir. I do believe that the Government forces are adequate and so I will spare the Samburu warriors for the moment.

Prof. Ouma: Mr. Speaker, Sir, part of the border is over Lake Victoria water. Could the Assistant Minister tell this House where there is any beefing up of security on the water side and where these beef up officers are stationed? How many motorboats and watermen are involved?

Mr. Awori: Mr. Speaker, Sir, as my hon. friend knows, security matters should not be made public. I would like him to take my word that, indeed, we have beefed up security along the lake and along the land all the way to West Pokot and back towards Nakuru.

Mr. Wetangula: Mr. Speaker, Sir, recently we had an invasion in Sirisia Division of Bungoma, where a band of armed people raided the armoury and took off with a lot of arms and ammunition. What steps is the Government taking to ensure that the security situation is improved and that such banditry attacks are not repeated?

Mr. Awori: Mr. Speaker, Sir, in the first place we have increased security in all areas where there are armouries to ensure that the armouries are not broken into. So, far as Bungoma is concerned we have enough security officers all along the border.

Prof. Rashid-Mzee: Mr. Speaker, Sir, we have one of the best armies in Africa which has not been engaged in any war activity whatsoever, except the 1982 attempted coup. Why can they not be mobilised and deployed - instead of leaving them to eat in messes in Nairobi, Nakuru and Eldoret - to places Lamu and Pokot? Insecurity in these places is very serious. Our women are being raped in Lamu and life is also very dangerous in West Pokot and Sirisia. If we send our army to those places to work and earn their living this will be better for this country.

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Mr. Awori: Mr. Speaker, Sir, our army does earn its living, as we know. For instance, our army has been deployed overseas to try and bring peace in some other parts of the world. In so far as our army taking care of our borders is concerned, no one has declared war against Kenya and, therefore, we do not intend to deploy the army to protect our citizens.

Mr. Rotino: Mr. Speaker, Sir, bearing in mind that the security situation along the border is constantly threatening the local people within those districts, and also bearing in mind the fact that we have a contingent of less than 100 soldiers in Kacheliba Division, can the Assistant Minister assure this House and the entire nation that his Ministry will increase the number of soldiers and the regular patrols along the border, with effect from tomorrow?

Mr. Awori: Mr. Speaker, Sir, first of all, as I have mentioned, we are not using soldiers. We are using police officers. I can only repeat my earlier statement that adequate police officers, including the General Service Unit (GSU), the regular Kenya Police and even Administration Police have been deployed to look after our citizens and, I can assure hon. Rotino that, indeed, what we are stating is the correct situation.

Mr. Speaker: Next Question, Mr. Salat!

DIPLOMATIC RELATIONS WITH SOMALIA

Mr. Salat: Mr. Speaker, Sir, I would like to ask the Minister for Foreign Affairs and International Co-operation the following Question by Private Notice:-

(a) Could the Minister confirm whether the Government of Kenya still maintains diplomatic relations with Somalia?

(b) What role is the Government playing in reconciling the warring factions in Somalia after the United Nations pull out?

(c) What security measures has the Government put in place to deter any possible spill over across our common border in the event of fresh fighting?

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): Mr. Speaker, Sir, I beg to reply.

(a) Since there is no sovereign authority in Somalia, Kenya, for the time being, does not maintain any diplomatic relations with that country.

(b) Kenya is fully supportive of the special mandate by the Organisation of African Unity (OAU), given to the President of Ethiopia, which mandate empowers him to specifically deal with the conflict in Somalia. We, on our part, do encourage consultations to take place in our capital and, for the benefit of the House, I would like to mention that we are in touch with the main faction leaders in Somalia with regard to this supportive role by our President and by this

country.

(c) The Kenya Government has already beefed up security arrangements to counter any threat to national security and to protect our citizens and property.

Mr. Salat: Mr. Speaker, Sir, while I appreciate the answer given by the Minister, and while we very well know that Kenya is playing a key role in trying to bring peace to neighbouring Somalia, can the Minister tell the House whether the Government of Kenya maintains diplomatic relations with a government or with a state? We want to know this

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because, if the Government maintains diplomatic relations with another Government, for instance, now the Government of Kenya maintains diplomatic relations with other foreign countries, if this Government changes, does it mean that other countries will not maintain diplomatic relations with Kenya? Are diplomatic relations maintained with states or with governments?

Mr. Musyoka: Mr. Speaker, Sir, it is with both. It is important for the hon. Member to realise that the concept of sovereignty of nation states is basic and, Kenya can only maintain diplomatic relations with a sovereign authority of some sort. That has been found wanting in the case of Somalia since 1991. The other element of benefit to this matter is the question of international recognition. If other countries were, for instance, able to recognize what has over the years come to be known as British Somaliland, --- I know that the hon. Member will remember that Mr. Egal at some stage declared independence for British Somaliland and no country in the world was able to recognize that breakaway state from Somalia. So, the element of international recognition is paramount to the relations between nation states.

Mr. Ndicho: Mr. Speaker, Sir, what can the Minister tell this House about the fact that the Government encouraged Siad Barre and General Morgan to flee their country through Kenya, and now, the Somali factions fighting there are now very annoyed because the Kenya Government gave those people asylum? Can the Minister tell us who gave the Government authority to spend Kshs1 million to pay off the Bill that was incurred by Siad Barre and his team at the Safari Park Hotel? Who gave you the authority to spend that money and where did the Government get that money from?

Mr. Musyoka: Mr. Speaker, Sir, I would like to refer the hon. Member for Juja to an earlier answer that I specifically gave regarding the question that he has just raised.

Prof. Rashid Mzee: Mr. Speaker, Sir, Somalia is a very close neighbour to us. Some of our people are also of Somali origin, the so called Kenya Somalis, therefore, we should be very concerned about this. Since the state of Somalia exists, even though the situation at the present time there is hopeless, the prognosis is not that bad. There will be a sovereign state in Somalia some time. What are we doing in Kenya to protect the Somali property in this country?

Mr. Musyoka: Mr. Speaker, Sir, we are doing everything possible within the confines of the law to protect Somali property in this country. I know that the hon. Member for Kisauni will also agree with me that one needs accreditation by the Head of State. So, on the question of diplomatic relations, we maintain the view that it is not really practicable to have such relations with Somali at the moment. However, we will be prepared in future and, indeed, this is our hope; that one of these days, we shall have a government in Somalia. We are all working in that direction.

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. Is the hon. Minister in order to contradict the Government policy of recognising states, and not governments? He has often

said that. Is he in order to change the policy now?

Mr. Musyoka: Mr. Speaker, Sir, one is supportive of the other.

Prof. Muga: Mr. Speaker, Sir, I am referring to part (c) of that Question. The Minister did say that there are enough arrangements to ensure security. I am not speaking with reference to renewed fighting because when there is renewed fighting it is a different type of spill-over. However, right now, it is a frequent occurrence that people are abducted,

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bandits kill people on the Kenya-Somalia border, especially within Lamu District. Can the Minister tell this House what the Government is doing to ensure that the people of Kenya in Lamu, Garissa and other border areas will be given more than lip-service protection?

Mr. Musyoka: Mr. Speaker, Sir, in response to that, I know the hon. Member recognises that Kenya shares a border with Somalia, which is approximately 800 Kilometres long, and it is very difficult to monitor every part of that border. However, the Government is in touch with friendly countries, and we have made our case very strongly and solidly for additional financial material support to be able to monitor our border. This is in addition to what my friend, the Minister of State, Office of the President, would have said.

Mr. Speaker: Next Order!

End E.

PAO

F.1 - 04.04.95

POINTS OF ORDER

Mr. Shikuku: On a point of order Mr. Speaker, Sir. I have a point of order which I consider very important indeed in connection with the serialisations which have been carried out by the *Kenya Times*. Even today the verbatim report of the Public Accounts Committee (PAC) has been serialised. As much as I would like even the Press to attend the PAC meetings, so far the Standing Orders of this House, do not allow that type of publication, namely the verbatim report of what transpired in the PAC. What was laid on the Table of this House, as far as I know, was the PAC report and not verbatim report. I am seeking your guidance whether it is in order for the *Kenya Times* to violate the Standing Orders of this House?

Mr. Speaker: Mr. Shikuku, which one are you particularly referring to?

An. hon. Member: He is consulting.

Mr. Shikuku: Mr. Speaker, I am drawing your attention to the fact that when any paper is laid before this House, it becomes the property of the House and the public at large. The Public Accounts Committee report which was laid on this Table is now public property. But we did not lay the verbatim report of the PAC on this Table. Was it, therefore, in order for the *Kenya Times* to serialise that because they cannot do that as they were not being allowed into the PAC, it is a closed session. Although in future, personally I believe it should be open to the Press and the public. Was it in order?

Mr. Speaker: Very well, Mr. Shikuku I will study the situation and communicate to the House.

Mr. Ruhii: Mr. Speaker, Sir, I also rise to seek your guidance on the question of debates that have been taken by my own colleagues outside this House to the Press. I am rather perturbed that since Friday, 31st March, 1995, there has been an orchestrated chorus by certain hon. Members of Parliament regarding the PAC Report. I could forgive some hon. Members

because they are new; there is one of them who just came the other day from Starehe. He referred to the PAC Report and even referred to the hon. Members in the Opposition "as the so called hon. Members of Parliament", and yet he is one of them! I am seeking your guidance as to why hon. Members, are doing that and I have got a list of those hon. Members who are guilty. Why are they taking the debate out of this House to the members of the public and to the Press? Can I also request that these hon. Members be named so that next time they will not repeat it?

(applause)

Mr. Speaker: Order, order! I suppose hon. Ruhiu has a two-pronged attack. I will only take the first leg. If he wishes to follow the second leg, he will be at liberty by following the procedure provided for exactly doing that, naming of hon. Members.

With regard to the issue of hon. Members debating an issue that has already come to this House, I think we have specific Standing Orders that clearly states that no hon. Member of this House shall anticipate discussion of a Motion whose notice has already been given. There is no doubt in my mind that those hon. Members who took anticipated debate of a Motion whose notice has been given, have contravened the provision of that particular Standing Order.

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Secondly, this House has a convention that matters that are being discussed by hon. Members in this House, shall not be taken to be discussed outside the House. Any hon. Member who has anything that is particularly burning on an issue that is before this House, ought to come to this House and say his or her piece. All these matters will depend on how hon. Members will seriously study the provisions of the Standing Orders, so that they do know the existence or non-existence of any provision in the Standing Orders. So long as the Standing Orders remain valid, and this can be amended by you in this House, I expect every hon. Member to abide by them. Any hon. Member unhappy about any Standing Order whatsoever, is at liberty to suggest and to fight for the amendment of any such Standing Order. But for as long as they remain, hon. Members must respect the provisions of the Standing Orders. They are meant to give dignity to this House. They are meant to facilitate free debate in this House and to protect hon. Members themselves and other provisions of the roles that give hon. Members privilege when discussing any issue so that they can do so without any fear as to other relevant consequences.

I would urge hon. Members to respect your own Standing Orders. If you are unhappy about any particular Standing Order, move for the amendment of the same.

Mr. Sankori: On a point of order, Mr. Speaker, Sir. I am kindly seeking your guidance on what hon. Ruhiu promised this House last week. He promised to lay on the Table, papers related to the allocation of a plot at the City Mortuary to an individual. Can the "short man,"- hon. Ruhiu lay the allotment paper on the Table?

Mr. Anyona: On a point of order, Mr. Speaker, Sir. I appreciate the fact that you have given indication that you would like to consider the matter raised by hon. Shikuku. It is important that we should understand the scope of that matter so that you can consider it. In that respect, I would like to raise two issues:

Mr. Speaker, Sir, the first issue is to consider as to whether or not, the HANSARD, which is the actual evidence on which the Report is based that goes with the Report is part and parcel of that report once the report has been laid here on the Table. In our case last year, we

said that as soon as the report was laid here, that material was also available in the library for hon. Members and for the members of the public. I think it is important that that issue should be clarified, and that relates to Standing Order No. 162 (2) which says:

"A report of a select committee, together with the minutes of the proceedings of the committee, and with such note or record of any evidence received by the committee as the committee may deem fit, shall be laid on the Table of the House by the Chairman of the select committee or by some other member authorized by the committee in that behalf".

END. F.

JKK

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Mr. Speaker, Sir, as I said last year we in our Committee assumed that once we laid the report here that material was available to Members. The material that was published in *The Kenya Times* yesterday is in fact take from the HANSARD of last year's proceedings of the Public Accounts Committee. I have read it and I am satisfied that they are publishing the HANSARD of last year. I am wondering whether material that has to do with a report which this House has already sanctioned is still regarded as being confidential. I think the Chair should consider this issue.

Mr. Speaker: Order! I thank the hon. Member for putting that argument to assist the Chair in arriving at a decision. As I said, I will make a considered communication from the Chair at an appropriate time but it will be as soon as possible.

There is one other little thing that I would like to bring to the attention of all Members. As a matter of fact, all the verbatim reports of the PAC are now in the Library and every Member interested to find out what evidence was available to the Members that led to the recommendations they made is at liberty to go to the Library and peruse it.

Next Order!

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

Mr. Speaker: You have brought a very essential aspect to my notice but because you heckled me, I will not listen. Instead, I will ask hon. Ruhii to come here very early in the morning tomorrow and substantiate what he claimed.

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

Mr. Speaker: Order, Mr. Maore! We are moving to the next Order! Who was on the Floor!

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

Mr. Speaker: Mr. Maore, I have already called the next Order! If your point of order has to relate to what is happening and you really are particular about it---

Mr. Maore: I will take just a minute, Mr. Speaker, Sir.

Mr. Speaker: What is it?

Mr. Maore: Thank you, Mr. Speaker, Sir, for the leeway. I am rising on a point of order regarding the Powers and Privileges Act. Two Members of Parliament were preparing to attend today's sitting but they were ambushed by the police. They included some other four persons who are not Members of Parliament. I am referring to hon. Kiraitu Murungi, the Member for South Imenti, hon. Paul Muite the Member for Kikuyu, plus four other members of Mwangaza Trust. I am seeking a Ministerial Statement regarding the level of repression and intimidation by the "insecurity forces." We need a Ministerial Statement to explain under what circumstances, on top of a court order stating very clearly that the Mwangaza Trust can continue

within its trust deed or its activities---

Mr. Speaker: Do you want to say anything, Mr. Kalweo?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I will give a Ministerial Statement the day after tomorrow.

Mr. Speaker: Next Order! **G.2 - 04.04.95**

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on March 21, 1995.

*(The Vice-President and Minister for Planning
and National Development (Prof. Saitoti) on 22.3.95)*

(Resumption of debate interrupted on 30.3.95)

Mr. Speaker: Mr. Mutani will continue.

Mr. Mutani: Mr. Speaker, Sir, as I was saying when the House rose last Thursday, Chuka Hospital is in a chaotic condition. Doctors in that hospital feel frustrated due to lack of drugs, x-ray machines and other equipment. Most of the patients admitted to this hospital prefer to use their own clothing rather than to use the hospital linen which is very filthy. I urge the Minister for Health to tour this hospital and see for himself what is happening.

On roads, I would like to say here that the roads in that vast constituency are in a deplorable condition. Since most of the constituency has loam soils the roads become impassable during the rainy seasons. I request the Minister for Public Works and Housing to maintain these roads to an all-weather standard, particularly the roads leading to hospitals, dispensaries, schools and Government offices.

Just the other day the Presidential entourage was forced to abandon their vehicles and walk on foot to Chuka Stadium near the offices of the District Commissioner because the roads were impassable. Indeed the Head of State himself was driven to that area in a Range Rover. So, we are asking the Minister to grade all the roads in Chuka Town and make them all-weather.

On tree planting, Mr. Speaker, Sir, the people of Nithi have planted a lot of trees. In fact the people of Meru District have planted a lot of trees. In some areas the trees have started interfering with the crops. In my area people thought that if they planted more trees they would be allocated a portion of Chuka Forest. The colonial Government expelled people from that forest and I hope that the Minister concerned will give us that small portion of land so that those who were expelled can go back to their homes.

On the District Commissioner's complex in Chuka, people of Nithi have done their best in building and completing their offices for chiefs, sub-chiefs, district officers and recently we completed the office of the OCPD on Harambee basis. We intend to complete the office of the District Commissioner which is estimated to cost KShs.10 million. We humbly request the Government to do it for us. We are not saying that the Government has done nothing for us. But we request the Government to assist us in building that complex. We have seen the Government constructing complexes of a similar nature in other places. I put this simple request

to the Government because the people are also building schools and other facilities.

(Loud consultations)

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Mr. Speaker: Order! Order! We would like to hear the hon. Member on the Floor.

Mr. Mutani: So, Mr. Speaker, Sir, our simple request is to ask the Government to help us build the D.C.'s complex. It is a small complex and the Government has built similar complexes in other places.

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

End of G.

MSW

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The Minister for Commerce and Industry (Mr. M'Mukindia): Thank you Mr. Speaker, Sir, for giving me this opportunity to support the President's Speech which set out our programme for this Session.

(Mr. Speaker left the Chair)

(Mr. Deputy Speaker took the Chair)

Mr. Deputy Speaker, Sir, looking at the Speech very briefly, we see a number of issues that His Excellency the President, touched on. At the very out set, let me also thank His Excellency the President, not only for leading this country under very difficulty circumstance to greater heights of prosperity but his continued courage to face the challenges that affect this country.

Mr. Deputy Speaker, Sir, in his work His Excellency the President has been able to visit various parts of the country and in this respect, we people of Meru, are happy that His Excellency the President found time to come and visit our three districts only a week ago. Just like my friend across the aisle has said, it was very rainy and one of the aspect that the President saw about Meru is the status of the roads which certainly need major improvements. He also had occasion to see the massive movements of people from the Opposition into KANU. Being also the President of KANU, it was quite clear that the Opposition in Mount Kenya Region is suffering undescrivable decline. And I urge my colleagues across the aisle to see the writing on the wall and join us on this side.

Mr. Deputy Speaker Sir, what His Excellency the President quoted to us in his Speech was sense of patriotism. First of all, irrespective of what parties we belong to, we have to be patriotic to Kenya and our loyalty must be to Kenyans. All too often, some of the utterances that we hear, that we see in the newspapers worry us as to whether they truly come from the voices of Kenyans or they are being channelled through Kenyans but the source is actually outside. I would urge my colleagues, and all hon. Members, to remember that so much sweat and blood has been split for this country and it is our responsibility as leaders of this country to ensure that we do not, at any time, put into question our patriotism in so far as this Republic is concerned.

Mr. Deputy Speaker, Sir, the other aspect that His Excellency the President touched on is the sense of discipline. If we, as leaders of this country and Members of this hon. House, do not show a sense of discipline in the way that we conduct ourselves whether inside this House or outside, it will reflect badly on us. One has seen tendencies in our various activities whereby, when people disagree, they come to blows. When people, who at the same time are talking about democracy, when they disagree, they exchange whipping. They encourage their opponents to be whipped and yet they preach democracy, and yet we stand in this House and say, "we believe in democracy, we want to see democratization". I think the major responsibility especially for Members of this House, really has to be that we must practice what we preach.

Mr. Deputy Speaker, Sir, I would urge all Members of this House, when they go into their various party activities, outside the House, they must maintain discipline amongst their Members. At times, I wonder, when you hear for example a Member of a particular party being disciplined by his own party because he has fundamentally gone against the

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privileges of this House and then see his voters going to the extent of trying to put a tire around his neck outside. One wonders what would happen, if the leaders of that party actually became the rulers of this country.

Mr. Deputy Speaker, Sir, I am not afraid of saying, that one wonders where Kenya would be, if FORD-Kenya were to rule this country. Because what the party says and preaches here in this House is totally different from what they practice outside. I get scared, if I were to be a member of FORD-Kenya for example and I disagreed with one of the members of FORD-Kenya, what would happen to me. Most likely, you would get a tire around your neck. You would get a whip around your back.

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker Sir. The Member has just said that a certain person, a Member of this House, is threatened with lynching with a tire round his neck. Could he name the person please? Because that is a very serious allegations against FORD-Kenya.

The Minister for Commerce and Industry (Mr. M'Mukindia): Mr. Deputy Speaker Sir, it is quite obvious because Prof. Mzee was threatened with various acts of aggression only the other day. The hon. Member of Parliament was chased around by FORD-Kenya supporters in Mombasa. And why? Because he disagreed with one of the Member of Parliament in this House. It is a shame for FORD-Kenya and one wonders where Kenya would be, if the people in FORD-Kenya actually took-over the running of this country. We must practice what we preach.

Mr. Deputy Speaker Sir, I am a shamed that my hon. colleague who happen to be an engineer like me, Raila Odinga, has not found it fit to restrain his supporters about not lynching his own supporters in FORD-Kenya Party.

Mr. Ndicho: On a point of order Mr. Deputy Speaker Sir. Is the Minister for Commerce and Industry, in order to discuss a Member of this House without bringing a substantive Motion against that Member?

A hon. Member: I have not heard him discuss a Member of this House in any negative---

Mr. Ndicho: Prof. Mzee is a Member of this House. Is he in order Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: You need to study and understand your Standing Order Mr. Ndicho.

The Minister for Commerce and Industry (Mr. M'Mukindia): Mr. Deputy Speaker

Sir, hon. Ndicho knows very well what I am talking about. But, if he, himself, is guilty of the same incidence in Thika, we will not be surprised, because we must stand against violence. Whether it comes from a Member of Parliament, or from our supporters, we must stand firmly against violence. Hon. Ndicho knows very well, he supports violence. He is not very far from hon. Raila's and we must strongly go against it.

(Laughter)

Mr. Deputy Speaker Sir, we also have to have national unity.

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

The Deputy Speaker: Order! Order! Order!. What is it hon. Ndicho?

Mr. Ndicho: Did you hear what the Minister said?

The Deputy Speaker: What did he say?

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Mr. Ndicho: He said that, I and Raila are supporting violence in this country. Can he substantiate?

A hon. Member: Him or you?

Mr. Ndicho: Ah! He said that myself and hon. Raila, are supporting violence in this country. Can he substantiate or you throw him out?

The Minister for Commerce and Industry (Mr. M'Mukindia): Mr. Deputy Speaker Sir, what I said is that, wherever hon. Ndicho and hon. Raila are addressing the public, somehow violence follows them. So, I am not saying that they are violent. It so happens that violence follows wherever they go.

Mr. Ndicho: On a point of Order Mr. Deputy Speaker Sir.

The Deputy Speaker: Order! Order! Order! Mr. Minister did you say, that the two of them support violence?

The Minister for Commerce and Industry (Mr. M'Mukindia): No.

The Deputy Speaker: You did not say that?

The Minister for Commerce and Industry (Mr. M'Mukindia): No

The Deputy Speaker: Well, the HANSARD will bear you out in my question.

The Minister for Commerce and Industry (Mr. M'Mukindia): Thank you Mr. Deputy Speaker Sir. But you may have heard, what hon. Ndicho said that when I pass through Thika next time, I might be in trouble. Would you protect me from hon. Ndicho's utterances.

(Laughter)

Since Mr. Deputy Speaker Sir, Thika Road is what I use to go home, please protect me from hon. Ndicho's possible activities. The other thing that I would like to mention is that, we must maintain national unity. National unity obviously takes into account the fact that we are a diverse country with diverse cultures, ethnic groups and races. We were warned by His Excellency the President himself way back in 1991, and on many other occasions that with the introduction of multi-partism there will necessarily be discordance along side ethnic lines. This has come to be true. If we look at the political parties in this country today, accept for KANU, all the others are ethnic parties. It is a fact. I believe democracy also is the ability to listen in silence to things that you necessarily agree with. So, I would urge hon. Shikuku, to listen to me quietly.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. Are we not allowed by our Standing Orders to interject. I said, "Questions!". That is not interfering. Does the hon. Minister understand the Standing Orders?

Hon. Members: He does not know anything!

The Minister for Commerce and Industry (Mr. M'Mukindia): Mr. Deputy Speaker, Sir, I stand by what I said that one of the essence of democracy is the ability to listen in silence to somebody with whom you do not agree. So, whether or not you agree with someone, you must give him the opportunity to speak out his mind in silence. That is what democracy is all about. For that reason, while we continue to see a lot of tribal inclinations being expressed in this the Opposition, how can we expect there be national unity. How can there be national unity when people have grouped together along ethnic lines to form political parties. What is Ford-Kenya today other than an ethnic party? What is the Democratic Party of Kenya today if it is---

Mr. Deputy Speaker: Order Mr. M'Mukindia! Your time is up!

Ms. Karua: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to debate on the Presidential Speech. In this Speech the President hoped that we as hon. Members had had the time during the recess to consult our constituents. I would like to say that for most of us in the Opposition, we were not able to consult our constituents because the Government is not practising what is preaching. To elaborate, Opposition Members of Parliament have been harassed, arrested while their meetings have been rudely disrupted. You will remember, Sir, that just before this House opened, Hon. Ndwiga's rally in Embu was disrupted by the District Commissioner who arrested the hon. Member together with other hon. Member for merely greeting people in Embu. We all know that we do not require licenses to greet the people and therefore, we cannot be expected to have time to consult with our constituents if we are disrupted at every turn by the Government through the security forces.

Mr. Deputy Speaker, Sir, we also know the case of hon. Icharia and other Opposition Members of Parliament from Kiambu who were hunted down by the police for merely going to inspect Kiambu District Hospital. We sympathize with the Government and although it may have been embarrassed by the publicity the visit to the Hospital generated and the deplorable conditions in Kiambu district Hospital which came to the notice of the public, they should know that the duty of an elected leader is to expose the shortcomings of the government. I would therefore like to congratulate hon. Icharia and other Opposition Members of Parliament from Kiambu for doing their duties diligently. I would also like to call on the Government and the security forces to lay their hands off Members of Parliament as they go about their duties.

Mr. Deputy Speaker, Sir, even in simple national building activities, we have found that we are being stopped by the Government. Coming closer home to my constituency, I would like to say that the District Commissioner, Kirinyaga Mr. Sigei in the cahoots of the District Officer Gicugu has been trying to disrupt development activities in my constituency. We know that Kanu has time and again accused the Opposition of not being development conscious.

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It is a pity that after I have solicited from donors for projects, both the D.C. and the D.O have been trying to disrupt those project. I am, however, proud to report to this House that my constituents know their rights and they have consequently ignored the D.C. and the D.O and my projects are continuing. I want all Kenyans to know that the requirement that

all the development projects have to pass through the D.D.C is not a legal requirement at all. There is no law requiring development project to pass through the D.D.C. This is merely an administrative rule for use by the Government in Government-funded-projects. For the District Commissioner, Kirinyaga, Mr. Sigei and the District Officer, Gicugu to tell my people that my development projects have to pass through the district development committee, is misleading. To claim that these projects cannot proceed because I have not passed through the D.D.C is again misleading and an unlawful act of trying to stop lawful development activities. None of my projects will ever pass through the D.D.C. If the Government wants projects to pass through the D.D.C. let them fund their own projects.

Mr. Deputy Speaker, Sir, we all know that the donors are moving away from the area of funding projects through the Government due to past cases of embezzlement of fund. Thus most donors are finding ways and means of directly funding the beneficiaries. This is what is happening in Gicugu where I have managed to solicit funds for projects and where at the moment, I have several donor-funded projects which the D.C. has tried to unsuccessfully to disrupt. I must warn him that these projects will have to continue because I will continue to solicit for more funds and not a cent of this money will ever pass through the District Development Committee.

Mr. Deputy Speaker, Sir, we see the D.C. and the D.O as the agents of this Government because it is the Government that gives them directions to stop any unlawful act. If what these administrators are doing in my constituency is not part of the Government policy, we expect the Minister in charge of the Provincial Administration - and I am glad I see him here now - to give directions to this particular District Commissioner and his District Officer to stop interfering with developmental projects.

Having said that, I would now like to say something about the Ministry of Water Development. In one of the water projects in my constituency, technicians from the Ministry of Water Development, have been very helpful and have not been disruptive in any way at all. My complaints are against the provincial administration for the way they have been interfering with my projects. I would like to say that I and my people in Gicugu are ready to safeguard our rights through the courts or any other lawful means to continue with our development activities despite envy on part of the Government.

Mr. Deputy Speaker, Sir, recently, a Government Minister said that if Mr. Paul Ngei pays his lawyers, his bankruptcy would be lifted. That suggests that the Minister concerned knows that there is collusion in the Judiciary and that certain lawyers are the ones who are able to arrange lifting of orders. It is a great pity that this was said by a learned---

The Minister for Foreign Affairs and International Co-operation (Mr. Kalonzo): On a point of order, Mr. Deputy Speaker, Sir, while I hate to interrupt my learned friend, I know she is referring to me, but I would like tell her that I did not at any time intimate that by the mere change of advocates appearing for the former Member for Kangundo, that justice would be done. I was speaking as an advocate and say that I hope that justice

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would be done. In fact, it was after Mr. Paul Ngei's own insinuation that he was not pleased with his own advocate, that I suggested change of advocate. That has nothing with interference in the independence of the Judiciary and I think the hon. Member should now better.

Ms. Karua: Mr. Deputy Speaker, Sir, anybody who reads newspapers must have read the comment for themselves. We also noted the comments and interjections from colleagues on

Judiciary, with knowledge of some Members in Government. This may not be so, but that is the opinion that I obtained after reading that particular article. However, I saw no correction from the hon. Minister on this matter.

Mr. Deputy Speaker, Sir, I would like to move on with some word of caution that we should all desist from trying to influence the Judiciary so that we can uphold the independence of Judiciary. Having said that, I would like to move on to the issue of constitutional reform and say that we are disappointed as Members of Parliament that after the President gave an assurance during his New Year Address, the first quarter of the year has now ended, and no feasible steps have been taken towards constitutional reform. In fact, what we are experiencing now is the erosion of the few democratical gains that we had made. I would like to call upon the Attorney-General on behalf of the Government to immediately take steps to institute constitutional reform so that we may go to the next general elections with a new constitution.

END I.

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For those who think that the Opposition is dead in this country, I will call them day-dreamers. The Opposition is here to stay and those who are day-dreaming that the Opposition is --

The Minister for Commerce and Industry (Mr. M'Mukindia): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. gracious lady in order to mislead the House that there has been an erosion of democratic practices in this country? Can she actually substantiate to that?

Mr. Deputy Speaker: Order, Mr. Minister! That is a question of opinion!

Ms Karua: Thank you, Mr. Deputy Speaker, Sir. I would have expected the hon. Minister to know, but thank you for informing him accordingly.

Mr. Deputy Speaker, Sir, I would like to call upon the Attorney-General to take urgent steps to institute constitutional reforms to enable us to go to the next general elections with a new constitution.

For those who are lashing out at the Catholic Bishops, Mr. Deputy Speaker, Sir, I would like to say that we must have tolerance of divergent opinions. Whether the Bishops are right or wrong, it is not the issue. We all ought to abide by the constitution and as hon. Members of Parliament, we should be at the forefront of defending the Bishops right to freedom of expression.

We should also be reasonable enough, Mr. Deputy Speaker, Sir, when answering them to address the issues they have placed before the public, but not name-calling and not every time that a statement unfavourable to the Government is given to brand them as "opposition". They are opposition to wrong-doing, to evil and anything that hurts the citizens of this country.

I would call upon the Kanu Government to evaluate that statement and to think very seriously what the Bishops have said.

With those few words, Sir, I beg to oppose the Motion.

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): Thank you, Mr. Deputy Speaker, Sir, for the privilege to be able to support the Motion: The exposition of public policy contained in His Excellency the President's Speech when he opened the Fourth Session of Seventh Parliament.

With your permission, Mr. Deputy Speaker, Sir, I would just want to reiterate before I

delve into one or two substantive issues to what I have said in response to hon. Karua's allegation regarding the right of a client in law to chose his advocate. That is one right that can never be abrogated and that is what I was simply advising the hon. Paul Ngei, one time hon. Member for Kangundo. So, I stand by that and I have nothing to apologise for. It has nothing to do with interference of the independence of the Judiciary.

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

Mr. Deputy Speaker: No, overruled!

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): Thank you, Mr. Deputy Speaker, Sir, because I strongly suspected that the youthful Member for Kangundo is always trying to be abusive. He tried it last weekend in Kase and got to grief over it.

If I can quote --

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Mr. Mulusya: On a point of order, Mr. Deputy Speaker, Sir. I am sure you have also heard it that I at Kase tried to insult the hon. Minister. Can he substantiate that? Can he say what words I used to insult him at Kase?

An Hon. Member: But it was in Kikamba!

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): Thank you, Mr. Deputy Speaker, Sir. With your permission, I will chose not to respond to that. I would rather chose to do it at the place he did it at Kase!

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

Mr. Deputy Speaker: No, overruled! Whereas I reserve the right to revisit the issue, if anything in the HANSARD after my subsequent examination reveals that there is anything which went against your character or character of a Member that requires substantiation, I would wish to appeal to hon. Members not to bring here the debates which they did at their political rallies out there, and if they have punches to throw at each other, to try to confine them to those rallies and, in particular, they should respect the rules here. Continue, Mr. Musyoka.

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): Thank you, Mr. Deputy Speaker, Sir, for your ruling. If I could be protected from the very rude interruptions, I will be able to say what I wanted.

In checking the HANSARD record, Sir, perhaps you would also do well to recognise that I was called a "boy" in this House by the same hon. Member and he knows that he is younger than me!

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

Mr. Deputy Speaker: No, overruled! I will not allow you to use the privilege of raising points of order to "eat" into an hon. Member's time. If I feel that the subject is one which on the face merits a point, I will allow it. But I have disallowed points of order where I have felt in my right that they are intended to erode an hon. Member's time. The clock is ticking.

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): Thank you, Mr. Deputy Speaker, Sir. With your permission, I want to quote from the statement by His Excellency the President, and say:-

"I will never get tired of reiterating that the overriding concern of every Kenyan and, in particular, leaders like the hon. Members in this august House, irrespective of

party affiliations, should be to preserve peace, unity and essential character of our nation".

I want to spend a moment addressing what His Excellency the President referred to as "essential character of a Kenya nation". I am very proud to be a Kenyan. I am very proud that we have in President Moi a true nationalistic leader, one who does not believe in parochial party politics, one who is able to stand above everybody else and through him, we have seen the dignity of the African personality.

The essential character of this nation does call on all of us to recognise the fact that we are citizens of a country seen as a leader within the sub-region. I want to pay tribute to the performance by His Excellency the President in trying to bring peace to our sub-region and peace to this land. At the time when he gave this year's message at State House, Nakuru, His Excellency the President was able to preach the very cardinal principal of tolerance. Tolerance is what we need in the Opposition and also in the Government because it will be able to bring out the best in us as Kenyans.

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Mr. Deputy Speaker, Sir, when we are talking about unity, peace and the preservation of the same, these are some of the essential characteristics of a Kenyan nation. We would want to maintain our leadership position in the sub-region for that is indeed the essential characteristics. In terms of his commitments to development in the sub-region, his commitments to the plight of the poor, indeed, I was able to listen to him when he gave his very well received statement in Copenhagen, talking about the negative effects of structural adjustment programmes on the vulnerable groups in our country. It can only take a leader of His Excellency the President to be sensitive to the needs of the Kenyan masses. How many of us would dare emulate him even for a day? I want to suggest that it behooves all of us to be able to accept and give credit where it is due. His commitment to IGADD as the Chairman, of course, His Excellency the President is aware and all of us are also aware of the fact of unemployment with our people. The fact that we have to undertake it is very painful, but necessary economic reforms.

(End J.)

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My colleague from Treasury would, I am sure, bear me witness when I say that these economic reforms are essential at the moment but painful. I think the Opposition should not take advantage of the fact that we are going through this liberalization process to be able to make allegations, unfounded as they are, His Excellency the President and that the KANU Government is not committed to the plight of the poor. We are committed and this where I agree with hon. Wanjiru that some of us, mainly in the Opposition, do not care a thing about the poor in this country and this is why the good Lord will not look favourably at such people.

As we look at the regional organisations because the world is getting organised in blocks, sub-regional blocs, regional blocks and nearer home we have IGADD, His Excellency, the President as the chairman of IGADD has done very well. His commitment to peace not just in this country but in the surrounding countries like the Sudan, Somalia and Burundi, has been very evident. While on my feet, I would like to call on tolerance with regard to the people of Burundi at this time when that country is faced with a real prospect of an explosion based on ethnicity. Ethnicity in my firm submission must be the enemy number one that all of us should commit

ourselves to fight. His Excellency, the President has given us an example. The hon. Karua did mention in her submission that the Bishops have a right to be heard. Indeed, yes, but their lordships for the first time and perhaps for the second time have been totally isolated themselves from the aspirations of the Kenyans. Of course, if they say that they have a right to be heard it should also be their lordships to accept to be criticised especially when they go public. When you go public you should expect public pronouncements on whatever has been said. This is because a man - that is a cardinal rule of natural justice - is held responsible for his own action or his own omissions and so we hold the view that their lordships, the bishops are totally in the wrong in this case. In fact reading their statement I wondered whether they are in the same country as I am. Perhaps it would be nice to remind their lordships, the Catholic bishops that Kenya cannot for instance be another Philippines. We know that the Roman Catholic Church is very strong in the Philippines and not so in Kenya. When the bishops argue that the Kanu Government got 30 per cent of the popular vote, do they recognise for instance that the President of United States of America had 35 per cent of the popular vote and yet he is the President?

I thank you Mr. Deputy Speaker, Sir, and I beg to support the Motion.

Mr. Kamuyu: Thank you Mr. Deputy Speaker, Sir for giving me an opportunity to air my views with regard to the Speech by His Excellency, the President and also to join my colleagues on this side of the House in opposing the Motion right from the word "go".

I would like to concentrate mainly on management or mismanagement of our economy, that it is, politics in general. You will realise that Kenya is a young nation on the move and we are spending too much time politicking. We have completely forgotten our people out there in the village. We have completely forgotten who brought us here. All we are thinking now is who is going to become the Vice-President. This question of succession has become a terrible drawback in the management of our economy. Some people think that the Vice-Presidency should go to Ukambani, others to Kisiiland, still others to Luhyaland, Maasailand *et cetera*. Why do we not become relevant and build this economy?

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

Mr. Kamuyu: I have not quoted him but he is a candidate.

(Laughter)

The Minister for Foreign Affairs and International Co-operation (Mr. Musyoka): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member for Dagoretti in order to draw the attention of the House into highly speculative politics?

Mr. Kamuyu: Mr. Deputy Speaker, Sir, I will ignore that because he has no chance.

All I am trying to say is that it is important that we concentrate on matters that concern development of this land. Everybody thinks about running to state house. Others are thinking about running to the Vice-President's Office. Why is this happening? This is because of greed. We have a duty whether we are in the Opposition or in Kanu to serve our people with concentration and development is the key word. Look at how most of our Government departments and parastatals are being mismanaged. I dare say that apart from perhaps Kenya Power and Lighting Company most of the other parastatals have completely gone to the dogs. This is because of substandard appointment of management team as a result of nepotism and

corruption. It is about time that we came down to earth. We have a duty to manage this economy properly. Look at the simple case of for example, lack of cooking gas. Whom should we blame? Now, look at the fact that Nairobi has no water and the water that is available today is polluted. It is untreated. In fact, it is dangerous to take tap water in Nairobi today. So there is a lot of water borne diseases, dysentery, diarrhoea, name it. These are just few cases of mismanagement of the economy and Kenyans are not fools. They are taking up this nitty gritty, these little details and somebody somewhere will answer for them. I know that somebody somewhere will answer for this.

(Hon. Nyanja gives hon. Kamuyu a glass of water)

Mr. Deputy Speaker, Sir, look at another simple case. Do you really think that it is time to build Eldoret Airport at this point in time when our people have no water, medicine, education going down the drain, mismanagement of the universities and the educational system? Yet, you want to build a huge Eldoret Airport just for prestige. Do we really need it? We have other priorities. Let us put our priorities right. That is all I am trying to say here. I do not mind having airports even in Kawangare but let us have them when the economy is doing well. Just now I am begging the planners of this nation to put their priorities right. We have people out there dying of hunger, unemployment and yet what you want is a prestigious Eldoret Airport. I am asking this nation to pray for the oppressed particularly in the Opposition. I ask them to pray for hon. Njenga Mungai whom from the time I talked to him is still chained to his hospital bed. His health is deteriorating everyday. I in fact would like to volunteer to look after the people of Molo for the time being because all that this Government wants is put Njenga Mungai to jail and grab that particular constituency. I do, therefore, request when we are managing our democracy we should appear to be practical. Let us not have a lot of hatred and disparity. This is what amounts to a lot of dissent and finally it might break out into bloodshed. That is what we should all try to avoid. This nation is not ready to be a Somalia, Uganda, Sudan or Nigeria. This nation must proceed.

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If democracy must appear to be practical let us also open up places like Maela. Let us go there and try to assist wherever we can because all we want is to create unity. We would like to sit down and talk. We do not have to appear like we are enemies. We must be able to have some meetings and discuss issues that concern this nation. Small little things matter.

I wish to talk about banks and loan interests. If it is true that inflation has gone from 55 per cent to 5 per cent, what about bank interests? Why does Kenya Commercial Bank and National Bank not started by lowering down their interest rates to 12 or even 10 per cent so that wananchi can be able to borrow loans and develop their businesses?

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It is about time we thought about these small things instead of rushing to the Vice-President's Office and the State House all the time.

Mr. Deputy Speaker, Sir, you know the other day there was a newspaper article about brain drain from Africa. There are over 10,000 African experts working outside Africa. About

one third of this number are from this region. We have very many big brains running away from this country to go and work in South Africa, Europe and America! Why is this happening? It is happening because there is no confidence in this country. It is high time we instilled confidence in our country. We must work to instill confidence in this land. If we do not do that there is going to be a problem in future.

For example, why are people attack bishops? Those are God's holy people who should be left alone. In Uganda there was a Saint called Kaluluanga, who was attacked by the Government of the day at that time and you know that Government did not last! It collapsed! Why do you attack Catholics bishops? I am a catholic and I am proud of it. Instead of attacking them, why do you not sit down and discuss with them? I suppose that people are now going to start burning effigies of Cardinal Otunga along with those of Brig. Odongo. All that people are trying to do is to divert attention to Odongo and Cardinal Otunga.

Look we have the Ministry responsible for the Kenya Broadcasting and Corporation and yet the Opposition is completely unheard of over this corporation radio and television. In fact, today the Corporation has been called names, including Kamba Broadcasting Corporation and Kalenjin Broadcasting Corporation. Now, since we also pay taxes why can we not be heard? We should be given at least to 20 per cent of air time by this Corporation!

Mrs Ngilu: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to call the Kenya Broadcasting Corporation "Kamba Broadcasting Corporation" when at one time the same corporation was being called "Kikuyu Broadcasting Corporation?"

Mr. Kamuyu: Mr. Deputy Speaker, Sir, I can see the Minister for Information and Broadcasting winking at her. So, I will ignore that point of order.

Mrs Ngilu: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to say that he saw the Minister for Information and Broadcasting winking at me? What kind of winking was it? I did not see it.

Mr. Kamuyu: Mr. Deputy Speaker, Sir, with those remarks I beg to oppose.

Mr Shikuku: On a point of order, Mr. Deputy Speaker, Sir. The hon. Gracious Lady has made a point. There was an innuendo which has gone on the record of this House. She has alleged that the hon. Member on the Floor said something about her and a Minister somewhere. Could that be allowed to go on the record.

Mr. Deputy Speaker: What innuendo? I do not think there was any negative innuendo in that! Yes, Mr. Awori.

The Assistant Minister, Office of the President (Mr. Awori): Thank you, Mr. Deputy Speaker, Sir. The Catholic bishops have been in the news for quite some time and Members of the Opposition have to tried to defend them. Kenya is a very religious country but what the bishops did last week is a great damage to the beliefs of very many worshippers. The bishops forget that the Bible states that you must remove the log from

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your eye before you can see the speck in another person's eye. Right now it is known that one bishop committed in a short period of one month 19 adulteries! We cannot accept now the teaching of the bishops.

Mr. Deputy Speaker, Sir, when the President stands here and opens Parliament he sets an agenda under which all the leaders in this country should be working.

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to imply that the alleged committal of adultery by one bishop should be

imputed to all the other bishops?

The Assistant Minister, Office of the President (Mr. Awori): Yes, Mr. Deputy Speaker, Sir, one bishop has been found out and we are waiting for many to be found out.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. Did you hear that statement by an hon. Member? Using his privileged position he has smeared the entire clergy of bishops! If I commit a crime should it be assumed that all other hon. Members of this House have committed it? Is he in order to that?

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, five years ago an archdeacon from the Coast who was about to be made a bishop was also found to have committed adultery. So, it is possible that we have not heard the last of it.

So, the point I was making is this, that when the President made his opening Address here he set an agenda for all leaders in this country. That agenda included how all leaders should conduct themselves. Church leaders were among those who listened to the President's Address and we would like them to be rehabilitated. The framework under which Members of Parliament should be operating, both inside and outside this House was the major point of the President's Address. He was not speaking as the President of Kanu. He spoke to all of us. If I may remind hon. Members certain points which were stressed by the President I will tell them that he said that "all of us must be united, selfless, patriotic and approach tackle all national issues" in that order. When we read in newspapers the actions of quite a number of leaders, both inside and outside the House, one wonders whether they were listening to the President.

The President very much wants to see that the security of our country is stressed everywhere. Recently there were revelations of an alleged Brigadier Odongo from a neighbouring country who wanted to mess up this country; but I did not hear a single voice from the bishops or the Opposition condemning the alleged Brig. Odongo. If we want to take care of the welfare of our wananchi we have got to do it in a united manner. We must bring about stability and peace. The welfare that we are thinking about in this country is the eradication of disease. Eradication of disease means that we must have good physical facilities right across the country. We need good provision of water, health services and communications.

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Mr. Deputy Speaker, Sir, unless we have a good road network, we cannot provide the services that wananchi require. Above all, it is necessary that we, leaders, both inside and outside the House, bring about an enabling environment in which all these will be possible. We would like an atmosphere which will encourage and attract investments, both from abroad and from local people. Quite a number of people here who have got money may be wary of risking their hard-earned money investing it here when they see the kind of actions that are being carried out by people, particularly from the Opposition. We would like to improve our economy. We would like to ensure that agricultural production increases. We would like to see a variety of crops in our country so that, first of all, we are able to feed ourselves and then go on to cash crops. We would like to ensure that our trade and our economy is in our hands. This is not possible unless we, leaders, can provide an enabling environment which can nurture all these.

Mr. Deputy Speaker, Sir, the Government has set the pace by bringing about liberalisation. Quite a number of people believed that with liberalisation, the economy would come down. Thanks to the efforts of our young Minister of Finance, under the stewardship of His Excellency the President, inflation has come down. It has come down to the extent that we now want to call upon the banks to reduce their interest rates. The removal of restrictions,

including those covering foreign exchange, has helped this country to improve the economy. Let us unite as Kenyan leaders to maintain peace and stability. I am calling upon my colleagues across the Table to join us in bringing about true peace in this country. Utilising bad or big words, or even appearing in the Press everyday does not bring peace in this country. What we need is what a former speaker mentioned, and that is discipline. We want to inculcate discipline, right from the beginning in nursery school, to primary school and even further, because discipline is lacking. It is the weakness we have in this country. This is manifested even among us, Members of Parliament. When His Excellency the President was about to open Parliament we were all seated here when the Judges came in and there were some hon. Members who would not honour the Judges. That shows lack of discipline. We would like to have discipline in everything that we do. This should also be manifested among the Chief Executives of parastatals, the Managing Directors of companies, the heads of the Opposition parties. We can show that here by, first of all, having a quorum all the time, by making sure that there is no absenteeism.

Mr. Deputy Speaker, Sir, it is necessary that all of us listen to His Excellency the President, a man who really is fully disciplined. He is a man who puts in 16 to 18 hours a day for the welfare of our people. Why do we not also emulate him instead of insulting him outside and inside this House, as a few of us here have a tendency to do? The lack of discipline is manifested everywhere. Look at the drivers in this city of ours. Everyone on the road wants to reach where they are going. Why do other drivers have to try and move on the left?

Mr. Deputy Speaker, Sir, with that, I support.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. I did not want to interfere with my hon. friend's speech. However, I thought I should correct the records of this House. When he referred to the Bishops, he should know the statements that people on the other side are allergic to or do not want to hear were made by the Catholic Bishops. The Bishop he was mentioning belongs to the Church Province of Kenya (CPK), even the one in Mombasa. Could that record be put right?

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Mr. Deputy Speaker: Order! For Heaven's sake, let us leave this matter of the Bishops! Mr. Mbeo, you want to contribute? You are making your Maiden Speech? Then go on!

The Member for Mathare (Mr. Mbeo): Mr. Deputy Speaker, Sir, this is my maiden Speech, so, I hope I will not be interrupted.

Mr. Deputy Speaker: Order! I understand Mr. Mbeo is making his maiden Speech. May we all give him audience.

An hon. Member: As long as you do not attack us!

(Laughter)

Mr. Deputy Speaker: Continue, Mr. Mbeo. You have the Floor!

The Member for Mathare (Mr. Mbeo): Thank you, very much, Mr. Deputy Speaker, Sir. First of all, I would like to thank the Mathare electorate for having elevated me to this august House, and for having denied KANU a chance which they did not deserve. Before I say anything, I would like to pay special tribute to some very dear people in Mathare. First of all, the late hon. Dr. Masinde, Member of Parliament, Elect.

(Applause)

The second group is all the Korogocho people who were brutally and violently massacred by the system, using bows and arrows. Their houses were burnt, women and children were left homeless in the slums.

Today being my first day to speak, I will contribute on the Presidential Speech which, honestly, may be because I am a freshman in the House --- I listened very intelligently and I read it several times over. I have been reading it practically every day and every night but, unfortunately, I have come up with virtually nothing. However, since Mr. Deputy Speaker allowed me to talk about anything because this is the only time I can do this, I will talk about anything under the sun, starting with corruption.

Mr. Deputy Speaker, Sir, let us determine the root cause of corruption. Corruption starts off from the Civil Service, based on the salary structure of the Civil Service. If I am allowed to say so, we find that the Government, being the biggest employer, pays hefty salaries to the Permanent Secretaries while it pays "peanuts" to Deputy Secretaries and those other employees below. The workers are basically the Deputy Secretaries and those below them while the Permanent Secretaries are ceremonial. We find that the house allowances paid to these lower cadres range from Kshs4,000 to Kshs900.

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Mr. Ochieng Mbeo: The owner-occupier allowances paid to these people, range between KShs.7,000 to KShs.3,000, these are the the people who you expect to take care of our problems and grievances within the Civil Service. I am saying that the root cause if what is eating me here, and I would like to dwell on it a little bit.

Mr. Deputy Speaker, Sir, these meagre allowances forces the civil servants to live outside Nairobi if they are working in Nairobi or in the outskirts of the City. So that they are able to survive within this competitive and expensive environment. That tells us a lot because there is nothing at all that is gained from these workers. You do not find them in the offices during official working hours because they leave early to go to Kiambu, Thika or Athi River, where they live. Hon. Members should realise that the route cause of corruption is right with us or within the infrastructure of the Civil Service.

Mr. Deputy Speaker, Sir, the hospital allowances given to the civil servants are almost negligible. Medication, as far as I know, is very expensive.

An. hon. Member: You are right. You are now speaking!

The Member for Mathare (Mr. Ochieng'-Mbeo): Mr. Deputy Speaker, Sir, these people cannot even afford to buy malarial tablets which now cost KShs.700 per dose with these allowances. Medical allowance paid to some civil servants is KSh.1,000. Surely, what are we doing if not encouraging corruption? These people must get treated themselves, and if they depend on KShs.1,000 for the whole year, then they have to find other means and ways of getting extra money for treating their families.

Corruption has now gone beyond where it is supposed to be. Government houses are now sold for peanuts. These houses are nowadays given to "politically correct individuals" within the system, who quickly sell them to the Indian community. We have examples in

Kileleshwa, Nairobi; Milimani in Kisumu, and even in Mombasa Municipality. Recently I was in Voi where I found that one of the hon. Ministers sitting here has acquired the Muslim Mortuary in Voi, leave alone what has happened in Kiambu. We are still waiting for substantiation that a plot at the City Mortuary in Nairobi has been given to a "politically correct individuals".

Mr. Deputy Speaker, Sir, forests are also being intefered with. Only hon. Members of the Opposition who try to protect forests. Forests are also being given to the "politically correct individuals" in this Government here.

Hon. Members: Aah, aah!

The Member for Mathare (Mr. Ochieng'-Mbeo): Public toilets in our City are being given away. Even in Voi public toilets are being given to individuals! already gone. We no longer enjoy using public facilities in the City, and other towns. It is well known that the "politically correct", within the system are busy destroying the supposedly acquired mandate to continue stealing from wananchi.

Mr. Deputy Speaker, we have heard a little a bit about the water problems. Just the other day, I went to my constituency and found the water situation completely intolerable. The main Nairobi sewer system is connected to the river that flows right between my constituency. It flows right through, and the children play in that water. The situation is pathetic. That is the same water that is used and drunk by the poor people of Mathare.

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I would like to talk a little bit also on what takes place in my constituency. The security system has gone amok. As I had mentioned, my people were brutally murdered with bows and arrows, sharp knives, and daggers sold by Maasais in Mathare. At this particular time if you walk through Mathare, you will not pass with your ties on, neither will you pass with your shoes on. The thugs will take them away. They use bows and arrows, daggers and sharp knives that are sold to them by Maasais.

Mr. Deputy Speaker: Hon. Mbeo, your time is up. Thank you.

The Minister for Tourism and Wildlife (Mr. Ngala): Bw. Naibu wa Spika, nakushukuru sana kwa kunipatia nafasi---

Hon. Members: Maiden speech!

(laughter)

The Minister for Tourism and Wildlife (Mr. Ngala): Bw. Naibu wa Spika, nakushukuru sana. Hii si maiden speech; nilikwisha zungumza mbeleni. Bw. Naibu wa Spika nasimama hapa kujiunga na Wabunge wenzangu kwanza kutoa shukrani nyingi sana kwa Hotuba ya Mtukufu Rais aliyotoa katika Bunge hili wakati alipokuwa anafungua rahsmi Bunge hili.

Bw. Naibu wa Spika, msemu wa Mtukufu Rais katika Hotuba yake katika Bunge hili, ilikuwa ni kujaribu kuelekeza fikira za Wabunge upande wa mipango na shughuli za Bunge hili, ambazo watajadilia katika kikao kilichofunguliwa.

Ninaamini kwamba msemu wake kwa sisi sote ulimwonyesha kwamba ni kiongozi ambaye anajua masilahi ya Wabunge, matatizo ya nchi, na ni kazi gani ambayo tunastahili kama sisi viongozi kufanya. Bila shaka, kama kiongozi na Baba wa Taifa, anawajibu wa kufanya hivyo. Na bila shaka kila mmoja wetu anatazania kiongozi wa kima hicho, anaposimama na

anapohutubia Wabunge, kuna jambo funali ambalo lazima Wabunge watazamia kusikia. Na bila shaka, hayo yaliweza kusikizwa.

Bw. Naibu wa Spika, uongozi wa nchi hii ni uongozi mzuri. Tuna hakika na hiiyo kabisa. Mia kwa mia uongozi hii ni uongozi wa haki, na ni uongozi ambao unataka mema katika nchi hii ifanyike. Na kwa hivyo, hakuna tashwishi hata kwa Mhe. Shikuku kuhusu uongozi wa nchi kwa sababu anaujua, ni uongozi mwema. Haki ziko, zinapatikana kabisa, haki zinafanywa katika nchi hii, kwa sababu tuwaziona zinafanyika. Kunaweza kuwa na ndogo chache ambazo zinaharibiwa na watu, lakini zile nyingi zinafanyika kwa haki za nchi hii.

Neno ambalo limezungumzwa, na ambalo Wabunge wengi wanapenda kulizungumzia, na ni haki tulizungumze ni lile lilizungumziwa, ambalo limezungumzwa na Mtukufu Rais wetu; ni neno uzalendo. Namna ya kupenda nchi, kupenda maendeleo ya nchi, na namna ya kuweza keheshimu Mikataba na misingi fulani ya nchi.

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Bw. Naibu Spika, ni lazima uzalendo uenee katika taifa hili kwa sababu usipoenea kutakuwa na matatizo ambayo yataifanya nchi hii kuwa dhaifu sana. Kwa hivyo, ghasia na uharibifu ambao unaweza kuikumba nchi hii haufai. Itakuwa ni makosa sana ikiwa tutaruhusu ghasia ziweze kuharibu uzuri wa nchi hii.

[Mr. Deputy Speaker left the Chair]

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

Bw. Naibu Spika wa Muda, mimi binafsi hushangaa kwa sababu palipo na ghasia, mara nyingi utaona mtu wa Upinzani karibu na mahali hapo. Picha za mahali penye ghasia zipigwa utaona mtu wa Upinzani katika picha kama hizo.

Dr. Lwali-Oyondi: Jambo la nidhamu Bw. Naibu Spika wa Muda. Mhe. Ngala amesema kwamba palipo na ghasia ni lazima Upinzani uweko. Hiyo si kweli kwa sababu---

An Hon. Member: Hayo ni maoni yake!

Dr. Lwali-Oyondi: Je, anaweza kuyathibitisha madai hayo?

The Minister for Tourism and Wildlife (Mr. Ngala): Bw. Naibu Spika wa Muda, nimesema kwamba palipo na ghasia mara nyingine utaona kwamba kuna wafuasi wa vyama vya upinzani. Kwa hivyo yafaa nieleweke kama ninayetoa maoni yangu. Nasema kwamba agenda ya ghasia haifai katika nchi hii. Ni lazima tukatae ghasia katika nchi hii. Yatupasa sisi sote kama Wabunge wa vyama mbali mbali tukatae ghasia. Hii ni kwa sababu ghasia hazitajenga cho chote. Ni wajibu wetu kama viongozi kukataa ghasia. Hii ni kwa sababu tukikubali ghasia kutakuwa na matatizo katika nchi yetu na hatutaweza kuwakaribisha wageni hapa wala tukeleza mipango yo yote ya maendeleo. Wajibu wetu ni kuhakikisha kwamba tunadumisha amani na utulivu katika nchi hii. Hii ni kwa sababu tunavihitaji vitu hivi kwa maendeleo ya nchi yetu. Tuna wajibu kila mara kuhakikisha kwamba utulivu umedumishwa katika nchi yetu.

Bw. Naibu Spika wa Muda, wale wenye njama zo zote za kuharibu nchi hii hawastahili kuhurumiwa; wawe Wakenya au watu wa nje. Mwenye njama za kuharibu nchi hii hafai kuruhusiwa kutekeleza njama zake kwa sababu ataangamiza maisha ya wananchi; ataleta fujo katika nchi hii na damu nyingi itamwagika na tutakuwa hatuna mahali pengine pa kukimbilia. Kwa hivyo mtu yeyote awe ni wa Kanu, FORD-K, DP au wa nje, mwenye nia na njama za

kuharibu nchi hii kwa vitendo vya ulaghai na kuichimba Serikali na kuharibu amani, si haki aruhusiwe kuishi maisha mazuri.

An Hon. Member: Mtu kama nani?

The Minister for Tourism and Wildlife (Mr. Ngala): Nimesema mtu ye yote mwenye njama mbaya hata kama ni wa Kanu. Tumesema kwamba agenda ya Odongo ni mbaya. Hatuwezi kukubali jambo kama hilo. Pia ni makosa kwa mtu wa Upinzani kulichukua jambo hili kama mzaha. Rais wa nchi hii hawezi kusema jambo kama mzaha.

An Hon. Member: Mbona alisema kwamba mhe. Shikuku ana gari aina ya Mercedes Benz?

The Minister for Tourism and Wildlife (Mr. Ngala): Labda analo! Labda amelificha mahali! Sisi sote tuna wajibu wa kuhakikisha kwamba umoja unadumishwa katika nchi hii.

O.2 - 04.04.95

Bw. Naibu Spika wa Muda, pia tumeambiwa kwamba ukabila ni kitu kibaya ambacho hakifai. Matumaini ya wananchi wa Kenya ni makubwa. Ni miaka miwili tu ambayo imepita tangu tuanzishe mfumo wa vyama vingi hapa nchini. Kwa hivyo, ukweli ni kwamba hatujakomaa kabisa. Mahitaji ni mengi; mtu wa Upinzani ana maneno yake; mtu wa Serikali ana mpango wake. Hatuwezi kupata majibu kwa siku moja. Ni lazima tukubali kwamba ni lazima muda upite ndio mambo fulani yafanyike. Kwa hivyo, yafaa Serikali ya Kanu ipewe nafasi ifanye mipango yake. Hii ni kwa sababu mahitaji ya raia ni mengi; wanataka maji, dawa, barabara, ulinzi, kazi na dhalika. Hata viwanja vya ndege vinahitajika pia. Yafaa Serikali ya Kanu ipewe nafasi na itafanya maajabu katika nchi hii.

Mr. Shikuku: Haiwezi!

The Minister for Tourism and Wildlife (Mr. Ngala): Itaweza kwa sababu mipango yake ni mizuri. Mambo yake ni sawa. Chumi za nchi za Afrika ni hafifu sana. Kwa hivyo, ni lazima chumi hizi zitafutiwe njia zilindwe vilivyo ili ziweze kuimarika sawa sawa. Lakini ikiwa chumi zetu ni hafifu na tunatia siasa katika chumi hizo na kuziharibu, hatutaweza kuendelea mbele. Kwa hivyo yafaa mpinzani yaliyeko kule afahamu kwamba chumi zetu ni changa sana; zinataka kulindwa na kujengwa kwenye misingi mizuri kama chumi za nchi zilizoendelea ambazo hutupatia misaada. Kwa hivyo yafaa siasa zetu ziwe ni za kujenga chumi zetu ziweze kuwa na nguvu ili yale matumaini ya raia wetu yaweze kutimia kuliko kuwa na maneno ambayo hayatatujenga. Tumeanza siasa za vyama vingi miaka michache sana iliyopita na tusipokuwa waangalifu na kuwa na mipango mizuri huenda tutaitumbukiza nchi yetu katika matatizo na tukapata hasara kubwa.

Ningepnda kusema kwamba tunashukuru kwa mambo haya yote na kwa hayo machache naiunga mkono Hotuba ya Mtukufu Rais.

Mr. Mwiraria: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the on-going debate. First and foremost, I would like to thank the President for what he said in support of multi-partism. Having said that, I would also like to say that the events which are taking place in the country today make one wonder whether the Government is actually serious in supporting multi-party democracy or whether they are paying mere lip-service to it. The incessant arrests of Members of Parliament and the continued denial of licences to Members of Parliament to hold meetings to speak to their constituents, the deliberate effort being made by the electronic media, Kenya Broadcasting Corporation radio and television, to give Members of Parliament a complete news blackout, makes one wonder whether the Government is really serious in its support of multi-partism. We have a saying in Kimeru whose literal translation goes like this this: "Even an old mzee can be sent on errands but he

should not be insulted." So, I should be given if I give a world of advice to our President because he is human like all of us. Since the President was instrumental in bringing multi-party democracy to Kenya in 1991 at the Kasarani Kanu Delegates meeting, I think it behoves on him, so that he can go down in history as the person who really built multi-party democracy in this country, to give substance to its continued survival because it is really like a little child who needs nurturing.

End of O.

MSW

P.1 - 04.04.95

Mr. Temporary Deputy Speaker, Sir, I am thinking here, of the Government agreeing to give financial support to the political Parties in this country so that they can stop the hand to mouth existence which they have gone through since Independence. In other countries in the world, Government gives annual subventions to the Parties which sometimes are based on the number of votes received by these Parties during General Elections. I think time has come for Kenya to consider seriously giving such support to the political Parties, starting with Kanu and giving all the other Parties as well.

Mr. Temporary Deputy Speaker, Sir, I think one of the problems we face in this country is the overburdening of the Office of the President (OOP). That Office has too many functions, many of which do not belong there. Looking through the list, you find one of the functions of OOP is the National Assembly. This Assembly should not be an appendage of OOP. It should stand on its own. It should be, in fact, completely independent of any influence from OOP. We have already passed a Motion in this House, urging the Government to give the National Assembly its own Commission so that they can appoint personnel for the Assembly, establish terms and conditions of service for its personnel and establish the budgets for the National Assembly to give it independence.

Mr. Temporary Deputy Speaker, Sir, we have talked for a very long time about the need to have the Judiciary, the Legislature and the Executive operating completely independent of one another. Unfortunately, this is not the case, and I would urge His Excellency to review this situation so that the Judiciary becomes independent and the Legislature becomes independent from his Office.

The other functions which are in OOP, in my view in error, are such things like Airports, Agricultural Development Corporation and the Kenya Seed Company. The Agricultural Development Corporation belongs to the Ministry of Agriculture, Livestock Development and Marketing. What has it got to do with OOP? What does the OOP have to do with the development of cows? What do they have to do with the development of seed? Is it not obvious that Airport belongs to the Ministry of Transport and Communications? This overburdening of OOP certainly does not augur very well for the management of the country.

Mr. Temporary Deputy Speaker, Sir, let me turn briefly to the issue of land. The land issue needs to be looked at afresh in this country. We have in recent years seen a situation develop where people have become squatters on their own land, particularly in the Coast and North Eastern Provinces. I would urge the Government that the system of allocating land from State House should also stop so that the ordinary people down at the Coast who wake up one morning to find somebody fencing them in, on the land on which their great grandfathers lived can also be proud Kenyans with some land they can call their own. I would also suggest that squatters like those in the Mount Kenya forest in Karuri in Timau Division who have been there now for about five years should either be settled permanently or removed from the forest and be

given alternative land elsewhere, but today we have about 3,000 families living up the mountain under very cold conditions. They cannot build a house and give it a roof because they do not know whether they are going or coming. They just take iron sheets, place them on top of the roof and place stones on them. We need to give these people a livelihood. They are Kenyans and deserve it.

P.2 - 04.04.95

Mr. Temporary Deputy Speaker, Sir, the other point which makes my heart bleed is the allocation of Government houses. In fact this has gone on so much that the question now is not whether it is going to stop, but whether tomorrow we will wake up to be told that Nyayo House has been sold to an independent developer who will be leasing it to the Government. This in my view is a very serious matter. One can foresee a situation where even this House itself could be given to a private developer. Lord forbid!

Mr. Temporary Deputy Speaker, Sir, let me mention briefly something about the Structural Adjustment Programmes. These Programmes has had very good effects on the economy but it has had equally devastating effects on the economy. As someone representing an agricultural constituency, I must say that Government policy on agriculture should be one which looks after the farmer. Today we have a system where we have a controlled price for maize of Kshs.1,200/= a bag, but if you go to the rural areas, farmers are selling it at Kshs.400/= which is less than _ of what should be the price. The reason for this is that we have a lot of imports coming into the country - I do not know whether they come legally or illegally - which have completely destroyed the pricing of this commodity. If in America, perhaps one of the leading economics in the world, the Government defends its own farmers, why can we not do it in Kenya?

Mr. Temporary Deputy Speaker, Sir, let me have a final word on the Catholic Bishops' Statement. To me they spoke the truth, and truth hurts. Truth is touching on raw nerves of some people. For goodness sake, let us ask ourselves, "Were they right or were they wrong?" I think they were right. We should protect them and tell them, "Well done, Bishops". Thank you.

The Minister for Co-operative Development (Mr. Munyi): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to comment on very important Speech which was delivered in this August House by His Excellency the President. When I look at the Speech, it has covered all aspects on development issues to assist our country on matters connected with environment of peace in our country. I would like to invite the hon. Members of this House to look at themselves and say something which is very important. Do we want a situation like the one which is existing in countries like Somalia, Rwanda Burundi and elsewhere? No, we should not allow that, and we should not allow the foreigners to tell us what we should do for Kenya and what we should do for the world because we can do things by ourselves and it is important---

End P

CNJ.

Q.1. - 4.4.95.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could you ask the hon. Member to move slightly away from the microphone. He is speaking so loudly that

he is likely to damage our eardrums. We can hear him clearly enough without him having to shout.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, I think hon. Shikuku just wants to interrupt me unnecessarily. I was saying, that the leadership that we have in Kenya today is the best leadership we have had so far and it should be emulated by other leaders in Africa and in the world at large. I would like to tell hon. Members that His Excellency the President has served as the Chairman of O.A.U from more than two terms. During that time, it is on record that he did wonders as the Chairman for the African body. That is why Kenya today is referred at the "heaven of peace", where people are free to do whatever they like. Even hon. Mwiraria when he was speaking, said His Excellency the President is the one who agreed to the idea of multi-party system of Government in Kenya. Why do we not be thankful to him for what he has done for us and the world? He has played an important role in bringing about peace and tranquillity in Kenya. I think even the Opposition is well aware of this but they just want to oppose him for the sake of opposing and that is why they do not want to admit the truth.

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is very clear that what the hon. Member is saying, is exactly what he said on the same occasion last year. Is it really in order for the hon. Member to repeat the same speech in gave last year?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, the hon. Member knows very clearly that what he is trying to raise as a point of order is not a point of order. He just wants to detract me from saying the truth but I want him to know the truth which is this: it is up to everybody in this country including the churches to know that they have a role to play in safeguarding public morality. However, nobody should interfere with the running of this Government. Church leaders should concentrate on preaching the word of God but should not tell the Government what it should do. I am saying this because the statement they issued, for example, was not their idea but was the idea of some other people from outside this country. These Catholic Bishops were not speaking for themselves but were directed to issue this statement so that they could be given funds. They were not---

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Minister has made a very serious claim about the Catholic Bishops to the effect that the Bishops were directed by some people from outside Kenya to say what they said. Could he be called upon to substantiate that outrageous allegation.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, if you look at the Statement by the Bishops, it has nothing to do with Kenya's policy and it was therefore based on foreign ideology. So, they had been told by some people from outside this country what to write about. These people want us to tell lies but we should not tell lies about the kind of things that are taking place in this country.

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

The Temporary Deputy Speaker (Mr. Wetangula): Order Mr. Munyasia! He is responding to your point of order.

Q.2 - 04.04.95

The Minister for Co-operative Development (Mr. Munyi): Yes, Sir, you are right! I am responding to his point of order. I was saying that the Bishops did not issue the statement on their own and I know it. We have countries in Europe where a Government does not last for more than three---

The Temporary Deputy Speaker (Mr. Wetangula): Order hon. Munyi! Hon. Munyasia required you to substantiate that what the Bishops said was not their own idea but was given to them by some people from outside this country. That is what he is unhappy about. Can you substantiate that claim?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, that is my own opinion. I was just telling this House the truth and the hon. Member can translate it in any he so wishes.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it really in order for the hon. Minister to refuse to heed to your ruling. You directed him to substantiate a very outrageous allegation he made but instead of doing so, he starts dancing all over the place. First he alleged that the bishops were directed by some other people from outside this country to issue that statement and then went out of his way to say that they were given funds to do so. That is a very bad innuendo, particularly when it happens to come from a Catholic like hon. Munyi. I am sure as a Catholic he knows that what he is now saying can only be accepted by satan himself.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, we know that hon. Shikuku used to be in a seminary and could not make it and therefore he run away. What I want to say is that the Newsweek Magazine has been telling the Bishops what they should do. Are the writers of this magazine not from outside this country? It is unfortunate that although the Minister of Information and Broadcasting said that the Times Magazine, The Tribune and others should write the truth about our country Kenya, the writers of these magazines have not heeded the call. They are inventing bad things about our country. Bishops should be praying day and night for our country so that we can continue to live in peace but they should not---

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not know whether you are really satisfied that hon. Kamwithi Munyi has substantiated his allegation. He made a categorical statement against the Catholic Bishops to the effect that they were directed by some people from outside this country to write the statement they issued to the Press. Are you really satisfied that he has substantiated that particular remark?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, why did the Minister for Information and Broadcasting not refute what was written by the Times Magazine and the Newsweek? Are these Kenyan Magazines? No! They are foreign magazines. Therefore, we want our country to be guided properly by people speaking the truth. I am saying this because our President has done a lot, not only for Kenya but for

Africa as a whole. Recently when the President visited Copenhagen, world leaders were happy about what he said regarding the social dimensions. They should know that---

The Temporary Deputy Speaker (Mr. Wetangula): Order hon. Munyi! You can be heard without raising your voice unnecessarily.

(Laughter)

Q.3 - 04.04.95

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, I have said the truth and I want the Bishops to continue preaching the truth and telling the people what the Kenya Government has done to bring about peace in Kenya and in Africa. This is what they should preach in their churches. It is written in the Bible that Jesus

Christ who was the Son of God said that we should obey the Government of the day and the---

The Temporary Deputy Speaker (Mr. Wetangula): Your time is up hon. Munyi.

The Minister for Co-operative Development (Mr. Munyi): Thank you very much, Mr. Temporary Deputy Speaker, Sir. With those few remarks, I beg to support.

END Q

ART

R. 1 - 04.04.95

Mr. arap Kirwa: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Presidential Speech delivered on State Opening of this Parliament.

There are a number of issues that we, as hon. Members of this National Assembly, ought to look into all the time. The first and the most primary duty of any leader is the national stability. For this national stability to be attained, there is dire need for all the interests of all Kenyans to be taken into consideration. For that interest to be taken into consideration, we, as hon. Members of this National Assembly, must stand up to the occasion and accept to sacrifice our pleasures and also our comfortable positions for the sake of this nation.

Mr. Temporary Deputy Speaker, Sir, while listening to many hon. Members of this National Assembly, I get moved to realise that many of them have forgotten their responsibilities which was bestowed upon them by the same constitution they swore to defend by going astray from the basic tenets of the constitution.

Mr. Temporary Deputy Speaker, Sir, just to remind ourselves, we know that the primary responsibility of the Government is the security of every Kenyan. When I talk of "Kenyan", I mean every Kenyan regardless of his station in life, including Opposition. It is also imperative for the Government and all hon. Members of this National Assembly to realise that for that responsibility to be attained, we must always be responsible.

Mr. Temporary Deputy Speaker, Sir, I might be talking in terms that might not be clear to some hon. Members. But I want to say that some statements that have been made by leaders for the last four months - and I did not get the privilege of being in this House towards the end of last year because I had an accident - but all the time I got disturbed because of those statements. It is important for some of us to realise the legal position in terms of land ownership and human settlement in this country so that whenever any leader stands up should not just whip up the emotions of his tribesmen at the expense of national unity.

If we are serious about national unity, we must all the time try to subdue the emotions of our own tribesmen. When I say that, each one of us happens to have his own ethnic community and none of us is not proud of his community. But those interests must always be subdued for us to be serious.

Mr. Temporary Deputy Speaker, Sir, I want the Ministry of Agriculture, Livestock Development and Marketing to squarely listen to the cries of the farmers. I have waited for the assurances from the Ministry for the last four months and the major problem is that money was voted for maize buying under the Office of the President under the Vote "Subsidy of Maize".

As I talk now, a colossal sum of money has been released from that particular kitty to the tune of KSh.4.3 billion. Now, if we were to look at the total maize production in Kenya for this particular season, that amount of money ought to have bought more than 80 per cent of all the maize produced in the country. But the unfortunate situation is that not even half of the maize

that was delivered to the NCPB depot has been bought. The question is: where has the money gone? This is the question that we should ask and when we do so, we are not talking on behalf of anybody. We are talking on behalf of our electorates who brought us into this particular House.

R.2 - 04.04.95

Mr. Temporary Deputy Speaker, Sir, the Ministry of Agriculture, Livestock Development and Marketing and also the Office of the President ought to give a clear statement on how much maize has been produced locally and purchased and how much maize was imported and purchased using the same money. We cannot cheat ourselves and mislead the public that the maize that was brought into the country has not ended up at the NCPB stores. A lot of it has come and a lot of money has also been used and many of the farmers are now suffering. For example, in one of the depots where I happen to have delivered my maize, the farmers are owed money to the tune of KSh.670 million and the rains have set in, nobody has planted and we do not have the money. Even me, as I stand here as a Member, I have delivered more than 1,500 bags of maize, but I have only been paid for 500 bags. I do not know when I will be paid for the rest and how I will get back to the soil. This is the problem that we must face squarely.

Mr. Temporary Deputy Speaker, Sir, the other issue that many people have been dodging over the period is the issue of imported milk. We want to know and let us not use the window dressing of the famous company that was in controversy for one month late last year. We want to know who are the people behind milk importation in this country. We also want to know why some of the former directors have a lot of keen interest as to who becomes the chairman. The farmers decided to change a number of directors and for Heaven's sake, we want the outgoing or former directors to be probed, including even those who were returned.

We also want the Minister for Co-operative Development to confirm the chairman that was elected the other day. We do not want this dodging and campaigning behind the scenes to get another chairman. We want the directors that elected by the farmers to be given a chance to prove to the farmers their worth and we also want the directors to tell us what the liability now is standing for the KCC. These are the issues we must talk about. I think the Minister for Co-operative ought to understand - if he does not - that the farmers have not been paid since last year for the milk delivered and yet we expect the same farmers to take care of livestock, pay school fees and so many other issues that pertain to their livelihood. These are the issues that we ought to address ourselves to as leaders of this House.

Mr. Temporary Deputy Speaker, Sir, a word of commend for the radiation committee that rejected the controversial milk. We want them to be firm and to realise that the leaders of this nation who care about Kenya since we know that there are two categories of leaders, one, those leaders who came here for their own purposes and those leaders who came here to safeguard the interests of Kenya, let the committee realise that the leaders of this nation are giving them full support as far as their recommendation is concerned. The Ministry of Agriculture, Livestock Development and Marketing should not go about dilly-dallying with the issue of imported milk. They should also not use the words "liberalisation" or "structural adjustments" as an excuse.

Mr. Temporary Deputy Speaker, Sir, various countries of the world have liberalised economy, but you cannot take any maize to London now if they do not need it. So, why should

they bring maize or milk here now if we do not need it? This is the question that the Ministry of Agriculture should be addressing itself to and they must change their policy.

R.3 - 04.04.95

If they are not able to do so, they should give us a chance to do so. The only avenue to attain that is for the whole team to resign and give a chance to other Kenyans. The problem with Kenyans is that it is impossible for them to resign since they believe in clinging to positions until they are pushed out of their offices.

Mr. Temporary Deputy Speaker, Sir, one other issue that I want to talk about very briefly is the issue of corruption. Let me say this to the Government and I may support this Government in the next election and many others if I will be alive, but the issue is that they should not be defending civil servants where they have gone wrong. They should give a chance to politicians. Where civil servants are right, they should be defended, but where they are wrong, they should be fired otherwise we should be fired by the electorates.

Thank you, Sir.

(Applause)

(End R.)

AWN

S.1-4.04.95

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Thank you, Mr. Temporary Deputy Speaker, Sir. In support of the President's Speech I wish to make the following contributions. The President's Speech contained guidelines to this Fourth Session of the Seventh Assembly to discuss its business harmoniously. It is shameful for other hon. Members particularly from the Opposition side to suggest that the Speech contained nothing. Security of this nation is of paramount importance and it should not be taken lightly particularly by the hon. Members of the Opposition. The existence of the recent guerrilla movement of the 18 February was totally denied by the Opposition Members. Personally, I hold that it is very shameful for hon. Members of the Opposition to refuse to uphold the security of this country. It is the total responsibility of every citizen to protect this nation from any attack from any person. Surprisingly, hon. Members of the Opposition went as far as saying that there was nothing like a guerrilla movement in this country even after His Excellency, the President of Uganda confirmed it. We must keep on repeating issues of national interest.

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Assistant Minister in order to imply that whenever the President of Uganda says anything it is gospel truth? You should bear in mind that he also said that he has no troops on the border. Should we believe him on this? Is he in order to say that President Museveni always says the truth and nothing but the truth?

The Assistant Minister for Labour and Manpower Development (Mr. Ali): That is his own interpretation. I have understood the issue very well and the whole world also believes that a guerrilla movement existed. The Government is making every effort to see that the security of this country is under control and everybody is satisfied that we cannot miss to find those few individuals who want to interfere with the insecurity of this country. There are few places where insecurity exists like for example, Lamu. Recently one bandit was shot dead in Lamu. He did not come from Somalia but from within and who knows if he was sent by the Opposition. However,---

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Assistant Minister not misleading the House talking about security from the Kanu Side

when hon. Members of this House from that side are known to have displayed publicly acts of insecurity in this country through demonstration? Is he in order?

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Unless Mr. Temporary Deputy Speaker Sir, says that I am out of order, I still believe I am still in order.

I would however urge the Government to strengthen security in Lamu District so that people can enjoy freedom of walking freely. Possibly I would urge the Office of the President to increase the number of Land Rovers to two for the Police Force in Lamu so that they can properly patrol the area to ensure the entire security control. Similarly, I would like the Ministry responsible for Water to look into the water problem in Lamu more seriously because there is a very big water crisis.

An hon. Member: Which side are you talking for?

The Assistant Minister for Labour and Manpower Development (Mr. Ali): I can be talking on both sides. I am talking on behalf of my people and the entire Lamu District. Today one tin of drinking water in Faza Islands costs Kshs 25 and in some areas we cannot even deliver that water. So, the Ministry responsible for water should look into the matter more seriously because we have no face to show to our people particularly on this issue.

S.2 - 04.04.95

We would also like the Ministry responsible for energy to speed up electrification programme so that at least Lamu people can also alleviate employment problem. In this way they can introduce some small scale industries and fishermen can also be assisted to acquire engine powered boats for better fishing.

(Hon. Ali sips some water)

Mr. Temporary Deputy Speaker, Sir, if somebody has got a cold he is bound to get thirsty.

Similarly, I would like to urge the Ministry of Lands and Settlement to speed up the second phase of settlement scheme of Lake Kenyatta in Mwachamarani so that insecurity can be done away. The speeding up of this settlement scheme would actually facilitate infrastructure, and therefore, insecurity in the banditry infested areas like Mkunumbi and Witu would be totally done away with.

Having contributed those few points I would like to see debates in this House, as His Excellency, the President suggested, go on harmoniously without much provocation.

With those few remarks, I say thank you very much for giving me this opportunity.

End S

JNM

T.1. - 04.04.95

Mr. Manoti: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate on the Presidential Address on the opening of this august House. I have a few comments to make. One, we can only improve the economy of this country after we have improved our roads. Our road network, especially in the rural areas, is very bad. When we talk of bad roads we mean that farmers cannot transport produce from their farms to the market. With the introduction of the petroleum levy the Government collects a lot of money and the Ministry should improve our roads. However, since this levy was introduced

we have not seen improvement of our roads. We expect some work to be done on our roads so that the people who pay this money can benefit. In Kisii District, where I come from, tea farmers have a lot of problems because they cannot move their tea from buying centres to the factory, especially during rainy season when most of the roads are impassable. So, I am also requesting the Ministry concerned to look into this problem of tea farmers.

Also, farmers who delivered their produce to the National Cereals and Produce Board (NCPB) in August, 1994 have not been paid their money and some of them cannot take their children to school. So, since the Board took the maize it should pay the farmers.

Another crucial point concerns electrification. Most rural areas have no electricity, even though cables taking electricity to urban areas pass through them. If electricity is provided in rural trading centres that fact can reduce the number of people coming to big towns to look for jobs. This is because it can be used to create jobs in small-scale jua kali industries.

Another point is that Kisii District Hospital, which was constructed in 1936, is in bad shape. For the last 10 years this hospital has not had a mortuary. This is a densely populated area and witnesses many deaths. We are forced to bury the dead even before their close relatives who stay outside the district have arrived because we have nowhere to keep the dead bodies. Those who are able transport their dead bodies to Homa Bay District Hospital, which is about 60 kilometres from Kisii do so. Nyamira District Hospital has a small mortuary, but it is not working. Most of our health centres in Kisii and Nyamira Districts do not have medicines. I request the Minister for Health to ensure that our health centres are expanded and stocked with medicines so that they can cater for the high population in Kisii and Nyamira Districts.

The other problem is that of unemployment. Many university graduates have flooded Nairobi and other big towns. The Government should look for ways of creating jobs for these young fellows. We get many people coming to us so that we can assist them get jobs, which are not there. We hear that the few jobs that are available are dished to some people at night. I think it is the responsibility the Government to create jobs for our young university graduates.

We also have water problems everywhere. Go to Kisumu, Mombasa or Kisii Towns, and you will find that even big hotels do not have water during the day. The Ministry concerned should ensure that these big towns have enough water. In my Bobasi Constituency we have the Metha Water Project which was started in 1978, but it worked for only one week. The Government spent a lot of money to construct this project but it has been left to lie idle. It seems as if the Ministry concerned does not make wananchi aware of what it does. In fact, wananchi in most parts of this country do not know whether the Ministry concerned with water exists. So, I call upon the Minister concerned with water to assist wananchi with borehole water, even if not with piped water.

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Mr. Temporary Deputy Speaker, Sir, quite a number of hon. Members from both sides of the House have talked about the Odongo issue. At times I wonder when somebody stands up and says that Odongo does not exist and yet the president of a neighbouring country has said that Odongo exists. Everybody should know that if there is a problem in this country it will not differentiate between Kanu and Opposition supporters. So, a national issue like the Odongo one should be taken seriously by everybody. We should work together as a team and promote the unity of this country.

With those few remarks, I beg to support.

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to

contribute to the Motion. First, I would like to thank His Excellency the President, Hon. Daniel arap Moi, for the excellent Address he delivered in this House when he opened the 4th Session of the Seventh Parliament on Tuesday last week. We in this country are lucky that we have the most experienced parliamentarian and also the wisest leader in this region.

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Mr. Temporary Deputy Speaker, Sir, I will confine my remarks to the liberalisation of the farming sector. Liberalisation has helped to strengthen the economy. This is not a secret; it is true. Liberalisation has enabled businessmen who had stashed away a lot of money to bring it back in order to take advantage of the high interest rates in this country. This has, in the process, increased the strength of the Kenya Shilling against the other major currencies. Costs of imports have marginally gone down and the economy is on course. Having said that, it would appear that the negative effects of liberalisation could, if we are not careful, cancel all the gain that the country is having from liberalisation. I would like to compare the liberalisation to an injection which a doctor gives to a patient. Some injections, we are told, get patients to react, and when they do so, the doctor who gave the injection is always ready to give medicine to counter the effects of that injection. The liberalisation injection has seriously poisoned the farming economy in western Kenya. The question is: Who is going to give the anti-dote, and when?

Mr. Temporary Deputy Speaker, Sir, when you and other hon. Members contributed on this Motion, you highlighted the plight of the farmers, particularly in western Kenya. You highlighted the problems in maize farming, sugar-cane farming and even milk production. Who is going to take timely action to correct those problems? I am saying this because even now, as I speak, there is a lot of maize being imported. If maize is still being imported, where will the National Cereals and Produce Board (NCPB) sell its maize? This is because the imported maize is said to be cheaper. It is alleged to be cheaper and I am contesting that. If, indeed, it is cheaper, ---

(Consultations)

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members! Can we hear hon. Muchilwa in silence?

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): Thank you for protecting me, Mr. Temporary Deputy Speaker.

Kenyan farmers are not lazy, they are very hard-working. If, indeed, what they produce is more expensive than what comes from elsewhere, it is because of the high cost of inputs and not because of the laziness of the farmer himself. Therefore, to the extent that a farmer is doing his best to ensure that he produces food for this country, to the extent that farming is the mainstay of the economy, surely, farmers have got to be assisted now. Hon. Kirwa correctly reminded us that the farming season is on. If the farming season is on and the farmers have no inputs, we are going to lose the whole season. Now, the effects of losing the whole season, if it is a maize season, are very serious. The effects are serious because we already have the problem of unemployment in this country and farming absorbs a lot of labour. If those people who depend on farming, like the ones who weed, plant and harvest farms are not going to have farms to weed,

plant, harvest and so on, where are they going to get their income from? If they have no income, many as they are, how do we expect them to eat? If they have nothing to eat, do they not pose a serious security problem? We know that security is important in this country. We are all concerned, but why do we not prevent rather than cure? Why are we waiting for those able-bodied young men from western Kenya to be so hungry that they fall prey to those who may wish to

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recruit them for evil motives? I am saying this, knowing very well that western Kenya is the area targeted first by the so called "FERA". I submit that we should seriously think of prevention of problems instead of curing the effects of those problems.

Mr. Temporary Deputy Speaker, Sir, now that the NCPB has got a lot of maize delivered to it, and I thank them for accepting some of the maize from the farmers, I would plead that they be given the money to enable them to pay farmers forthwith so that farmers can grow crops during this season, to enable the country to have enough food so that we do not go begging for food from elsewhere next year. Similarly, I would also say that the Agricultural Finance Corporation (AFC) be strengthened by being given sufficient funds to enable it to service the farmers. If we do not do that, we are inviting problems. I am not blaming anybody, and I know that there is scarcity of money but in an emergency, we must take action. We cannot just sit back and hope that the situation will go away. This situation will not go away. It has got to be solved and we are not going to abandon the farmer and just praise him by giving him lip-service saying; we are doing very well, there is liberalisation, therefore, farmers should produce, and so on, without seriously looking into his problem and solving it in time, and the time is now.

An hon. Member: You will lose your job!

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): I will not lose my job. I will keep my job.

Mr. Temporary Deputy Speaker, Sir, we are privatising the sugar industry. As you said the other day, Mumias Sugar Company is producing its sugar, and if it cannot sell its sugar,--- In fact, I am also a sugar-cane farmer. They do not cut cane when it matures, instead, they have to cut it six months later because if they were to operate like before, then they would have nowhere to store their sugar, let alone getting money to pay the farmers. If we are privatising that company and they are not selling sugar, obviously, the shares will be much less, which means that we will sell that company at a loss. Why should we sell that company at a loss as a result of a situation that can be cured? I would say the same thing about a proposed factory in Busia. Who is going to produce the money if the sugar is just being dumped here? I dare suggest that all these problems are being brought about by some people somewhere who do not like the Kenya Government and who want to knock it down by strangling the agricultural sector because they know that if they strangle agriculture, then the Government can be brought onto its knees. We better address this problem seriously and make sure that the liberalisation knife which we were given does the job it was supposed to do: To strengthen the economy and not to be used to cut ourselves. If they gave us fish, they should let us eat the fish without swallowing it with bones. Right now, we are swallowing the fish with the bones. We started embracing this "animal" called liberalisation before we put legal instruments in place to control the animal and now, the animal is finishing us. I say that once goods are sized, like the sugar which has been sized in Mombasa, the legislation should be changed so that those people are jailed and not just bailed out. They are so rich that if we tell them to pay a fine, they will pay it because they have been engaged in "magendo" for a long time. In fact, "magendo" is finishing Kenya.

Therefore, we should change the legislation to enable this country to survive.

Thank you, Mr. Temporary Deputy Speaker, Sir, with those remarks, I support.

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Mr. P.N. Ndwiga: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this last opportunity to contribute to this debate. Now, this is a good debate.

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Mr. P.N. Ndwiga: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity to deliberate on His Excellency's address to this House. We have been discussing other things instead of what was said in the speech. Nothing was passed to this nation in that address. There was no exposition of public policy in that address. Hence the debate allows us to discuss other things. That gives us a good opportunity.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the Catholic Bishops of this country for being patriotic Kenyans and for being unlike hon. Keya, who is infringing House Orders. I would like to thank the Catholic Bishops for being people who have the welfare of the nation at heart and for keeping their nation above their own interest. The morality of the current Government is on record, and it is known everywhere. It is interesting to note that when the Government is criticised, the very people, including Cabinet Ministers who, during the previous week were running up and down the streets, almost naked, condemning an imaginary Odongo. By doing this, they instilled fear in the lives of Kenyans by burning and killing an imaginary person. I would like to thank hon. Munyi for not ashaming his people from Embu by acting like other Cabinet Ministers. When the Government is told the truth of their deeds---

The Minister for Commerce and Industry (Mr. M'Mukindia): On a point of order, Mr. Temporary Deputy Speaker. Is the hon. Member for "Manyatta" in order to mislead this House that Odongo was an imaginary person, when the President of Uganda himself has actually ascertained that Odongo was alive and has been in Uganda for several years and has now been taken to Ghana? How can he mislead this House?

Mr. P.N. Ndwiga: Mr. Temporary Deputy Speaker, Sir, first and foremost, I wish to inform the mis-informed hon. Minister that there is no constituency called Manyatta. Runyenjes constituency is made up of both Runyenjes and Manyatta divisions and hon. Munyi is not a representative of either of those two places. I am their representative in this House.

(applause)

So, please, if that is the point you wanted to make, you have got a good rejoinder!

Mr. Temporary Deputy Speaker, Sir, I support the Catholic Bishops. I wish to address the issue of the mis-use of the provincial administration in this country. The ruling party, KANU and this Government are misusing the provincial administration to harass the Opposition hon. Members. The DCs, DOs, Chiefs, sub-Chiefs and the police are being used as agents on the ground.

An. hon. Member: How?

Mr. P.N. Ndwiga: How can you ask how? Hon. Munyi's right hand man is Embu

District Commissioner who is KANU activist. The world is seeing what is happening out here. I do not think you will also allow this intimidation.

The Minister for Commerce and Industry (Mr. M'Mukindia): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to continue discussing hon. Munyi without bringing a substantive Motion? Can he desist from discussing a hon. Minister in the KANU Government?

Mr. P.N. Ndwiga: Mr. Temporary Deputy Speaker, Sir, if you look at hon. Munyi, he is substantive enough. He does not require---

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Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Ndwiga. I have given you so much lee-way. You are flouting the provisions of Standing Order No. 73(3). If you have anything to discuss about hon. Munyi, bring a substantive Motion.

Mr. P.N. Ndwiga: Thank you, Mr. Temporary Deputy Speaker, Sir, hon. Munyi is my friend and there is nothing to discuss about him. But soon, there will be a lot to discuss about Mr. Angaine.

(laughter)

While discussing provincial administration, we would like this Government first to realise that civil servants are employees of all Kenyans regardless of their party affiliation and they must serve all Kenyans without equally. While I accept that conflicts do sometimes exist, some misunderstanding come about because of the misuse of the civil servants. Kenyans will resist this and very soon you will hear posts of chiefs and even the DCs being done away with because they are misusing the powers conferred to them by their employer. An example is what happened in Embu two weeks ago. A licence for a public rally was applied for a month earlier, but the DC acting on instructions from elsewhere, did not issue the licence. On the day of the meeting, the DC ordered police to arrest six hon. Members. What a shame!

Mr. Temporary Deputy Speaker, Sir, my other point is on the economy. I think it is high time our Government took liberalisation seriously. I have in mind the agricultural sector. Those of us who represent coffee and tea farmers, would like to see total liberalisation in that sector. In the coffee industry, the Government has allowed the establishment of coffee milling factories but it has not allowed private marketing of coffee. We would wish to see the Coffee Board of Kenya (CBK) playing the role of a statutory board, but keeping off marketing of coffee. Given the right incentives, we feel this would go a long way in helping our farmers.

We are losing a lot of money in the tea industry because contrary to what the hon. Minister for Agriculture, Livestock Development and Marketing told us here in this House, Kenya Tea Development Authority (KTDA) is deliberately stealing from tea farmers. I am ready to substantiate that if need arises. Right now, KTDA is in the process of buying a building in Nairobi at the cost of KShs.210 million without the authority of the farmers. Two months ago, the same Authority went ahead and purchased Bedford lorries at a cost of KShs.140 million. In this case, the KTDA took the highest tenderer. This is evidence of corruption in this organisation and it must be condemned. Instead of KANU condemning the Catholic Bishops, it should come out strongly and condemn the rampant corruption in high circles of Government organisations.

Recently, it was announced in Meru that a certain area was going to get preference when it comes to teacher training sector. In Embu, we have a Teacher Training College called Kigari Teacher Training College, which does not train students from Embu. It is a big shame,

yet these same people who are not benefiting from Government resources are being asked to join KANU. We know where we have come from; where we are today and where we are going.

Mr. Temporary Deputy Speaker, Sir, with those few words, I beg to oppose.

(applause)

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The Temporary Deputy Speaker (Mr. Wetangula): It is now time for the Mover to reply.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, it is my pleasure to be stand up to be able to reply to this Motion. But I think that before I proceed, I should commend all the hon. Members and the House as a whole for the fact that all the Seven Allotted Days have all been exhausted in the discussion of this very important Statement.

Mr. Temporary Deputy Speaker, Sir, I am right in my judgement that the fact that the hon. Members have taken all the time allotted for this Speech is a demonstration of the fact that this Speech did set out all the guidelines on matters of public policy that are very essential. There were those who wanted to cast aspersions on the Speech but I believe that given the contributions that have been made, there is no doubt that the content of this Speech speaks volumes in terms of essence and in terms of depth as far as our country is concerned. I therefore wish to sincerely thank all the hon. Members who have made their contribution.

There are many issues which have been raised during this debate on the Floor of this House. I believe that every hon. Member who has spoken has spoken from the bottom of his heart. It is true that we may not have agreed with one another but again that is democracy. I will, given the time allotted to me, only touch on a number of the subjects that the hon. Members did touch on.

A lot has been said about our own economy. I believe that the well being of our economy is important to all of us. Essentially, the thrust of the debate was that indeed we would wish to see our people living well and being able to enjoy prosperity. But I think there were issues that were raised in connection with the economic reforms which are taking place. Let me remind hon. Members of one thing. That, two years ago, when this Parliament was inaugurated, it was the opposite side that was talking a great deal about the virtues of the structural reforms. We also said that the Structural Adjustment Programmes should be guided. The SAPs have to be properly taken care of and properly managed.

Mr. Temporary Deputy Speaker, Sir, we have embraced liberalisation. We have agreed that the Kenyan economy has got to be liberalised. It is indeed true that in the last two and a half years, the Kenyan economy has begun to demonstrate that certain positive gains are beginning to emerge. If you look at the external side, you will find that our own balance of payments has grown. This country has no problems when it comes to the importation of the essential commodities. Exports have also grown but it is equally true that in a liberalised and a free market economy, you also allow a number of things to come in. Liberalisation has meant that the one that has got the money can import anything into this country. But I think that the hon. Members were also right to observe that there are certain imports which have come into this country which are definitely having adverse effects on our own domestic economy and

agriculture. It is indeed true, as some of the hon. Members said, that some agricultural products that have been imported into this country have affected the well being of our own farmers. It is equally true that certain industrial goods which have been imported into this country have affected the well being and the performance of our own industries. That, of course, in itself is bad given the fact that when that one happens our ability to generate employment opportunities is that much restrained.

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I want to inform hon. Members that the Government has indeed observed these negative trends of liberalisation. As we are talking now, I want to assure the hon. Members that the Government is studying very, very carefully how to deal with these negative effects. We are looking into a situation where we believe that the time has come to take stock of things as far as SAPs are concerned. We must retain the good ones. We want to say to the world that SAPs will remain; the core of the reform process will remain and there is no going back. There is no way we are going to go back. But at the same time we are going to evaluate every aspect of liberalisation to ensure that we continue with the process our farmers are not adversely affected, our industries are not affected and that more jobs are created. So, the concern of hon. Members is one issue that the Government is looking into very, very seriously. This is not mere rhetoric; it is a statement of commitment; that we are looking into this matter to ensure that our farmers are not affected by cheap milk imports and butter, sugar and so on. We have got to be very frank about these things. This is because if we do not take care of our own farmers, they will lose the capability to produce sufficient food for us; to be able to create jobs.

Another issue which was touched on has to do with the security of this country. I want to commend the hon. Members for realising that there is no country that can be able to develop unless the security is properly entrenched and unless there is proper stability. Admittedly, as we discuss the issue of security, it has been approached from different angles. I know that certain Members from the opposite side were concerned believing that maybe we are hitting at them. I want to say that there are bad elements who want to ruin the security of this nation. When that happens let us all stand up as patriotic citizens of this country and say no. We must say no to anybody who wants to ruin the security of this country. The issue of security should not be approached from a partisan point of view. If we get insecurity in this country it will affect all of us. If you think you are safe, your relatives will be affected. Therefore, let us resolve once again in this House that we condemn anyone who wants to create insecurity in this country. Let us resolve collectively that anyone or any group or any organization committed to wrecking the stability of this nation is the real enemy of this country.

I want to say here that when we talk about security these issues are taken lightly. There is the issue of the guerrillas led by Odongo. Maybe because Odongo comes from a certain part of this country, I can see the tribal orientation in some people. We are not hitting at any community. Odongo himself is an enemy of Kenya.

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We have got to accept facts especially when they come from none other than a Head of State of another country. What do we Kenyans want? That Head of State made it clear that Mr. Odongo did have a subversive camp in Uganda training people intended for invasion and we are also told that, indeed, the Army of Uganda went and destroyed that camp. We are being told the

truth. Mr. Temporary Deputy Speaker Sir, you want to play around. You wait until the trouble comes. So, let us say, we are not worried at all, let us go after the person fully and clearly. Let me also assure the hon. Members one thing, when it comes to the matter of security, on that particular issue, the government which is elected and is in power, has the responsibility to ensure that we do safeguard the security of this country. That the government has the responsibility to ensure that we do provide the security of every Kenyan and on that call, there will be no compromise. There will be those who will still complain. Let me also remind our friends in the Opposition but not all of them, that they can also help the government. We are all legislators, and the legislations that we make here, behoves that we must show respect to our own legislations. Let us not behave in a manner that we are above the law. We are not. That will help us and I have no doubt that this Parliament, being a multi-party Parliament, will demonstrate to our own people that, we are indeed maturing. Let us demonstrate to them that we have come here to serve Wananchi, that we have not come to this House for the sake of abusing each other. We are not here because I dislike you Mr. Temporary Deputy Speaker, Sir, I must find anything wrong with you including even taking you for private prosecution merely because I do not like you. Let us not be that cheap.

Mr. Mulusya: Can you elaborate on that?

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mulusya! Aggravated interjection is called heckling and is against the rules. Carry on Prof. Saitoti.

The Vice-President and Minister for Planning and

National Development(Prof Saitoti): Thank you very much Mr. Temporary Deputy Speaker Sir. Let me also touch on another issue, I believe that received a great deal of attention and that is the Constitution. I want to remind hon. Members here that the current Constitution of Kenya has taken us since 1963 when it was formagated todate; period of more than 30 years. I submit that, if this has been a very faulty Constitution, a very bad Constitution, as we are being made to believe, I do not believe, we would be enjoying peace in this country. Having said that one, let me put it this way. We are indeed a dynamic nation, and indeed, we must also take into account the various changes. The various amendments will take place, but I myself want to declare my position as I sit that the core of our Constitution is sound. If it were not sound, we will not be here. I do agree, because of the dynamic forces, yes, here and there, we can actually be able to amend the Constitution. But let us not say, "Oh, this is a bad document". There is something else which is more important. What is important let us remember, it is not the finesse, it is not the intricacy of that document that matters. It is the commitment by every citizen to what is enshrined in the Constitution. Many countries, have had fantastic Constitution. Look for example at a country like Nigeria, beautiful, federal constitution, written by the most brilliant lawyers of this world. What has happened today? They do not enjoy anything. Rwanda had a Constitution, Burundi had a Constitution. What has happened? Also Somalia had a Constitution and many other countries. Let us understand one thing here. **X.2 - 04.04.95**

It is not the so called writing of the Constitution, that will save this country. It is the commitment of each one of the citizens of this country. That is what will save this country. That is important.

Let me also say another thing, Mr. Temporary Deputy Speaker Sir, very quickly. We will be discussing, I believe tomorrow the Public Accounts Committee Report. But there is some misinformation that has been given out. The Public Accounts Committee has not yet been constituted. I think it is true. We did constitute the Sessional Committee but we have not yet constituted a Public Accounts Committee. Some people are saying that the Public Accounts

Committee should resign when there is no committee to resign. We have not yet appointed one. That is one thing to be understood. There is another issue, I would like to say. The Report of the Public Accounts Committee is not a Report of one person. It is a Report of...

The Temporary Deputy Speaker (Mr. Wetangula): You are anticipating debate.

Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Speaker Sir, because it is a general debate, I was trying to cast some light, because there has been confusion.

(Laughter)

There has been confusion and I think, it is important to say, we are not interested in the internal politics.

Mr. Temporary Deputy Speaker Sir, let me go very quickly. The issue of the Church has been discussed. I want once again to say that the security and stability of this country behoves all of us to embrace it. Whether we are in the pulpit or whether we are in this House, let us embrace it. Let me put it this way. One cannot understand why, the Bishops had to issue that statement. It came out of the blue. We are told that we are a sick society. I say there are sicker societies. If there is one sane society, I submit it is Kenya.

An hon. Member: I agree with the bishops.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, we are not a sick society. If there is a national which is sane, it is this country. We are not sick. Look at what is happening in the other world. When you go to the church in this country, every church in this country on Sunday is full. If you go to America, Europe, the churches are empty. So, what conclusion do you draw? We are a very sane society and I want to say the following. I believe that the role of the church is to come and to work with US, the politicians, the government, for the sake of unity and stability. But if they come out openly showing their own bias, working for the Opposition. I do not think the Opposition requires to be helped by the Church.

Mr. P.N. Ndwiga: On a point of order Mr. Temporary Deputy Speaker Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Yes, Mr. Ndwiga.

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Mr. P.N. Ndwiga: Thank you Mr. Temporary Deputy Speaker Sir. Is it in order for the Vice-President, after he admits that we are a sick society, in other words concurring with the bishops, then go round and say---

The Temporary Deputy Speaker (Mr. Wetangula): Order! Mr. P.N. Ndwiga. You are now pursuing an argument and not a point of order. Carry on, Professor.

Mr. P.N. Ndwiga: I am not through, Mr. Temporary Deputy Speaker, Sir.

An hon. Member: Keti chini!

The Temporary Deputy Speaker (Mr. Wetangula): Order! Mr. Ndwiga. Carry on Prof. Saitoti.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, let me state categorically and I believe it so, that Kenya is a sane society.

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

The Temporary Deputy Speaker(Mr. Wetangula): Order! Order hon. Members!.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Order hon. Members. Hon. Members it is now time to interrupt our business. Therefore, the House stands adjourned until tomorrow Wednesday, the 5th of April, 1995, at 9.00 a.m.

The House rose at 6.30 p.m.

End.X