

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 3rd August, 2006

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

### PRAYERS

### PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of the Kenya Ferry Services Limited for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Kenya Ferry Services Limited for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of the  
Minister for Transport)*

Annual Report and Accounts of Kenya Tourist Board for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Kenya Utalii College for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of the  
Minister for Tourism and Wildlife)*

Annual Report and Accounts of Nyayo Tea Zones Development Corporation for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of National Cereals and Produce Board for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of  
the Minister for Agriculture)*

Annual Report and Accounts of the Investment Promotion Centre for the year ended 30th

June, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of the  
Minister for Trade and Industry)*

Annual Report and Accounts of Kenya Reinsurance Corporation Limited for the year ended 31st December, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of  
the Minister for Finance)*

Annual Report and Accounts of Kenya Broadcasting Corporation for the year ended 30th June, 2002 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of the  
Minister for Information  
and Communications)*

Annual Report and Accounts of Kenya Pipeline Company Limited for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Justice and Constitutional Affairs  
(Mr. Mungatana) on behalf of the  
Minister for Energy)*

Report of the Departmental Committee on Finance, Planning, Trade and Tourism on the study tour of the United States of America on the budget process and aspects of money laundering carried out between 29th May and 16th June, 2006.

*(By Dr. Oburu)*

Report of the Departmental Committee on Education, Research, Science and Technology on the study tour of learning institutions in Kenya.

*(By Mr. Karaba)*

Report of the Departmental Committee on Health, Housing, Labour and Social Welfare on the study visit to the Republic of Cuba, the Federal Republic of Brazil and the United Mexican States.

*(By Dr. Manduku)*

Report of the Departmental Committee on Energy, Communications and Public Works on the study tour to the Federal Republic of Germany and the United Kingdom.

(By Mr. Mbau)

### QUESTIONS BY PRIVATE NOTICE

#### INCREASED SECURITY FOR RETIRED PRESIDENT

**Mr. Salat:** Mr. Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice.

(a) What entitlement has the Minister facilitated for the upkeep of H.E. the retired President pursuant to the Presidential Retirement Benefits Act of 2003?

(b) Could the Government increase security for the retired President, in particular escort vehicles?

**The Assistant Minister for Finance (Mr. Kenneth):** Mr. Speaker, Sir, first of all, on behalf of the Ministry, I would like to wish the retired President quick recovery, because this Question concerns him. Also, I would like to wish all those who were involved in that accident quick recovery, so that they could rejoin their families as soon as possible.

Having said that,

Mr. Speaker, Sir, I beg to reply.

(a) The Presidential Retirement Benefits Act, 2003 provides retirement benefits for His Excellency the retired President which are already in payment to him. It is a very long list but it is already in the Presidential Retirement Benefits Act, 2003.

(b) All the benefits of the retired President are covered by an Act of Parliament including the number of security people he is entitled to. Therefore, any alterations of these benefits can only be done through an amendment of the Act by this House.

**Mr. Salat:** Mr. Speaker, Sir, part "a" of the Question is very clear: What entitlement has the Minister facilitated to the former President? The Assistant Minister is, instead, telling us what the Act provides for. I was asking what exactly has been facilitated by the Ministry. As we are aware, some of the dues that the Act provides for to the former President, have not been provided for. One case in point is that the car that the former President was travelling when he was involved in that accident, was a personal car. Since according to the Act the former President is entitled to two cars, could the Assistant Minister tell the House whether those particular provisions, especially the cars, have been given to the former Head of State? Could he please tell us the number plates so that we can actually know which cars these are.

**Mr. Kenneth:** Mr. Speaker, Sir, I made it very clear in part "a" of my reply that all the retirement benefits for His Excellency the retired President are already in payment to him. I do not know what brief Mr. Salat has; that the retired President has complained of not having been given those benefits. He is entitled to two saloon cars and two four-wheel-drive vehicles as per the Act and they can only be replaced at the end of three years from the time he was given.

**Mr. Gitau:** Mr. Speaker, Sir, as we deliberate on this issue, it is important that we do not allude to the issue of the accident as having been caused by insecurity. It is important for the Assistant Minister to confirm that the Government has acted in accordance with the law that provides for benefits of the retired President.

**Mr. Kenneth:** Mr. Speaker, Sir, I think I made it clear when I first answered the Question, that payment has already been made to His Excellency the retired President for his entitlement. We

are within the Act.

**Mr. Sungu:** Mr. Speaker, Sir, the law is the law and it must be followed. It does not matter who it is. The former President is a former President of this Republic and he has worked for this country. We will talk about escort cars. It could be a Volkswagen and the other vehicle he is using is a Mercedes Benz. These cannot work together. Could the Assistant Minister assure us that the escort cars allocated to the former President will be that of quality and service level that can relate and work together with his cars so that he is not left exposed to accidents of the type that he met with, because his security and escort cars were left behind?

**Mr. Kenneth:** Mr. Speaker, Sir, I am very surprised by Mr. Sungu because he participated in the debate to decide which kind of vehicles a retired President can be given. Unless he is telling me that he was not here when this House passed that, two new cars---

**Mr. Sungu:** On a point of order, Mr. Speaker, Sir. My question relates to the condition of the cars allocated to the former President. It could be a 20-year-old car and the former President is riding in a one year old car so that they cannot match. I am asking whether these vehicles that have been allocated to the former President are up to the standard required.

**Mr. Kenneth:** Mr. Speaker, Sir, the law is very clear. Unless the hon. Member is ignorant, the law that was passed in this House talks of two new cars, up to 3,000 cc, replaced every three years. This law came into effect in January, 2004. Since then, three years will actually elapse at the end of this year.

**Mr. Salat:** Mr. Speaker, Sir, I asked this Question because I had the privilege to know whether those cars had been allocated to the former President. I can assure the Assistant Minister that the former President has not received the cars that he is claiming to have been given to him. That is why we are asking whether the Assistant Minister has fulfilled the requirements of the Act because I can tell you clearly that the former President has not received those cars that he is entitled to. The state that the former President is living in is not as is required by the Act.

**Mr. Kenneth:** Mr. Speaker, Sir, I did ask what brief Mr. Salat has because it is not correct. I have a letter from the Private Secretary to His Excellency the retired President which states that the only thing that had not happened as at 20th June, was an outstanding part of his pension. The hon. Member is speaking about matters that he is not aware of.

**Mr. Angwenyi:** On a point or order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House that everything has been provided without stating whether those vehicles are insured or not and whether the bills of the two other people who were hurt and taken to Kijabe Hospital have been paid? Have those people been compensated for the accident?

**Mr. Speaker:** That is a supplementary question! You all know Government vehicles are not insured!

**Maj-Gen. Nkaisserry:** On a point of order, Mr. Speaker, Sir. Would I be in order to ask the Assistant Minister to table a list of the number plates of the vehicles provided to the retired President?

**Mr. Speaker:** How would that help?

**Mr. Salat:** Mr. Speaker, Sir, it helps!

**Maj-Gen. Nkaisserry:** Mr. Speaker, Sir, it will help to confirm whether the retired President has received his entitlement.

**Mr. Kenneth:** Mr. Speaker, Sir, the hon. Member is a retired Army General and knows that out of security reasons---

**Maj-Gen. Nkaisserry:** I am not a General! I am an hon. Member!

**Mr. Kenneth:** You are an honourable retired General as far as I am concerned!

**Mr. Speaker:** Order, both of you! As a matter of fact, unless you retire your commission,

Army Generals actually remain Generals throughout. They may not be in active service but they are Generals for life!

**Mr. Kenneth:** Mr. Speaker, Sir, in his designation he normally indicates "Retired General". We are talking about people who have retired here. I confirmed to this House that everything that the retired President was entitled to was delivered, other than some pending payment that the Private Secretary raised on 20th June, this year which is being sorted out. So, the vehicles have been delivered. We cannot provide the number plates for security reasons because they are GK vehicles.

**Mr. Speaker:** Very well! We have taken too much time on this Question.  
Next Question!

EXCLUSION OF MWIHILA SECONDARY SCHOOL FROM TEACHER  
RECRUITMENT EXERCISE

**Mr. Arungah:** Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

(a) Why has Mwihila Secondary School been omitted from the list of schools to benefit from the ongoing teacher recruitment exercise, taking into consideration that 11 of its teachers have either been transferred or interdicted?

(b) What urgent measures is the Minister taking to ensure that the school as well as Luanda Dudi, Eshinutsa, Khwisero Girls and Khwisero Mixed Secondary Schools, which have inadequate teachers benefit from the recruitment exercise?

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

(a) The staffing position of Mwihila Boys Secondary School currently stands at 33 teachers on duty. Considering that the school is one and a half streamed; 240 students, then they have got enough teachers. The curriculum based establishment of a single streamed school is nine teachers. The Teachers Service Commission will continue to provide teachers to the school as enrolment increases.

(b) Currently, the Ministry has no intention of providing more teachers to Mwihila Secondary School since it has got enough teachers. Khwisero Mixed Secondary School has got enough teachers as per the curriculum based establishment and, therefore, does not require extra teachers. However, there are two other schools that would require teachers but, unfortunately, they were not allocated any teachers because it was not possible for the Ministry to allocate teachers to all the schools that required teachers during this recruitment season. We do undertake to strive to give them teachers as soon as the situation improves.

**Mr. Arungah:** Mr. Speaker, Sir, in part "a" of his reply the Assistant Minister has given wrong information because I visited this school last week and the enrolment was 425 students. The figure of 240 students is for two years ago. There was no single teacher to teach CRE and there was no computer teacher.

As for part "b" of the Question, I do not know what the Assistant Minister expects me to tell the parents who sell their chicken and cows to pay school fees. I will now have to tell them that they could not be given teachers because the quota for the district was exhausted. Is that what the Assistant Minister expects me to go and tell the parents who have to go through so much to pay school fees and then there are no teachers?

**Dr. Mwiria:** Mr. Speaker, Sir, I do not expect the hon. Member to tell the parents that.

**Mr. Poghio:** Mr. Speaker, Sir, I have a school in my constituency called St. Comboni Amakuriet Secondary School. It is a new school. I think the Assistant Minister has decided this year that schools whose enrolment is not exceeding 100 will not get teachers even when they lack

the teachers. Why is this school expected to have an enrolment of 240 students when it is just a new school? When will they get the teachers whom they deserve?

**Dr. Mwiria:** Mr. Speaker, Sir, we allocate teachers to schools not on the basis of the 240 students. The 240 students figure happens to be the enrolment for this school in Khwisero. The school has to be first registered. We have a lot of new schools that are not registered and the TSC has not received teaching establishment for us to establish whether or not they should get teachers. As soon as that is done, we will strive to give them teachers. It is not necessarily the case that a school must have an enrolment of up to 240 students.

**Mr. Speaker:** Sorry, hon. Members! I am under pressure of time. I will have the last question. Mr. Arungah, you can see what the time is. I must finish by 3.30 p.m.

**Mr. Arungah:** Mr. Speaker, Sir, three secondary schools have a shortage of up to three teachers each. Could the Assistant Minister tell us what he will do to make sure that, at the beginning of next term, these teachers are made available?

**Dr. Mwiria:** Mr. Speaker, Sir, under the circumstances, the best we can do is to try to balance. We will identify schools that have more teachers than they need and hope that we can arrest the situation somewhat, as we hope to have a recruitment plan for them next year.

#### ISSUANCE OF ID CARDS TO YOUTHS

**Mr. C. Kilonzo:** Mr. Speaker, Sir, I beg to ask the Minister of State for Immigration and Registration of Persons the following Question by Private Notice.

(a) Is the Minister aware that very many youths do not have national identity cards as a result of which they cannot vote in both parliamentary and presidential elections?

(b) Is he further aware that the Electoral Commission of Kenya will be registering voters from 15th August to 15th September, 2006 and that there will be no further voter registration before the next general elections?

(c) What urgent action is the Minister taking to ensure that youths who have attained the age of 18 years are not denied their right to vote?

**The Minister of State for Immigration and Registration of Persons (Mr. Konchella):** Mr. Speaker, Sir, I beg to reply.

(a) I am aware that many youths are yet to get their identity cards and more are yet to be registered.

(b) I am not aware since the issue of registration of voters cards does not fall under my docket.

(c) Arrangements have been put in place to ensure that those who apply for identity cards, at the attainment of 18 years, are given the same without delay. The Ministry is currently undertaking an exercise to register all Kenyans who are eligible, to enable them take part in the 2007 General Election.

**Mr. C. Kilonzo:** Mr. Speaker, Sir, sometimes these Ministers amaze me. In part "b" of his reply, the Minister says that he is not aware and that is the end of it. As a Member of the Cabinet, could he not have consulted his colleague to confirm whether it is true because the issuance of IDs and voter registration cards go hand in hand? The Chairman of the ECK, Mr. Samuel Kivuitu, has already stated that he will not give voter registration cards next year. What will the Minister do to ensure that our youth get IDs immediately before the Chairman of the ECK closes the exercise?

**Mr. Konchella:** Mr. Speaker, Sir, it is not my responsibility to discuss with Mr. Kivuitu on how he runs his business. But I have said that we are undertaking an exercise; it is actually a crash programme to ensure that not only the youth, but all Kenyans who do not have identification cards and deserve or are entitled to have them, get them. They will receive those cards within the next

three or four months so that they are able to register for the General Elections of 2007.

**Mr. Gitau:** On a point of order, Mr. Speaker, Sir. The Minister is saying that the registration of persons is ongoing, yet he knows that his Ministry has no films to help Kenyans get identity cards. How can the process be ongoing when there are no films? Is he in order?

**Mr. Konchella:** Mr. Speaker, Sir, I am in order because I have said that we have just started a new financial year. The process of allocation of funds to the Ministry is already ongoing, but this is a special task because we are registering three million Kenyans and it is an uphill task. Between January and now, we have issued out identity cards to 300,000 Kenyans. Those films are not made in Kenya. They are imported. Those are materials that we have to get from elsewhere. So, the process is ongoing, to ensure that adequate materials are there and that additional funds are sought from the Treasury. This process is ongoing and I can assure hon. Members that if they help the Ministry to make the people aware and to enable them to move to the registration centres, then we can register everybody.

**Mr. Gitau:** On a point of order, Mr. Speaker, Sir. Unless the Minister decides that my question is not pertinent, I have raised an issue about films. How can the exercise be ongoing when there are no films that are necessary in the registration process?

*(Applause)*

**Mr. Konchella:** Mr. Speaker, Sir, the procurement of films is being done!

**Mr. Gitau:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order! Order, Mr. Gitau! We are running short of time now!

Proceed, Dr. Ali!

**Dr. Ali:** Thank you, Mr. Speaker, Sir. I think the Minister is taking the House for a ride. He knows very well that in areas like Wajir, even if you register now, you cannot get your identity card within the next five to six months. How do you expect to issue identity cards to people in those areas when there are no films, papers and money for the registration officers to enable the officers to go outside the registration centres and district headquarters and register people? How will those people ever get identity cards?

**Mr. Konchella:** Mr. Speaker, Sir, we have a special programme which will be taking off very soon, particularly for areas like North Eastern Province, Eastern Province and most of the arid zones which are expansive. I intend to provide vehicles to those areas, even to the divisional level to enable the officers to register people during market days and at the villages. That programme should take off within the next four months when we receive vehicles either by procurement or when the re-allocation of vehicles, which is now going on within the Government, is complete. The vehicles will be re-allocated to those areas so that we can undertake the exercise. The forms and papers are there. The problem at the moment is that there is no fuel and vehicles to distribute those equipment or materials to the registration centres. But within a month, we will start moving everywhere in the country.

**Mr. Mukiri:** Thank you, Mr. Speaker, Sir. I have had to use my own money to organize my constituents to get identity cards because the Ministry does not have enough money. My problem is with the headquarters. Once the identity cards are brought to the headquarters, the machine that is supposed to process them has a perennial breakdown. That is why even when you use your money to organize people to go and apply for identity cards, eventually the identity cards do not get to the constituencies because the machines that are supposed to be doing this work are not functioning. What is the Minister doing to make sure that we get a machine that will be able to serve Kenyans?

**An hon. Member:** Without Anglo Leasing!

**Mr. Konchella:** Mr. Speaker, Sir, we are addressing that issue. Yes, the process of issuing identity cards is slow and sometimes the machines break down, but not so much. The machine is working, but not at the speed we require it to work. We are looking at other ways, including outsourcing the printing of the identity cards so that we can speed up the process. This will be done in time to enable Kenyans to register for the General Elections next year.

**Mr. Ahenda:** On a point of order, Mr. Speaker, Sir. I need some guidance from the Chair. Do you have some powers that can compel the Chairman of the Electoral Commission of Kenya (ECK) to allow for registration of voters next year? I happen to have had the letters addressing the issue that the Questioner is talking about, that Mr. Kivuitu is giving us only August to September, 2006, to register as voters, and there will be no other registration exercise next year.

**Mr. Speaker:** Unfortunately, I do not have those powers!

*(Laughter)*

Order! Order, hon. Members! Order! For the benefit of all hon. Members, under the Constitution, the ECK cannot be directed by any other authority, including Parliament.

**An hon. Member:** Except NARC(K).

*(Laughter)*

*(Mr. C. Kilonzo stood up  
in his place)*

**Mr. Speaker:** Order! Please, go ahead!

**Mr. C. Kilonzo:** Thank you, Mr. Speaker, Sir. It is one thing to apply for an identity card, and it is another thing to get it. I know that the Minister has a problem with his cleaners who steal documents like passports and identity cards. Can he assure us that the people who apply for identity cards get them as fast as possible, because they are denying the youth the chance of even looking for employment? You cannot look for employment without an identity card!

**Mr. Konchella:** Mr. Speaker, Sir, I wish to advise the hon. Member that passports and identity cards are not processed in the same building. They are processed in totally different areas.

I will ensure that people who apply for identity cards get them as fast as possible.

**Mr. Speaker:** Very well! Let us move to ordinary Questions!

## ORAL ANSWERS TO QUESTIONS

### *Question No.351*

#### WITHHOLDING OF REPORT ON BOMBOLULU GIRLS SCHOOL TRAGEDY

**Mr. Rai** asked the Minister for of State for Administration and National Security:-

- (a) whether he is aware that Bombolulu Girls Secondary School was burnt down on 25th March, 1998;
- (b) whether he is also aware that a public inquiry was conducted by a 13-member commission which sat for 30 days; and,
- (c) why the Government has not released the findings to the public.

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



reply.

(a) Yes, I am aware that Bombolulu Girls Secondary School was burnt down on 25th March, 1998.

(b) Yes, I am also aware that a public inquiry was conducted by a 13-member commission, but not within 30 days as alleged. It was conducted between 29th April and 29th June, 1998.

(c) The Government has not released the findings to the public as the Commission of Inquiry was required in the terms of reference to make recommendations that would, among others, assist in preventing the occurrence of similar incidents in institutions of learning. Nevertheless, the Government has gone ahead to implement the recommendations of the commission.

Thank you, Mr. Speaker, Sir.

**Mr. Rai:** Mr. Speaker, Sir, I am amazed by the answer given by the Assistant Minister because my Question was actually why there has been a delay in releasing the Report. The history of Bombolulu fire tragedy will never get out of our minds because of the loss of 22 children who perished in this particular fire tragedy.

In fact, the parents have, time and again, tried to pursue this matter by seeking legal advice and the only bottleneck was the fact that the Report has not been released. This is because where there are recommendations, there must be some findings. What are the findings of the Commission of Inquiry? How much was spent on this Commission of Inquiry?

**Mr. Kingi:** Mr. Speaker, Sir, among the terms of reference of that Commission of Inquiry was to make recommendations that would ensure that such occurrences did not happen again. When this Report was ready, it was presented to the then Head of State, Mr. Moi, in July, 1998, and most of the recommendations were passed on to the schools. I am sure that such occurrences will not occur again.

**Mr. Rai:** Mr. Speaker, Sir, my question is: Before any recommendations are made, there must be some findings. What are the findings of the Commission? The Assistant Minister said that the Commission made some recommendations. Parents of the deceased children are eager to know the findings of the Commission. What is the fate of the children who perished in the inferno, if there were any findings?

**Mr. Kingi:** Mr. Speaker, Sir, I said that the Commission of Inquiry was given terms of reference to address. So, the Commission addressed itself to those terms of reference when it was set up. What the hon. Member appears to be raising is not part of the terms of reference that were raised at that time. The Commission only addressed itself to the terms of reference.

**Capt. Nakitare:** Bw. Spika, Waziri Msaidizi ni "mwambao". Anatoka sehemu za pwani, na anaelewa vile---

**Mr. Speaker:** What did you say, Capt. Nakitare?

**Capt. Nakitare:** Bw. Spika, nimesema kwamba Waziri Msaidizi ni "mwambao". Yeye ni Mmijikenda kutoka Mombasa, ambaye anayajua hayo mambo. Mambo yaliyotendeka katika shule ya Bombolulu anayaelewa. Kwa nini anaweka sharti kwamba Wabara waelewe mambo ya Mombasa hali yeye anahusika na mambo hayo? Amechukua jukumu gani kama mtu anayeielewa historia ya Mombasa kuyasuluhisha mambo hayo?

**Hon. Members:** "Mwambao"!

**Mr. Kingi:** Bw. Spika, sijui kama utaniruhusu kulijibu swali hili kwa lugha ya Kiswahili.

**Mr. Speaker:** Kwa sababu wewe ni "mwambao", nimekuruhusu!

*(Laughter)*

**Mr. Kingi:** Bw. Spika, mimi si "mwambao" bali ni mtu kutoka mwambao wa pwani.

Bw. Spika, Swali hili halikuletwa Bungeni kwa sababu mimi, nikiwa Waziri Msaidizi,

ninatoka katika Mkoa wa Pwani. Swali hili limeletwa Bungeni kwa sababu linahusu Jamhuri yote ya Kenya. Ninaamini kwamba tumelijibu Swali hili tukizingatia kwamba, shule za mabweni ziko kila mahali nchini, na kwamba mapendekezo yaliyotolewa na Tume iliyobuniwa kuchunguza janga la moto katika shule hiyo yatawasaidia wasimamizi wa shule, na wahusika wengine, kuhakisha kwamba mkasa kama huo hautokei tena katika Jamhuri yetu.

**Mr. Rai:** Mr. Speaker, Sir, could the Assistant Minister provide this House with the terms of reference that were given to the Commission? Up to now, the Commission has not come up with any findings. The import of establishing the Commission was to establish the cause of the fire so that the parents of the deceased children could know where they stand as far as compensation for loss of their loved ones is concerned.

**Mr. Kingi:** Mr. Speaker, Sir, the terms of reference of the Commission are contained in the Report that was presented to the President in 1998. I wish to table the document for the benefit of hon. Members.

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

**Mr. Speaker:** Very well! Thank you.  
Next Question, Mr. Gitau!

*Question No.485*

WAIVER OF WATER BILL FOR  
JOY TOWN PRIMARY SCHOOL

**Mr. Gitau** asked the Minister for Local Government:-

- (a) whether he is aware that Joy Town Primary School in Thika, which caters for handicapped children, has an outstanding water bill of Kshs1.9 million owed to Thika Municipal Council, leading to frequent water disconnections; and,
- (b) whether he could consider waiving the bill as the school relies on donations and grants and has been unable to even meet the cost of running the institution.

**The Assistant Minister for Local Government (Mr. Shabaan):** Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Joy Town Primary School in Thika, which caters for handicapped children has an outstanding water bill of Kshs2,249,633 as at 6th July, 2006 owed to Thika Municipality, and not Kshs1.9 million as stated. Despite the magnitude of the outstanding water bill, the institution is rarely disconnected. Whenever disconnected, a token payment of Kshs10,000 is usually accepted and it is reconnected promptly.

(b) It is not prudent to consider a waiver of a water bill due to the fact that it has accumulated as a result of failure to pay. The cost of production overheads such as electricity, chemicals, *et cetera*, need to be met to ensure continuity of service delivery by the council. However, this being an institution that caters for the less fortunate members of our society, I hereby accept to waive the accumulated water bill of Kshs2,249,633, which was outstanding as at 6th July, 2006.

Mr. Speaker, Sir, however, I would like to advise as follows: The institution must pay its monthly consumption bill to avoid accumulation. Besides the donations it receives, the school receives boarding fees from 219 pupils. The institution's management should approach donors to sponsor the cost of drilling a borehole to enable it access water at minimal costs as a permanent

solution to high water bills which the school consumes.

**Mr. Gitau:** Bw. Spika, ninamshukuru sana Waziri Msaidizi kwa jibu hilo. Bila shaka, hiyo inaonyesha kwamba Serikali inayajali maslahi ya watoto wasiojiweza. Kwa moyo huo huo, ningependa kuwaomba Mawaziri, na haswa Waziri wa Elimu, azingatie maslahi ya watoto wasiojiweza ili waweze kupata usaidizi. Nimeridhika na ninamshukuru.

**Dr. Ali:** Mr. Speaker, Sir, if the Government is very caring as is being alleged by Mr. Gitau, why can it not drill a borehole for those children, so that they do not experience this problem any more? Could the Assistant Minister consider doing so?

**Mr. Gitau:** Jambo la nidhamu, Bw. Spika. Hazina ya maendeleo ya sehemu ya uwakilishi Bungeni (CDF) ya Juja tayari imeshaichimbia shule hiyo kisima.

*(Applause)*

**Mr. Speaker:** Very well! Mambo yemekwisha!  
Next Question, Mr. Bifwoli!

*Question No.401*

NUMBER OF GOVERNMENT-FUNDED  
HEALTH FACILITIES IN  
WESTERN PROVINCE

**Mr. Bifwoli** asked the Minister for Health:-

- (a) how many health centres/dispensaries have been funded by the Ministry in Western Province since 2004 to date;
- (b) whether he could table the names of those health centres/dispensaries, indicating the amount of money given to each; and,
- (c) what criteria was applied in the allocation of funds to these health facilities.

**The Assistant Minister for Health** (Dr. Kibunguchy): Mr. Speaker, Sir, I beg to reply.

(a) One hundred and forty-six health centres/dispensaries have been funded by the Ministry in Western Province in the Financial Years 2004/2005 and 2005/2006.

(b) I hereby table a complete list of the health centres/dispensaries, with their allocations for further information.

*(Dr. Kibunguchy laid the document on the Table)*

(c) My Ministry has a rational criteria for resource allocation for health facilities to all districts in the country. Under the Recurrent Vote, R11, the Ministry uses the following criteria in allocating resources to the districts: Number of infrastructure or GoK facilities in the districts; number of under-five-years-old population in the districts; poverty levels of the district; number of HIV/AIDS cases in the districts; female population within the 15-49-year age bracket in the district, and area in square kilometres. All these are factors are weighted.

Under the Development Vote, D11, the Ministry came up with a criteria of allocating Kshs180,000 to all dispensaries and Kshs240,000 to all health centres for rehabilitation and renovation in the 2005/2006 Financial Year. This was effected on a pilot basis.

**Mr. Bifwoli:** Mr. Speaker, Sir, I wanted to know the criteria used to allocate resources to health facilities in Western Province because, if the Ministry identifies needy areas of the province

from Nairobi, it may identify health centres and dispensaries in one area and leave the others. Why is the Ministry not relying on the District Development Committees? How is the Ministry supervising the application of the money it has given to dispensaries/health centres? I am told that there is a health centre which has received Kshs160,000 instead of Kshs240,000. How is the Ministry headquarters supervising the application of those funds?

**Dr. Kibunguchy:** Mr. Speaker, Sir, I was very elaborate when I talked about the criteria which we use. The criteria is founded on the ground and not in the Ministry of Health Headquarters. For example, we consider the area in square kilometres. That is done on the ground. Secondly, the amount of money we gave to health centres and dispensaries in the last financial year was sent to every health facility. I would like to ask every hon. Member to keep an eye on how the funds are being utilised.

**Mr. Sambu:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead this House that the money was sent directly to health facilities when, in fact, I know that the management of the money was being done by the MOH and Ministry of Roads and Public Works? Tenders are awarded at the districts and health centres, and the dispensaries are only informed on who the tender has been awarded to.

**Dr. Kibunguchy:** Mr. Speaker, Sir, Health Management Boards are there in every district and those are the bodies that are supposed to see how the money is being used. However, every dispensary and health facility has been allocated the amount of money as I have said.

**Mr. Ojaamong:** Mr. Speaker, Sir, Kshs180,000, which was meant for dispensaries and for the two health centres was, indeed, sent. However, as the area Member of Parliament, I saw some painting being done in one of the dispensaries. That is work that was valued at Kshs20,000. What will you do to ensure that the money that was misappropriated is returned because it is true?

**Dr. Kibunguchy:** Mr. Speaker, Sir, I am glad to hear from the hon. Member, that the money was actually sent to the ground. Being people's watchmen, it is incumbent upon us to make sure that the money is utilised properly. Secondly, if there is any case of misappropriation and misallocation, we will, as a Ministry, target specific cases and deal with them.

**Capt. Nakitare:** Asante, Bw. Spika. Waziri Msaidizi amesema kwamba idadi ya pesa zinazotumika katika mambo ya afya aijua. Je, ni pesa ngapi ambazo zimerudishwa ambazo hazikutumika katika mwaka jana?

**Dr. Kibunguchy:** Mr. Speaker, Sir, we were talking about Western Province, and the Question was specific. I have answered the Question regarding Western Province. If the hon. Member for Saboti wants me to talk about the allocation throughout the country, let him come up with a specific Question and we will answer it.

**Mr. Bifwoli:** Mr. Speaker, Sir, on the list I have, there is a health centre called Hasoko, which has been allocated money, yet it does not have enough staff. When will the Assistant Minister send a clinical officer to Hasoko?

**Dr. Kibunguchy:** Mr. Speaker, Sir, again, that is an arbitrary question. However, I will answer it. Like I said yesterday, we are now in the process of recruiting enough staff in this country. We will post enough clinical staff and nurses to all health facilities, not only in Hasoko or the existing Government of Kenya facilities, but in all facilities including the ones which have been constructed through CDF. We will staff them adequately after we are through with the recruitment exercise.

*Question No.386*

OPENING OF KAPENGURIA MTC

**Mr. Poghiso**, on behalf of **Mr. Rotino**, asked the Minister for Health when Kapenguria Medical Training College which was completed more than ten years ago will open.

**The Assistant Minister for Health** (Dr. Machage): Mr. Speaker, Sir, I beg to reply.

My Ministry does not have immediate plans to open the medical training college at Kapenguria. Budgetary allocations are not available for recruitment of tutors and overall operations and management. However, I encourage the District Development Committee to continue to supervise the completion of the building of the facility and especially, the physical structures in consultation with the Kenya Medical Training College.

**Mr. Poghiso**: Mr. Speaker, Sir, I am worried for the Assistant Minister, and for the people of West Pokot. The information given to the Minister was that construction of the building was completed ten years ago. It does not require any more buildings or more supervision. We are only asking the Ministry to open the KMTC. Why is it difficult for the Assistant Minister to commit himself and order KMTC to open the training college in West Pokot because they have done it in many other places?

**Dr. Machage**: Mr. Speaker, Sir, I, indeed, sent a team from the Kenya Medical Training College to inspect the facility and these were my findings: There was one classroom of 36 students, three officers, a kitchen, a dining hall, a hostel with 37 rooms, a store, a washing room and an ablution unit of four bathrooms and four toilets. Indeed, we would require at least three classrooms if we have to have a three-year course for the students. It is common sense that the facilities available there are not enough. However, common sense is not always common.

**Mr. Poghiso**: On a point of order, Mr. Speaker, Sir. I cannot see any common sense in that Assistant Minister and I do not believe that he can use such words. There is a lot of common sense in this House.

**Mr. Speaker**: Order, hon. Members! I really do not understand how the issue of common sense arose and where it is lacking. If it is not common, it must be lacking. Where is it lacking Mr. Assistant Minister?

**Dr. Machage**: Mr. Speaker, Sir, the available facilities are not adequate for a medical training college. In an ideal situation, you need to have at least three classrooms to cater for students in the first year, second year and third year of the training. We need similar facilities for accommodation and a dining room, kitchen and recreational facilities. I thought that was common sense!

**Mr. Speaker**: Mr. Assistant Minister, why are you pugnacious and to who? It is the duty of hon. Members to ask Questions! You do not have to be on the defensive!

**Dr. Machage**: Mr. Speaker, Sir, let me summarise it this way: The facility is not yet ready for the opening of a college.

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, Mr. Rotino has asked a very valid Question. You are aware that at this point in time, Mr. Assistant Minister has some common sense. This nation is suffering a huge shortage of nurses, leave alone other medical personnel. In New Nyanza General Hospital, there is one nurse to 60 patients, which is a terrible ratio. It is in the interest of the Republic of Kenya that a facility that already has buildings and is available should be augmented by the Government to respond to hon. Rotino's concern. I appeal to the Assistant Minister to look into the issue in a much more sympathetic manner than in which he is looking at it now.

**Dr. Machage**: Mr. Speaker, Sir, indeed, I sympathise with hon. Rotino. This Government has allocated funds for the development of such facilities. I appeal to the DDCs, in consultation with the local leadership, to use a bit of the CDF to put up more of medical facilities so that we can open the college as soon as possible.

**Mr. Poghio:** Mr. Speaker, Sir, since the Assistant Minister has introduced the issue of "common sense", in a school, if there is one classroom in existence, all you need is to begin with the first year. Could we open the first classroom and then the construction of the rest of the classrooms will continue? Could the Assistant Minister open that facility and let us carry on with the rest of the construction?

**Dr. Machage:** That is a very good question, Mr. Speaker, Sir. I appreciate the concern. However, if the hon. Member can remember my earlier answer, the budgetary allocation for tutor recruitment, other operations and management of that institution has not been given to me. I will consider that when I have the funds.

**Mr. Speaker:** Very well! Next Question by Mr. Mbai! Mr. Mbai is not here? The Question is dropped.

*Question No.416*

OPERATIONALIZATION OF LANDS/  
TRIBUNAL BOARDS IN MASINGA

*(Question dropped)*

Next Question by Mr. Karaba!

*Question No.411*

RELEASE OF CHESONI REPORT  
ON MWEA TRUST LAND

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

- (a) whether he is aware that the report of the Justice Chesoni Commission on the controversial Mwea Trust Land established in 1990s has not been made public; and,
- (b) when the report will be released.

**The Assistant Minister for Lands** (Mr. Kamama): Mr. Speaker, Sir, I just want to inform the House that this Question was erroneously directed to our Ministry. However, we have since spoken to the Clerk of the National Assembly to re-direct it to the Office of the President for an appropriate response. I think we are in agreement with the Questioner.

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

**Mr. Karaba:** Mr. Speaker, Sir, I am not comfortable because this Question appeared in the Order Paper last week. They should have informed the Clerk of the National Assembly to direct it to the relevant Ministry, so that I get an answer today. I have even missed a Question this week because of this kind of negligence. Could he assure me when I will get the answer now that we are going on recess?

**Mr. Speaker:** I will direct the Clerk of the National Assembly to send the Question to the Office of the President! I will defer it for now!

*(Question deferred)*

Next Question by Mr. Sambu!  
Probably this is the last Question we will have today!

*Question No.504*MISAPPROPRIATION OF FUNDS RAISED  
FOR PURCHASE OF SCHOOL BUS

**Mr. Sambu** asked the Minister for Education:-

- (a) whether he is aware that Mr. Maritim, the then Headmaster of Moi Sirgoi High School in Mosop, and the then school Board of Governors, collected funds from parents and students in 1998 as contributions for the purchase of a school bus;
- (b) whether he is further aware that, to date, the school has no bus and the money collected for its purchase is missing;
- (c) how much money was collected for that project; and,
- (d) in the absence of the promised bus and the money intended for its purchase missing, what action has been taken, or will be taken, against those who obtained the funds by false pretences.

**The Assistant Minister for Education (Dr. Mwiria):** Mr. Speaker, Sir, I would like to beg the indulgence of this House. I have already explained to the hon. Member that I need a little bit more information to answer this Question with sufficient confidence. So, if we could defer it, I would greatly appreciate.

**Mr. Speaker:** Is that okay, Mr. Sambu?

**Mr. Sambu:** Mr. Speaker, Sir, it is okay. However, I want to inform the Assistant Minister that, as a member of the District Education Board, I was there when the audit report was tabled. It is very strange that people in Kapsabet cannot forward the report to Nairobi. There is something strange.

**Mr. Speaker:** Very well! The Question is deferred!  
Next Question by Mr. Kamotho!

*(Question deferred)*

*Question No.512*NON-REFUND OF DEDUCTIONS FROM  
FARMERS BY COFFEE BOARD

**Mr. Kamotho** asked the Minister for Agriculture:-

- (a) what became of the Kshs641 million deducted by the Coffee Board of Kenya and which the Government pledged to refund to coffee farmers;
- (b) whether he is aware that coffee farmers are still experiencing a lot of hardships due to poor returns on their produce; and,
- (c) what immediate plans he has to ensure coffee farmers get good returns commensurate to their efforts.

**The Assistant Minister for Agriculture (Mr. Kembi-Gitura):** Mr. Speaker, Sir, I beg to reply.

(a) The Coffee Board of Kenya did not deduct Kshs641 million from farmers. The position is that the money was held by a consortium of banks from which the Board had taken an overdraft against coffee stocks, for onward lending to coffee farmers.

(b) I am aware that coffee farmers are still experiencing hardships due to poor returns on their produce.

(c) Our Ministry has taken the following measures to ensure that coffee farmers get good returns which are commensurate to their efforts:-

The gazettement of coffee rules under the Coffee Act (2001) for the direct sale of coffee.

Operationalisation of the Coffee

Development Fund under the Coffee Act.

Debt relief of Kshs3.2 billion in respect of SKIP I and SKIP II.

The restructuring of Coffee Board of Kenya as a regulatory body.

**Mr. Kamotho:** Mr. Speaker, Sir, I wish to thank the Assistant Minister for that answer. Does the Assistant Minister recall that two years ago, the Minister for Co-operative Development and Marketing and even His Excellency the President promised coffee farmers in central region that, that money would be refunded by the Government? That is because farmers wanted to buy adequate inputs to resuscitate the coffee industry.

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, many statements concerning the sum of Kshs641 million were made from many directions. But at no time do I recall a clear statement that the Government was going to pay that money. What the Government promised is to borrow money from other sources and pay the money that Coffee Board of Kenya owes farmers. I do not recall a situation where the Government, in its own right, agreed to liquidate the debt.

**Mr. Sambu:** Mr. Speaker, Sir, in the answer to part (c), the Assistant Minister has alluded to the liberalisation of coffee marketing. I have seen those rules and they have not allowed the sale of coffee by farmers directly, either from their farms or co-operative societies. Why have you not allowed farmers who own large estates or co-operative societies to sell their coffee directly to millers?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, the coffee rules that were gazetted on 21st July, this year, only forbid, and I believe rightly so, the farm-gate sale of coffee. That is sale of coffee by small-scale farmers to people who are going to export it as their own product. If that happens, coffee co-operative societies are going to be killed by unscrupulous middlemen who will buy and sell the coffee to marketing agents, who will then sell the coffee directly out of the country. So, we are taking that issue very seriously. We are not going to allow farm-gate sales of coffee at all. However, large-scale farmers, co-operatives and growers who are defined under the rules, will have the right to negotiate and sell their coffee directly through the second window, to whoever buyers who want to buy it in the international market.

**Mr. Speaker:** Last question, Mr. Kamotho!

**Mr. Kamotho:** Mr. Speaker, Sir, while I thank the Assistant Minister for the debt relief of Kshs3.2 billion in respect of SKIP I and SKIP II, could he consider writing-off the balance of the Kshs5.8 billion owed by farmers? The Government had actually promised to write-off this debt?

**Mr. Kembi-Gitura:** Mr. Speaker, Sir, the Kshs5.8 billion was there when the Government took over power. In the meantime, the farmers have continued to make payments to the Co-operative Bank of Kenya and other creditors. Therefore, that figure has not been static. It has been reducing. The Kshs3.2 billion that the Government, through the Coffee Development Fund, has paid the Co-operative Bank of Kenya includes Kshs5.8 billion in SKIP I and SKIP II that has come down substantially.

**Mr. Speaker:** Very well! Next Question! I will have to finish with the last Question. That will make sense for me. I think the House will agree with me that we should finish with it.

*Question No.516*



**Dr Ali** asked the Minister for Information and Communications:-

(a) whether he is aware that Wajir North Constituency, which is along the Kenya-Ethiopia border, has no telephone facilities;

(b) whether he is also aware that there is one link kiosk booth at Bute and Buna; and,

(c) if the answers to (a) and (b) are in affirmative, when he will provide proper telephone and postal services to Bute and Buna townships.

**Mr. Speaker:** Is the Minister for Information and Communications not here? I am sorry, Dr. Ali, I tried my best to allow you to ask the Question, but the Minister is not here. I will defer the Question.

*(Question deferred)*

### POINT OF ORDER

#### CONFISCATION OF LIVESTOCK IN POKOT/TRANS NZOIA DISTRICTS

**Mr. Poghiso:** On a point of order, Mr. Speaker, Sir. I expected a Ministerial Statement from the Minister of State for Administration and National Security on something that is very urgent. This affects the Pokot people. Their cows have been taken to Uganda. I assume that the Minister is ready with the Statement.

**The Minister of State for Administration and National Security** (Mr. Michuki): Mr. Speaker, Sir, this Statement could not be issued as quickly as the hon. Member expected. The issue of Uganda requires much greater consultation, which has not been so far achieved.

**Mr. Speaker:** So you are not ready?

**The Minister of State for Administration and National Security** (Mr. Michuki): I am not ready, Mr. Speaker, Sir.

**Mr. Poghiso:** Mr. Speaker, Sir, the Minister was ordered by the Chair yesterday to make the Statement available today. It has been due for two weeks.

**Mr. Speaker:** What the Minister is saying, and I think it makes a lot of sense, is that this is a matter involving a foreign country and to deal with it, he needs to use diplomatic channels. You cannot, as it were, rush diplomacy. What are your comments?

**Mr. Poghiso:** Mr. Speaker, Sir, there was no diplomacy when the cows were being taken from us. The cows were forcefully taken away by the Government and handed over to armed Ugandans. We do not even know who they are. Could the Minister use his powers to recover the cows?

**Mr. Speaker:** Maybe, the Minister would want to respond to that. But as I understand it from your statement, our own forces took away the cattle, which belonged to the Pokots, and gave them to another Government. So, the cows are no longer on our side of the border. They are now on the other side of the border. That is what I understand hon. Michuki to mean. To get the cows back, you need to talk to the Government of Uganda. What is your reaction, hon. Michuki?

**The Minister of State for Administration and National Security** (Mr. Michuki): Mr. Speaker, Sir, these consultations must be carried out. However, I am afraid that within that region, there appear to be some people who are over-exaggerating these matters. For example, this is the same area where somebody went to the Press to say that some Administration Policemen (APs) had been killed by bombs from across the border in Uganda. These are allegations against another sovereign and friendly country. We need to go into this matter and get the truth of it.

**Mr. Speaker:** Hon. Members, I do not think we are getting anywhere on this. We are taking away the time of the House.

**Mr. Poghio:** Mr. Speaker, Sir, for those who are giving false information to the effect that some APs were killed, the Minister has powers to arrest and charge them in a court of law. I am only appealing to the Minister to contact the Ugandan side in Kapchorwa District, and tell those who are involved to hold on to the cows until we sort out the issue. He can do that, at least, for the Pokot people.

**The Minister of State for Administration and National Security (Mr. Michuki):** Mr. Speaker, Sir, we can do that although we are yet to have facts that would enable us to claim the cows as ours.

## BILLS

### *First Readings*

#### THE INTERNATIONAL CRIMES BILL

#### THE REFUGEES BILL

*(Orders for First Readings read -  
Read the First Time and ordered  
to be referred to the  
relevant Departmental  
Committee)*

## COMMUNICATION FROM THE CHAIR

### POOR ATTENDANCE OF HOUSE COMMITTEES

**Mr. Speaker:** Order, hon. Members! As you will notice, we have a Motion of Adjournment. Before we go to that, may I bring to the attention of the House that the question of attendance in Committees is becoming very worrying. Often, witnesses are called by the Parliamentary Committees, including the watchdog Committees, from all places across the breadth and length of this country. They come from Mombasa, Kisumu and maybe, even Wajir or Mandera. The witnesses travel all the way to Nairobi, come and hang around the corridors of Parliament for the whole day and either the Committee does not acquire a quorum or if it does so, it acquires after an hour.

This is a terrible thing. It is giving this House a very bad name. It is annoying Kenyans who travel all the way, respecting your summonses. It is a waste of public funds and individual funds as well. We pay those witnesses or the various departments of Government pay travel and accommodation expenses for those witnesses. This gives Parliament a very bad name.

One of the problems that are associated with this problem is that some hon. Members are in four Committees and above. Therefore, they cannot have the time to attend to those Committees. Some hon. Members, even when they are in only one Committee, cannot attend the only one that they are assigned to.

We must, as hon. Members, take our work seriously. I now order from the Chair to the various chairpersons of the Departmental Committees and other Committees of the House that a Member who fails to attend three consecutive meetings without permission will be "deleted" from that Committee.

Secondly, any Committee failing to acquire a quorum within the first half hour will automatically be adjourned and the hon. Members will not be entitled to any allowances. Thirdly, a Member attending a Committee as a matter of technical appearance will not be entitled to any allowances. The Member must sit in that Committee for not less than an hour, if it continues.

I hope Members will be serious about this, and I hope we do not annoy Kenyans by calling them from all over the place and subjecting them to waiting, looking at walls. You know, sometimes, we do not have even waiting rooms. They stand in the corridors! So, please, take your work seriously.

Please, note that we are the servants and not masters of the Kenyan people. We must obey the people and respect them and respect this House and uphold its integrity.

So, with that, I hope all Committees have heard me loud and clear. I also hope the Clerk will look at the HANSARD and implement every direction that I have given, to ensure that this takes effect.

*(Applause)*

*(Mr. Sungu stood up in his place)*

Mr. Sungu, are you one of those who come late to Committee meetings?

**Mr. Sungu:** Mr. Speaker, Sir, I would like to commend you on your statement and to say that some of us are very willing to serve in any committee but we have not been appointed to any.

**Mr. Speaker:** Very well. Very soon, when we "delete" those who do not attend, you will find your way there.

*(Laughter)*

### **MOTION FOR THE ADJOURNMENT**

ADJOURNMENT TO A DAY OTHER  
THAN THE NEXT NORMAL SITTING DAY

**The Vice-President and Minister for Home Affairs (Mr. Awori):** Mr. Speaker, Sir, I beg to move that this House do now adjourn until Tuesday the third of October, 2006.

Mr. Speaker, Sir, may I take up from where you left. You specifically addressed the issue of Committees. May I deal with the whole House. We have 365 days in a year, and our calendar gives us only about 70 days in a year to be in the Chamber. But most of the time, we have no quorum at all.

Although there has been an improvement in the transaction of business, particularly where Bills are concerned, this has happened only by default, in that none of the few Members that were in the House when there was no quorum raised the question of quorum. We have passed some very serious Bills with about 12 or 15 Members present and sitting. This does not just annoy those who travel from Wajir and Kendu Bay, but the whole country, when they realise that they have paid their taxes in order to give us a fairly good income, but we do not appreciate this.

Mr. Speaker, Sir, I just want, with all humility, to request my colleagues to take the work of Parliament very seriously. Many times, we have talked of equitable distribution of resources and, yet we are not here at the time when some of the Votes are being discussed. So, I appeal to the Members that now that we have got a break and we are going to rest out there, let us reflect and take matters seriously when we return to the House.

Mr. Speaker, Sir, recently, the country has been full of politics of negativity. I urge my colleagues to now change and move to the politics of patriotism. There has been almost self-hate in this country, where we tend to denigrate ourselves simply because of the actions of may be a few people. When one or two people go against the law, it does not mean that the rest of the people are criminals. I urge my colleagues to respect the institutions that have been set up and let us allow them to do their work to help us govern this country.

Mr. Speaker, Sir, let us go out there and give leadership. Let us discourage breaking of the law. In the prisons, congestion is too much, endemic. This is simply because we are not displaying the leadership that is required. When we go out there, we do not discuss causes, but instead discuss individuals. When we do that, we do so with emotions of hate. This translates to the other people. The jails are full of people who are accused of personal assault. This can be attributed to ourselves as leaders.

Mr. Speaker, Sir, let us also help to implement the Community Service Order. I was talking to several magistrates recently and they were telling me that they are not able to implement the Community Service Order fully because even when they want to release the inmates, there is no work to do. We can save a lot of money with CDF by simply getting in touch with magistrates, [probation officers and the Provincial Administration to see how many people in a constituency are going to be released on Community Service Order, and they can be used accordingly.

With those remarks, I beg to move.

**Mr. Muturi:** Mr. Speaker, Sir, thank you for the opportunity to second this Motion. It is now on record that in the last three or so months, this House has lived up to some of its expectations especially with regard to the passage of Bills.

*(Applause)*

Mr. Speaker, Sir, those hon. Members that do not know the various procedures that the House has to go through before a Bill becomes law, are now aware of them. We have seen here during debates of various Government and Private Members Bills that indeed it is not easy to pass them given the fact that we have limited time allocated for contributions. Nevertheless, we have been able to show that with determination, we can actually live up to the expectations of Kenyans. I want to commend both sides of the House for their good work even though on some occasion we have suffered from lack of quorum. It is part of our tradition and law that unless the Chair's attention is drawn to the fact of lack of quorum, business continues.

Mr. Speaker, Sir, as I talk about this issue of quorum, I also congratulate you for the ruling that you have just made because, as we go on recess, various committees of this House will obviously have a lot on their hands. The watchdog committees have tremendous number of reports from the Controller and Auditor-General to look through. Departmental Committees also have a lot of work. Just this afternoon, two Bills have just been referred to the Departmental Committees. This is the time that, with proper organisation, we should be able to sit so that when we resume, all the Bills that have been referred to those committees will have been discussed. People will have been called to give technical or expert evidence before these committees. When we resume and Bills are brought here for their Second Reading, they will not take too much time because these committees will be in a position to lead the rest of the House in debating their contents from a position of knowledge and information.

Mr. Speaker, Sir, I note what the Leader of Government Business has said. We want to engage ourselves in various activities particularly with regard to overseeing the implementation of projects that have been started across the country through the effort of the Constituency Development Fund (CDF). While doing this, we will, of course, expect co-operation from the

Government especially where CDF committees are putting up health facilities so that they do not become white elephants.

Mr. Speaker, Sir, we take the assurance given this afternoon by the Assistant Minister for Health, Dr. Kibunguchy, that indeed after the ongoing recruitment of nurses and clinical officers, every part of this country will be considered for allocation on an equitable basis. A sufficient number of health personnel should be allocated to each constituency because if that does not happen, a lot of efforts that will have gone into putting up these facilities will go to waste. I urge the Government to co-operate with various committees to ensure that indeed we realise development in the rural areas.

With those few remarks, I beg to support.

*(Question proposed)*

**The Minister of State for Administration and National Security** (Mr. Michuki): Mr. Speaker, Sir, thank you for granting me this opportunity to make my contribution to this very timely Motion. It is timely because we need the opportunity to look at ourselves against the mirror that we have created. We need time to reassess ourselves as to whether we are moving in the right direction or not. We need time to, as it were, as they say in some churches, for a retreat, where we can argue within ourselves.

Mr. Speaker, Sir, we are going back to our constituencies during these two months of recess in order to communicate more closely with our constituents. In doing so, I want to expect that we shall all be honest with ourselves to the extent of having to acknowledge the achievements that have been made by the present Government even though some of us are sitting on the opposite side. I do not think it would be honest if one were to tour one's own constituency and not recognise in one form or another publicly, for example, the projects in the constituency that have been financed through the CDF. In so acknowledging this work, we are acknowledging how much we have been able to achieve in this House because it was not until we voted the money that the CDF work was carried out. It is this House that has voted the money.

Therefore, you would not be contradicting yourself even if you were in the Opposition, in acknowledging those achievements for example in the field of health as hon. Muturi has said. We have used a lot of money to build dispensaries and even to expand some health centres and hospitals. I agree with that view that these could be white elephants if they do not have the adequate number and right kind of staff including clinical officers and equipment to identify what diseases are prevalent in a given area so that medicine can be shared out more equitably and suitably as well.

Mr. Speaker, Sir, so, I am appealing to my colleagues to actually do justice to the achievements that this Government has made all over the country, be it in the areas of agriculture, livestock and in the revival of various projects that "had died". The Kenya Meat Commission (KMC) and the Agricultural Finance Corporation (AFC) had died. The Kenya Co-operative Creameries (KCC) has been revived and so on and so forth. I think we should acknowledge this development because these are institutions that are going to be in the service of our people.

Mr. Speaker, Sir, I also want to appeal to my colleagues to ensure that they actually preach to their constituents about community policing.

I beg to support.

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, I rise to support this Motion. I want to add my voice to the Minister of State for Administration and National Security who has said that we need to reassess ourselves. We really need to do that. The first task of the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC) was precisely to revive stalled projects.

It has done so, to some extent. However, it has also not done so, to another extent. The reason why it has not done so is because this Government needs to reassess itself. The amount of waste that is going on in the Government since I left it, is horrendous. The waste can be seen in terms of money consumed by commissions. I would like to appeal to the Departmental Committee on Administration of Justice and Legal Affairs to look at the law governing commissions. This House should come up with a new law that will govern commissions in this country. If we allow the President to set up commissions whenever and however, we will never lay a firm foundation for this economy. In fact, I think that the next thing that the Government may do is establish a commission to look for the cows that went to Uganda. This would be a terrible waste of funds. So, the amount of money being wasted in commissions is eroding the capacity and the ability of this country to recover economically.

Mr. Speaker, Sir, secondly, you have said quite rightly so, that Committees of Parliament should rise up to the occasion and not to disappoint Kenyans. I was the Chairman of the Public Investments Committee (PIC) in the Seventh Parliament, in the middle of the 1990s. There is record in the National Assembly of the excellent work that I did in this House for three years. However, this wasteful Government would like me to sit in this Parliament and not serve in any committee because of their selfishness and their inability to reassess themselves. All these hon. Members are in the Opposition in obedience to the saying: "For the Welfare of Society and the Just Government of Men." We are not here just to serve this Government. We are here to serve the people of Kenya for the just governance of human beings all over the world. I can see it in this House. With all the experience I have in this House, this Government does not recognise it and allow me to serve in the committees. They have allowed some hon. Members to serve in four or five committees inefficiently. They have never read that saying: "For the Welfare of Society and the Just Government of Men." So, in the spirit of reassessing themselves, I would request the Minister of State for Administration and National Security to take that matter to the Cabinet so that they can sit down and look at themselves in the mirror and know that they are not governing this society justly. This is very important.

Mr. Speaker, Sir, during the two months recess, the Minister of State for Administration and National Security should organise a seminar for hon. Members of the Cabinet and preach that grand sermon to them: "Let us reassess ourselves so that we can have the just government of people in this country and the welfare of Kenyans looked at properly."

Mr. Speaker, Sir, just yesterday, in one commission that is currently going on, Mr. Michuki appeared before it for exactly 10 minutes and was not asked any questions. Why do we establish commissions when their chairmen, counsels and lawyers cannot avail themselves the opportunity to question the Minister adequately?

**The Minister of State for Administration and National Security** (Mr. Michuki): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to say that I was at the commission for only ten minutes when he was not even there? Is he not misleading this House by believing in what is in the newspapers rather than direct evidence?

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, the hon Minister could have helped this House by telling us how long he was there. Be that as it may, the point still holds that, indeed, all the institutions of this Republic should be used cost-effectively. Indeed, the resources of this nation should be used for the development of this nation. The foundation that we laid in the Government by establishing the ERSWEC should be followed by this Government. However, if you look at what has been happening over the last six or seven months, the attention of the Government has been focused on maintaining power at all cost. The attention of the Government has been focused on even establishing an illegal Government, one after the other. The first was the Government of national unity and the second one is the NARC(K) Government. All these acronyms are not within

the bounds of law in this country. Therefore, the Government must reassess itself and rise up to the occasion in governing this country justly, legally and constitutionally.

With those few remarks, I beg to support.

**Mr. Musila:** Thank you, Mr. Speaker, Sir, for according me this opportunity. I want from the onset to say that I support this Motion. In doing so, I want to say that hon. Members deserve this recess because they have worked very hard. I want to say that unlike what has been reported in the media, that hon. Members work for only 95 days per year, this statement is very erroneous. Hon. Members will be going on recess to do the real work. That is to be with their constituents, and try to solve their problems. I would like to challenge, particularly members of the Press, who think that hon. Members only work in this Chamber, to follow me from tomorrow. By the time we resume on 3rd October, 2006, most of them will have dropped on the way. That applies to all hon. Members because we have a lot of work to do.

Mr. Speaker, Sir, I want to agree with my friend, Mr. Michuki that the Government has done a lot of work. The Government has given a lot of resources for development. The Government has done a lot of improvement in education. However, having said that, the Government has also wasted a lot of resources, which could have been directed to more useful places. Prof. Anyang'-Nyong'o, for example, alluded to the issue of the commissions. We were told recently of the funds that were spent by the Goldenberg Commission. I almost wept. This is because if I got the money that was paid to one Senior Counsel, Dr. Kuria, I would have provided sufficient water for my district, and you would never hear me speak here about famine relief.

Mr. Speaker, Sir, we appreciate the Government's efforts in education. However, there is something that is happening and I saw the acting Minister for Education, and I hope he takes very serious note of this. All the vacancies that we have been given in Mwingi and Mbeere constituencies to recruit secondary school teachers have been taken up by candidates from other districts. These people have deliberately set certain rules, that employment should be based on "the first to graduate" basis. What this means is that if graduates from Mwingi Constituency completed their education in 2003, they will not be employed. Instead, they are employing candidates from Nyeri, Murang'a and other districts who completed college in 2000. They have taken all the vacancies of secondary school teachers in my constituency. I want to demand from the acting Minister that he withdraws this recruitment immediately because we will not agree that vacancies existing in our districts are taken over by other people. These people are taking all the resources and employment opportunities in our constituencies. Where are we heading to? We want to refuse this.

Mr. Speaker, Sir, I want to talk about certificates held by board of governors and principals for students who finished secondary school education. In my constituency, for example, I have registered 1,020 such students dating as far back as 1991. Their certificates are held and they cannot access employment. This House passed a Motion asking the Government to release these certificates. The Government has refused to release them. May I, on the Floor of this House, since I have appealed to the acting Minister for Education without success, and on behalf of the youth and hon. Members of this House, appeal to His Excellency the President, to instruct the acting Minister for Education to instruct heads of schools to release certificates which have been held over the years so that these youth from poor families - and most of them are orphans - can access them, access employment and improve their living standards.

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

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

**Mr. Speaker:** How do I forget the name of the hon. Member for Nambale? Mr. Okemo!

**Mr. Okemo:** Mr. Speaker, Sir, I will just remind you that I am still Mr. Chris Okemo, hon. Member for Nambale Constituency. Thank you very much for giving me this opportunity.

I would like to add my views to those that have already been expressed by earlier speakers. I would like to emphasise, particularly the concern I have, and I am sure that other hon. Members have the same [**Mr. Okemo**]

concern. This is about the skewed distribution of resources in this country. Budget after Budget, when the Printed Estimates have come to this House, we have pointed out how uneven the distribution of resources is in the various Ministries. The notorious examples have been the Ministry of Water and Irrigation, the Ministry of Roads and Public Works and other Ministries. So, part of the reason why the CDF was created was because of this uneven distribution of resources so that every constituency will have a chance to have some resources to deal with the question of poverty.

Mr. Speaker, Sir, I still would like to appeal to this House to pass the amendment that is going to enable this House to increase the allocation of resources for the CDF to ensure that, at least, we can alleviate to a small extent this unjustified misuse and misdirection of resources to areas which are perceived to be politically-correct; or areas where the Ministers come from. All of us come from areas where people pay tax and tax has no political correctness. Tax is tax! So, we must be able to feel that we benefit from the resources that are collected from the Kenyan public.

Mr. Speaker, Sir, let me now turn to the question of recruitment into public office, for example, the police, the army, prisons and now the question of teachers. The Government must come out transparently with criteria which can be justified in this House when it comes to recruitment of people into the army, police and the prisons. A few people sit together and just agree on how they are going to distribute these things as if it is something that belongs to individuals. For example, if we look at the number of people who have been recruited into the army and police for the last three years; and you do it even by district or by constituency, you will be amazed. I think we will see such glaring inequalities. Are there people in this country who are expected to benefit more from public positions than others? Or is it not every Kenyan's right to be given an equal opportunity to be employed? The Government must come clean. It must give us clear and transparent criteria which can be justified here; that here is how we have recruited; these are the criteria we used for people who go to occupy these positions.

Mr. Speaker, Sir, I will go back to the question of the CDF. Despite the shortcomings and the mistakes that had been made by hon. Members or committees that serve, the CDF is not competing with the Central Government. It is complementing the Central Government. Our understanding is that we are not asking for extra money. We have 100 per cent coming from tax revenue. We are saying that a certain percentage should go to the CDF and to the Central Government. Since there is proven evidence that the Central Government is incapable of being fair in the distribution of these resources, the only way is to increase the percentage of the money that is going to the CDF. That way, we will complain less. That way, the discretion that lies with the Ministers who have proven beyond reasonable doubt that they are biased, will not be of much concern to us.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*

Mr. Deputy Speaker, Sir, I also want to add to the fact that, I think for the public knowledge, hon. Members are very harshly and unfairly judged. We do not only come here to



debate. There is a lot of work we do outside of Parliament. You rightly said that during the recess, that is a good time to assess what the hon. Member is doing. Some of us are going to spend three-quarters of that time partly in the constituency and partly doing committee work. That is work!

With those few remarks, I beg to support.

**Prof Maathai:** Thank you very much, Mr. Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. I support this Motion because it will give us an opportunity to go back to the rural areas and utilise all the money that we have received through the CDF for which we are very grateful to the Government.

I have one concern as I go back to the constituency. I know I will meet a lot of young people who will tell me that they would like to be recruited into the army, police, the Kenya Wildlife Services (KWS) and all the other disciplined forces. Time and time again, when there is an opportunity for recruitment into the armed forces, we are advised to send the young people to a central place in Nyeri called Ruring'u. Quite often, thousands of young people go to the place hoping that they will be recruited, only to come back home empty-handed. Certainly, I can say with confidence that in Tetu, I have never met a young man who tells me that: "I ran and I was recruited." They all tell me: "I ran, I became the first or second, but they found some fault with me. So, I was not recruited." It breaks my heart, nevertheless, to later on read in the newspapers that there are people, especially those in the Government, who happen to send 20, 30 or even 60 young people to be recruited. I ask myself: "How does that happen?" Why are we cheated to send these young people to a common place when, in fact, the recruitment is being done behind closed doors? I think that, that is absolute corruption. We must bring accountability and transparency to the recruitment process in this country.

I would like to suggest that even if we are going to have ten or 12 people from Nyeri being recruited into the KWS, the army or elsewhere, why can we not in each constituency be given our slots?

*(Applause)*

Even if it is one person, I would like to be able to tell the Kenya Army to come and recruit one person out of all these young people from Tetu. However, it is very unfair for us to be unable to send these young people to the armed forces while people in the Government are sending people through the back door. We saw this when we were recruiting people for the KWS.

I can say that I had one person who had been given a card to go to Manyani KWS Training College. Eventually, 800 young people instead of the 400 landed in Manyani. When it was decided that some of the students should go back - I think they sent back 400 - my person from Tetu, the only one who was there, was one of those who returned yet I learned later that some people had taken 30, 60 even 100 young people. This is completely unacceptable!

To me, this is corruption of the highest order. This was done by people who were in the Government, and is completely unacceptable. We must observe transparency during our recruitment exercises. We cannot talk about good governance when we do not practice it even in the most remote places. If there is any recruitment, we should let each Member of Parliament be allocated a specific number of recruits. Then hon. Members should be the ones to decide who from his youth will be recruited. The army may come and recruit in my constituency, but they should observe fairness. The youth should not be made to run and then be unfairly left out.

I also want to say that it is very important for Members of Parliament to consider protection of our forests. This afternoon I met some people who had come all the way from the Rift Valley and Mount Kenya areas to inform me that forests were constantly being harvested illegally.

I hope that, when Members of Parliament go back to their constituencies, they will find out

what is happening to forests. I am talking about Mount Kenya, and not about the Aberdares, from which people have moved away.

With those few remarks, I beg to support.

**Mr. Poghio:** Thank you, Mr. Deputy Speaker, Sir. From the onset, I would like to sound an alarm in this House to the Government about famine in many parts of this country. There is not sufficient food in my constituency. If food is not availed to my people in the next few weeks, we will see people die from starvation. I would like this Government to take this matter very seriously. I would like to appeal to the Government to step up relief food distribution to famine-hit areas of this country to save lives. I am not talking about only Kacheliba or West Pokot, but also many other parts of this country that are affected by famine. I know that this appeal may be falling on ears of people who do not experience famine in their areas. I would like to say that there is famine in many parts of this country.

Mr. Deputy Speaker, Sir, I would like to say that the Government in power needs to realise that it is serving everybody. It is the servant of all the people of this country. I would like to urge the Government not to do things just because it can do them. It should not do things because it has the power to do them. Kenyans are not easily fooled and they are watching us. I know that a good number of young hon. Members on the other side of the House have risen to a level of arrogance. They will use so many facilities to run around this country politicking. This will be similar to what happened during the time of YK92.

I would like to say that we should not do things just because we can do them. I am saying this because I have seen hon. Members on the other side of the House doing things with impunity. We have just returned from electioneering and we saw what they did in order to win elections.

Mr. Deputy Speaker, Sir, I come from a district that shares resources with Trans Nzoia District. Some of our livestock farmers live in Trans Nzoia District. Unless this Government deliberately takes measures to protect the Pokots and their livestock in Trans Nzoia, they will be attacked. They are almost becoming a target. I am sure people from Trans Nzoia will agree with me on this fact. A case in point is where Pokot livestock was rounded up at will. Unless the Government says the Pokots should live in Trans Nzoia, they will be attacked. There are instances where the Government allowed raiders from Uganda to rustle cattle at will and return to Uganda without being traced by Government forces. I know that the idea has been to make it difficult for our people to live in this district. I am saying that history will judge this Government harshly. Trans Nzoia District is the ancestral land of Pokot people. It is their historical habitat and we cannot move them out of it.

On the CDF, we are grateful to hon. Members for passing the CDF Act. I also thank the Chair for allowing this House to introduce the CDF.

Mr. Deputy Speaker, Sir, on security, those of us who live along our borders serve this country well. The fact is that the Pokot live along our border with Uganda without adequate Government security. We should know that the Pokot are the people protecting this country, and we should not harass them. We should empower them to use the community policing system to protect this country until the Government comes up with enough security measures. I went to a place called Nawiapong that is at the furthest corner of my constituency, and found that it had no security. We should establish police posts in areas like Kiwawa and Nakuyen that need security. We should strengthen the Kenya Police Reservists (KPR) unit to protect this country. I pray that this Government gives money for the funding of the KPR, so that it is able to protect this country.

With those few remarks, I beg to support.

**Mr. Deputy Speaker:** I have been moving from the Back Bench to the Front Bench on this side. It is now time for the Front Bench.

Dr. Wekesa, proceed.

**The Minister for Science and Technology** (Dr. Wekesa): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion.

First of all, I would like to commend the Minister of State for Administration and National Security, Mr. Michuki, for his efforts in curbing insecurity in this country. We in Trans Nzoia District have seen that the level of insecurity has gone down. This has been because of the Minister's positive response to the needs and cries of people of Trans Nzoia District. We were losing close to four people per month to cattle rustlers, mostly from Uganda and West Pokot District. Mechanisms have been put in place to mop up small arms that are used by these people.

We are appealing to the Government to enhance existing security measures, particularly in Trans Nzoia District and my own Kwanza Constituency.

**Mr. Poghisio:** On a point of order, Mr. Deputy Speaker, Sir. My good friend, the Minister for Science and Technology, is imputing improper motives on the Pokots who live in Trans Nzoia. Is he in order to mislead this House that the Pokots went to Trans Nzoia from elsewhere? Which Pokots went to Trans Nzoia and from where?

**Mr. Deputy Speaker:** Mr. Poghisio, when you spoke you made some insinuations and the Minister did not interrupt you. So, why do you not let the Minister say his bit? We do not want to argue over this issue.

**The Minister for Science and Technology** (Dr. Wekesa): I just want to add that members of the Pokot community in Kacheliba have not caused us any concern at all. But those who live very close to us, particularly those in Kapenguria, have constantly killed people in my constituency.

I am commending the Government for curbing insecurity. There is need for us leaders, including the hon. Member for Kacheliba, to sit down and address the issue of insecurity. We know that we will continue living as brothers and sisters for many years to come. I want to add that I know that Trans Nzoia District used to be occupied by Europeans who left the area between 1963 and the end of 1970. Now Trans Nzoia District has people who come from all the communities in Kenya. I am proud to be a Member of Parliament for a constituency which has a complete mixture of tribes. We really try to live harmoniously.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, I would like to talk about allocation of resources. Those of us in Government ought to ensure that Government resources are distributed equally in every district. I think that the idea of setting up the CDF was a very wonderful one. If we in the Government can copy from the concept of the CDF, we will be able to serve this country very well.

Mr. Temporary Deputy Speaker, Sir, looking at the allocation of money for the construction of roads, I was surprised to see in the Printed Estimates that very little money was given to my district. The road from Nairobi to Nakuru, Eldoret, Kitale, Kapenguria and Lokichoggio serves us well for the purpose of commerce and enhances co-operation amongst the East African Community countries. This is a major road that should be taken very seriously by the Government. I am surprised that we have left this road to break down. It now takes about six hours to drive from here to Kitale.

Mr. Temporary Deputy Speaker, Sir, I want to join my colleagues who have talked about distribution of resources. A leaf should be borrowed from the Ministry of Education. What we have done in this Ministry is in itself a manifestation of what should be done in every other Ministry. Look at how resources have been allocated in the Ministry of Education. Look at the funds that have been provided for infrastructure. Every

school in every constituency has been catered for. The Ministry of Education has catered for improvement of infrastructure in schools.

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

**Mr. Ojaamong:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion.

First of all, I want to thank the Government for having initiated some projects which have actually changed the lives of my people in Teso Constituency. However, I hope the Government will not stop there. I hope that the Government will continue with its efforts to develop my constituency. I, therefore, would like to appeal to the Minister for Roads and Public Works, who never allocated my district any money in his budget, to try and look for any kitty in his Ministry from which he can allocate some money for the construction of roads in my constituency.

Mr. Temporary Deputy Speaker, Sir, as you know, I come from a security-threatened area and we guard this country from any invasions from neighbouring territory. It is, therefore, necessary that the roads in my area, especially Road C32 and C43 be allocated funds. For three years running now, these roads have not been allocated any money.

I would like to talk about identity cards. Since my district borders Uganda, we have a very big problem with regard to identity cards. Almost one-third of people in Teso District lack identity cards, because of the vetting process, which takes too long because it starts at the sub-location level and ends at the national level. It is my appeal to the Government to assist my people in getting identity cards, even though I am going to make my own efforts to obtain forms and get lawyers who will prepare affidavits for people who will need them. I appeal to the Government to issue its own people in Teso District with identity cards. When I talk of identity cards for my people, I also have in mind the bordering Busia District, which is affected by the same problem. Without an identity card, our people cannot get employment and they cannot access training or even get loans to join universities.

Mr. Temporary Deputy Speaker, Sir, allow me to mention the extent to which this Government has marginalised minority communities. I am talking about the Kuria, the Pokot, the Teso and other minority tribes. I have never seen a Government that discriminates against minorities like this one. Look at how appointments are done - I will keep on repeating this point. You will not see a Kuria, Teso, Pokot, Marakwet being appointed to any post. Can you people not read from the former President's script? He used to distribute his cake almost equitably. What is wrong with you people? Now you are trying to reverse the political gains that you had made; you are trying to take us back to the one party system.

Suppose we from the minority tribes come to power one day, what do you think will happen to you? What will happen to you if someone like me gets into power? It will be disaster for you people. However, what we are asking you now is to come back to your senses, regard people from minority communities as citizens of Kenya and give them their due share.

Mr. Temporary Deputy Speaker, Sir, in connection with that, it is only during the constitutional review process that we managed to argue our case as minorities. We had chapters which actually tried to protect the minorities from dictatorship and discrimination. I am appealing to this Government not to neglect minority communities. This is the same Constitution that the former President used to rule us. We might come up with a tougher dictator than what we have had.

If you do not make constitutional changes, even minimal changes, then history will judge you very harshly. I want minorities to be taken care of by this Government. They need to be given employment, resources to develop themselves and opportunities for training in our institutions.

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

**Mr. G.G. Kariuki:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this

opportunity. I support the adjournment of this House to a day other than the next normal sitting day.

This Government cannot be compared with any other Government since Independence when it comes to service delivery. That is a fact that every hon. Member here agrees with. We have had the facilitation to deliver to our respective constituencies as Members of Parliament. However, it is important for this Government to know that it is nothing but a tool for maintaining public security. If the Government cannot protect its own citizens from outside or inside harm, then that Government is not worth its name. I am saying this, not with bitterness, but because it is a matter that has been bothering us.

My constituency has become a battleground for Pokots and Samburus. This is a simple in so far as Members of Parliament can laugh at it, but it can degenerate into a worse situation. We know that the Government does not have the commitment to control this situation, because if it really has the will, this situation should have been sorted out.

There is one example that shows that, that matter is not as simple as we see it. On 29th May, 2006, a chief inspector from the General Service Unit (GSU) was found training the invaders or the killers. He is a Samburu! But the matter was just left to die quietly. It is a very serious matter. It is provoking other tribes in Laikipia West. It must be known that it is not only the Samburu and Pokots who are there. There are Turkanas, Kalenjins and many other tribes. They need protection from this Government. The Government may wish to sustain itself by letting very dangerous things happen. That is a very serious matter.

On the case of the chief inspector training the invaders, when I followed up the matter to find out what was happening, I was told that the matter had been referred to the Provincial Police Officer. When I asked, he told me that he was going to find out what happened. That is not a matter to be laughed about.

Mr. Temporary Deputy Speaker, Sir, the other thing that this Government needs to be careful about is the presence of foreign missions. Time has come to change our attitude towards foreign missions. There is no need to allow an ambassador of a certain country, especially those that are hostile to Kenya, to travel everywhere at will. Time has come to reciprocate. If we do not travel in their country, they should also be contained and confined in their offices. I do not know why we value ambassadors so highly. Even though they represent their governments, they are at the same level as Under Secretaries in the Ministries. But in most African countries, ambassadors are treated more highly than even Presidents. If they invite Members of Parliament to their houses, they will all go! I think we need to change that attitude.

The Government needs to look at security roads in our country. Cases of theft are allowed to spread because we are unable to reach at the centre of the problem. This Government should start thinking differently from the previous thinkers. Unless we have roads to enable security forces to mobilise themselves to stop or quell a situation which is degenerating to a problem, it would be difficult to achieve anything. Without roads, we shall just be talking to ourselves. With those few remarks, I beg to support.

**Maj-Gen. Nkaiserry:** Mr. Temporary Deputy Speaker, Sir, I stand to support this very important Motion. It is important that we go back to our constituencies to work. We use one-third of our time debating in this House and the rest in helping our people.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on the issue of equity. You even heard a Minister of the Government lamenting that resources in this country are not fairly distributed. We would like to request the Government that, while we are in recess, it should adjust the very unfair way the roads money was distributed. We demand that, that adjustment be done.

The second thing that this Government needs to look into is the issue of poverty levels. Due

to the drought in arid and semi-arid areas, the level of poverty in those areas is very high. We urge the Ministry of Education to be concerned with bursaries for university and secondary students. That is very critical.

The other point which is very critical is national security. We have seen this Government using Government resources to campaign for electoral candidates. But we have not seen the Government using its military resources to rescue our people and their animals across the border. It is a shame that our Government is misusing resources to do campaigns. But when it is needed to act, it does not respond.

**The Assistant Minister for Co-operative Development and Marketing** (Mr. Mwenje): On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the hon. Member substantiate his claims that the Government used Government resources to campaign?

**Maj-Gen. Nkaisserry:** Mr. Temporary Deputy Speaker, Sir, you could even see Ministers going there in choppers. So, do not waste my time. I want to contribute effectively for this country.

Mr. Temporary Deputy Speaker, Sir, another issue which is very critical, and we would like the Government to look into it, is the issue of corruption. The other day, documents were tabled in this House accusing a Minister of being involved in corruption as far as cement is concerned. They have even gone further and sacked the Managing Director for exposing that scam. The Government needs to critically look at itself in the mirror. Look at the issue of Artur brothers. That is an issue of security. Every Kenyan knows what happened.

Mr. Temporary Deputy Speaker, Sir, it is sad that Kenyans are abused by foreigners and the Government sits back. Even the Minister of State for Administration and National Security was told to shut up by foreigners, and he did so! He never did anything! When he appeared before the Commission yesterday, he did not tell Kenyans what those fellows told him. It is a shame! As we go for recess, the Government needs to re-assess itself critically, concerning the image of this nation.

Mr. Temporary Deputy Speaker, Sir, you heard Mr. Poghiso say that animals from Kenya were taken by the Government and given to Ugandans. The Government's main responsibility is to safeguard our safety and property. It is a shame that we take animals from the poor Pokots and give them to Ugandans. I have heard my sister, Prof. Maathai, lamenting - and this is her Government - that it has done this or that! Why did she quit? If you look critically at what this Government has done, it is very shameful.

Mr. Temporary Deputy Speaker, Sir, the Minister for Finance stood here and issued instructions to Ministers to return Government vehicles, so that they could be used for security purposes. As I speak now, not a single Minister has released his or her vehicle to the pool, so that the Government could redeploy them.

When I made my maiden speech, I said that it is difficult to play a guitar to a camel, because it will never sing. We have been singing about this Government for a long time, and it cannot move. They have even abandoned their party! They now have different parties.

With those few remarks, I support.

**The Minister for Livestock and Fisheries Development** (Mr. Munyao): Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me time to contribute to this important Motion. I will start by wishing you, the Chair, a very good holiday and, by extension, all other hon. Members, especially my very good friend who is sitting directly in front of me. I will even go to his constituency during this time, because he impresses me. He is a very serious person.

Mr. Temporary Deputy Speaker, Sir, I need the help of this House because my Ministry is undertaking a very serious exercise of branding animals. I have held a lot of discussions with my colleagues in the neighbouring countries; Uganda, Sudan, Ethiopia and others. We have particular brands for each district. We are doing branding because we want to scale down cattle rustling. We want our marks

to be known, so that if animals are stolen from any part of the country, we will be able to easily identify them. This is very important. We started the branding in areas prone to cattle rustling and the process is going on very well. In fact, the Director of Veterinary Services and other members of staff are in those areas. It is our commitment that we brand most of the animals in those areas to reduce incidents of cattle rustling. If animals are transported from one area to another, we do not have to brand them twice because the marks cannot be erased easily. This exercise will reduce cattle rustling. So, I urge the hon. Members to support me in this effort.

Mr. Temporary Deputy Speaker, Sir, the Government has already opened the KMC at Athi River. We will open other slaughterhouses in Mariakani, Lokichoggio, Wajir and many other places where we have livestock. Now that we are marketing our meat and meat products overseas, it is important that we keep healthy animals. I remember making an appeal on the Floor of this House that every hon. Member commits Kshs1 million out of the CDF to revive livestock farming. This is because we cannot keep healthy animals without good care. I thank the hon. Members who have already committed money towards this cause.

Mr. Temporary Deputy Speaker, Sir, all we need is to have very honest CDF management committees in the different constituencies to be able to revive livestock farming. I appeal to those hon. Members who have not committed any funds towards livestock farming to do so, because we need healthy animals.

Mr. Temporary Deputy Speaker, Sir, vaccination of livestock is another way of keeping them healthy. At the moment, veterinary officers are going round the country vaccinating our animals at a small fee. I appeal to Kenyans to avail their animals whenever we are in a particular area, so that they are vaccinated.

Mr. Temporary Deputy Speaker, Sir, I congratulate this Government for the good things it has done. I am very happy that every hon. Member who has contributed on this Floor has appreciated this Government for not showing discrimination when it comes to national development.

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

**Eng. Okundi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this Motion of Adjournment. From the outset, I wish to support it. I also wish my colleagues a nice break after very hard work during this part of the Session.

Mr. Temporary Deputy Speaker, Sir, a number of Bills and Motions were passed. Among them was the Cotton Bill, which as we all know, affects more than half of the country which is marginal land. If implemented, it will lead to the creation of many jobs for our underprivileged people. I do appeal to the Government to push this Bill for Presidential assent as quickly as possible, so that it can be implemented.

Mr. Temporary Deputy Speaker, Sir, I wish to speak about the issue of fairness. When we pay taxes to run this country, we are all playing it fair. Nobody is discriminated when it comes to the collection of taxes. But when the resources which are financed from the taxes collected are being distributed, we see blatant disregard of a number of areas in the country, which contribute substantial tax. Let me cite the infrastructure, for example. We know that during the last regime, most infrastructure was destroyed. The roads and so many other things got depleted. When the NARC Government took over power it promised to really resuscitate and renew the essential infrastructure. However, we are yet to see this in the Budgets. For example, when the Vote on the Ministry of Roads and Public Works was presented before the House, it was extremely skewed. I want to urge the Government to take note of the sentiments by the hon. Members during the recess, and reallocate and reorganize the areas that major deficiencies will occur. It is ridiculous that a whole district is given as little as Kshs3 million. This cannot even construct a quarter kilometre of a road.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the recruitment exercise. My colleagues have talked very strongly about the recruitment of our people. We all know that unemployment is very acute, particularly in some areas where people have not been employed for a long time. They are looking for opportunities, but when the vacancies are announced, we see blatant disregard of fairness. For example, in the recent recruitment of teachers the allocation to every district of the number of teachers to be employed is indicated. But we find people coming from other districts to be employed in different districts under the guise of, say, affidavits or marriage and so on. While I do appreciate that this can occur, we must fairly fill our chances in the districts where allocations have been made. Thereafter, if somebody wishes to transfer to another district, that is okay.

So, I urge the Government to really look into this issue very seriously, so that all of us can share the cake equitably and happily.

Mr. Temporary Deputy Speaker, Sir, the CDF initiative is very fundamental in the fair distribution of resources in this country. As a matter of fact, when we say that the economy has grown by 5.8 per cent, I really think that this is attributed to the effects of the CDF. The CDF is actually going down to the people in the grassroots and you can really see their lives changing. I would like to urge the Government to see to it that this Fund is increased.

Mr. Temporary Deputy Speaker, Sir, I wish to urge the Government to intensify security, particularly in my constituency. The Minister knows that I have been complaining about insecurity in my constituency all along.

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

**Mr. J. Nyagah:** Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to very reluctantly support this Motion mainly because I think that Kenyans believe that we are one of the Parliaments in this world which has passed the least number of Bills. We need to prove to Kenyans that we are capable of passing many Bills. It is for that reason that I support this Motion very reluctantly. I would have wished to see this House continuing for another two weeks so that we can do the legislative part of our job before going home. I would have liked us to pass a few more Bills that will help this country. When you look at the list of Bills that have been brought to this House by the Government for us to pass, they are very few! You will recall that when the President opened this Parliament at the beginning of this Session, he said that he gave us 25 Bills last year and we only passed eight Bills. The blame was put squarely on Parliament. It is not fair because had Parliament been given more time, we would have passed more than eight Bills. The impression being created is that we like fighting. It is not always true that we like fighting. We need time, and there is nothing better than to be given two more weeks so that we can pass a few more Bills.

Mr. Temporary Deputy Speaker, Sir, I would like to urge the Government that, as we come back in the next Session, it should manage the affairs of Parliament better. The reason why this Parliament is being blamed out there is because the Government is not managing the affairs of Parliament properly. It is controlling and bringing a few Motions at a time. The Government should bring many Motions at a time, so that we can pass them. That way, Kenyans will know that we are working. I was overseas recently and our Parliament was being laughed at because we earn very high salaries but we do very little when, in fact, it is not the responsibility of this Parliament. That is why I am very reluctant to support this Motion to allow us to go home because I would have liked us to put in two more weeks. That does not mean that I do not want to go home. I want to go home and work for the people of Gachoka.

I want to go home and serve the people of Mount Kenya East because it is important that we are seen on the ground. We should go to the people and explain to them what Kenyan politics is all about. It is very important for people to understand this before there is misrepresentation of what is happening in the national politics of Kenya. So, I look forward to this opportunity of going



back to the field, not only to my constituency, but to the region and explain what we are trying to do as part of the national politics.

Mr. Temporary Deputy Speaker, Sir, I hope that the following will not happen during our recess:-

(i) I hope that there will be no Steadman Group opinion polls report. We know and we have come to the conclusion that those are cooked-up opinion polls. In a civilized environment, there is a law that controls opinion polls. For example, we should know who commissioned those opinion polls. If we do not know who commissioned them, then a group of individuals could sit down and create results. I wish to confirm very strongly that I believe that those opinion polls are manipulated. It is important that a new law to regulate opinion polls is passed.

When we resume, I would like to urge the Attorney-General to bring a law that controls the use of opinion polls, especially just before elections. This is important and it is done in all major countries. Now that we are getting to that level of listening to opinion polls, I want to urge him to bring that law quickly so that we can know who pays for those opinion polls, how those samples are taken and how they arrive at the conclusions that we normally get.

(ii) I hope that in our absence, there will be no more commissions of inquiry that will waste our resources.

(iii) I hope that in our absence, the Government will have a good law on Kenyans abroad, so that they can be allowed to vote in the next General Elections, be allowed to have dual citizenship and tax relief on the investment that they are bringing to this country.

(iv) I hope that when we resume, the Attorney-General will bring a Bill to forgive Kenyans who stole money before and who continue stealing, so that they can return it in an amnesty form. We forgive those who stole our money and we hope that they will return a lot of it so that we can use it for the benefit of Kenyans because those commissions of inquiry and legal cases will never come to an end.

(v) I hope that the Money Laundering Bill will be introduced to Parliament so that we stop using our banks and institutions for laundering drug money and other dirty monies.

With those few remarks, I beg to support.

**Maj. Madoka:** Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support this Motion. I want to acknowledge that it is true that a lot has been achieved by this Government. But, of course, a lot of evil has also been done by this Government.

Mr. Temporary Deputy Speaker, Sir, as we go back to our various constituencies, obviously, we are not just going to concentrate on our constituencies alone. I think there is a need for us to look at the bigger picture, and that is the nation of Kenya. We need to really think about what direction our country is going. On the advent of multi-partyism, all of us were concerned that it was going to lead into a lot of tribalism.

It has become more evident that, that concern was justified. Whether it is parliamentary elections, the formation of political parties or operations aimed at raiding *The Standard* Group offices, it is all done through communities.

Mr. Temporary Deputy Speaker, Sir, looking at the just concluded by-elections in Nakuru, people have gone as far as using vernacular stations to drum up support for individual communities against the other communities. Those vernacular stations were also used during the referendum. I wonder where this nation is heading to. If we do not have a united Kenya, all other efforts are doomed. As leaders of this nation and as hon. Members, we need to look at ways of reversing the trend which is now emerging; that of tribalism. The vernacular stations, which I said were used during the by-elections, I have known some vernacular stations which have been used to demonize some of the other leaders. We know what has happened in some of our neighbouring countries and we have to take extra caution to ensure that this country does not lead to a state where there will be

total chaos. I would like to plead with the Government to reconsider the question of licensing these vernacular stations. I would personally advocate that we should not license them because I believe that in the long run, they are going to be of great detriment to this country. This is an issue which we need to take seriously for the benefit of all Kenyans.

Mr. Temporary Deputy Speaker, Sir, as we go back to our constituencies and look at the various developments which have been done through the CDF, I want to say that we have heard a lot of criticism from the media and some of the international bodies. But I think that criticism has been totally unfair. I believe that more than 95 per cent of the CDF funds have been used properly. I would like to invite the media to take this opportunity when we will be on recess to join some of us in our constituencies to see what has been done because, indeed, a lot has been done in those constituencies through the CDF. Obviously, a lot has to be done to build capacity for implementation of the CDF projects. It is crucial that, that is done quickly. Certainly, we have contracts in implementing some CDF projects.

Mr. Temporary Deputy Speaker, Sir, this is our Government. I say so because, the Government is made of three arms, namely, the Judiciary, Legislature and Executive. The Executive, being the main arm of the Government, has certainly let us down in making certain decisions. There is, definitely, a disconnect amongst the Ministers.

Mr. Temporary Deputy Speaker, Sir, I said earlier on that when you find a Minister lamenting about the activities of the Government, then there is something wrong within the Executive Arm of the Government. Ministers have a collective responsibility. They should be able to stand up and speak with one voice as well as find solutions to the problems instead of coming here to lament. So, I plead that the Government should be cohesive.

With those words, I beg to support.

**The Assistant Minister for Co-operative Development and Marketing** (Mr. Mwenje): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

**The Temporary Deputy Speaker** (Mr. Poghio): Order, Mr. Mwenje! For the information of the new hon. Members of this House, you should learn how to catch the Chair's eye, should you want to contribute to our proceedings, by standing up when the Member speaking concludes his or her contribution.

Proceed, Mr. Mwenje!

**The Assistant Minister for Co-operative Development and Marketing** (Mr. Mwenje): Mr. Temporary Deputy Speaker, Sir, I want to start my contribution by paying tribute to the Government, and particularly the President, for the recorded improvement of this country's economy. I also want to ask Members of Parliament to remember to pray for our former President, Mr. Daniel arap Moi, who is now recovering. I hope that he will soon be discharged from hospital.

Mr. Temporary Deputy Speaker, Sir, we are in an era that is concentrating on improving our economy. Farmers have now seen the very big difference that has been made, particularly in the sale of their produce. I want to ask co-operative societies to enhance and assist farmers to ensure that they achieve their goals by producing enough food commodities for our country, particularly those who undertake coffee farming. Coffee farming is still lagging behind whereas prices at the world market are improving.

I appeal to coffee societies to wake up and ensure that we produce enough coffee. We have been given an opportunity by the Chinese Government to sell to them all the coffee that we can produce. So, that is going to improve the market. The world market has been improving lately. Even in New York, the coffee market is getting better by the day. So, I appeal to those managing farmers co-operative societies to start producing enough coffee. We will very soon have a shortage

of coffee because we have not been producing enough of the produce.

Mr. Temporary Deputy Speaker, Sir, I also want to appeal to the Ministry of Youth Affairs to, immediately, determine how the Kshs1 billion Youth Development Fund should be used. Youths in our constituencies keep on asking us how the money will reach them. Since the Minister for Finance announced the creation of the fund on Budget Day, they have been waiting for that money, so that they can also start going.

The Ministry of Youth Affairs has been dragging its feet on this issue. It needs to decide on how this money should be shared out amongst the youths in our constituencies, so that they can get going. It is no good keeping money at the Treasury when people wait for it on the ground, so that they can use it to help themselves. It is necessary to move faster because the bigger percentage of our people are the youths.

Jobs are not easy to come by. If we release this money, a lot of them will engage in self employment through the *Jua Kali* sector, among other sectors. As leaders, we should also assist the youths to use this money by providing them with the necessary infrastructure; be it in the *Jua Kali* sector, farming or whatever area.

Mr. Temporary Deputy Speaker, Sir, I agree with the previous speaker that the CDF has gone a long way in assisting our people. The only problem we have is that some media houses have continued to criticise and look at the bad side of CDF activities. It is also important for the media to highlight the achievements made by the CDF. Let the media not just be critical minded. All the time, they criticise development efforts, without suggesting solutions where necessary.

Individuals interested in coming to Parliament after the next general election are only using the CDF to attack sitting Members of Parliament. Even before the CDF came into being, Members of Parliament were working towards development in their constituencies. So, let those who want to come to Parliament start working out there rather than just criticise sitting Members of Parliament. We need to achieve a lot not necessarily for political reasons, but for the wellbeing of our people.

Mr. Temporary Deputy Speaker, Sir, I agree that each of the three Arms of the Government has a duty to perform. So, when an hon. Member criticises the Executive, he should know that the Legislature is also being criticised. Even the Judiciary has its own part of the problems being experienced in this country. It is, therefore, important that we all work together, appreciating the fact that Kenya is our country.

With those remarks, I beg to support.

**Mr. Balala:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this debate.

Mr. Temporary Deputy Speaker, Sir, I am very reluctant to support this Motion. We work only three days in a week. The Committees are working. Even though we are on duty in Parliament, we should visit our constituencies weekly or fortnightly. It is important to be with your constituents every now and then. Adjourning for long recess has been a system of the colonialists. We still suffer from colonial hangover. The system was based on the country's agricultural seasons. Today, we have technology and modernization of agriculture. What are we doing to change this system?

If we truly believe in the Parliamentary Service Commission (PSC), we should consider its agenda. We should not just look at the PSC in terms of raising our salaries but also in terms of its programmes vis-a-vis the House business calendar. With due respect to the presidency, the calendar of Parliament should not be left to the discretion of the President. Parliament needs to have its own independent business calendar. I believe that we can do this in the next Session.

Bills are of paramount importance to this country. However, it has been said that we spend 75 per cent of our time deliberating Budgets. As a House, we are being blamed of not being productive. Our work is not seen by the public.

Mr. Temporary Deputy Speaker, Sir, we need fairness. It is inscribed at the Bar the words "For the Welfare of Society and the Just Government of Men". What justice are we talking about when we discriminate against some of our own in the appointment of the membership of House Committees because of their political stand and affiliation?

There have been reconciliatory talks but those talks have been held with only a few selected individuals. I believe that there is a way forward in everything. We have had the power struggle problem because we have a strongman power syndrome in this country. I believe that the time is now to introduce minimum amendments to the Constitution and "demonise" the struggle for the presidency by devolving power to the people through the introduction of *majimboism* in Kenya.

Mr. Temporary Deputy Speaker, Sir, we should empower our people to run their own country. All successful countries of the world have a federal system of Government. We need to eradicate the monster in our Presidency. The coming President may be a worse monster than the current one. We are setting a very dangerous precedent. People are hungry for power, not to serve their people. It is high time that leaders give services to the people.

Our political parties system is flawed. We know that currently, the big tribes are taking advantage of the small ones. People with big numbers have been taking advantage of the minority. We need to change our political framework and system and have a party system that is all-inclusive, one which can eradicate nepotism and tribalism and be sensitive to marginalised communities and other minority groups. What is going on in Kenyan politics is not fair. Leaders are out to achieve heroism and form tribal networks because of their numbers.

Mr. Temporary Deputy Speaker, Sir, tell me whether, in this country, we have a Kenya Arab who is in a top Government position. There is none because the tribe is a minority and so, it is marginalised. It is not fair to say that anyone can go to Maasailand and buy land, as long as there is a willing buyer and a willing seller, yet Maasais are discriminated against in terms of education, health and other resources. That is a recipe for tribal clashes and for creating hatred among Kenyans.

We have a responsibility, as leaders and as a Government, to unite this country, eradicate hatred and stop discriminating our people. It is time to reconcile for the good cause of this country.

I reluctantly support.

**The Temporary Deputy Speaker** (Mr. Poghisio): I would like to recognise the new hon. Member for North Horr.

**The Member for North Horr** (Mr. Ukur Yattani): Mr. Temporary Deputy Speaker, Sir, I would like to thank my constituents for giving me this opportunity to be in this House.

**The Temporary Deputy Speaker** (Mr. Poghisio): Could you be kind enough and tell this House who you are and which constituency you come from, then you proceed? Nobody will interrupt you. So, just speak freely.

**The Member for North Horr** (Mr. Ukur Yattani): Thank you, Mr. Temporary Deputy Speaker, Sir. My name is Ukur Yattani, hon. Member for North Horr Constituency.

I thank my constituents for giving me the opportunity to be in this House. Secondly, I would like to thank my party for campaigning for me and giving me the necessary support that made me manage take the seat of the late Deputy Leader of Official Opposition.

**An hon. Member:** Who is that?

**The Member for North Horr** (Mr. Ukur Yattani): Mr. Temporary Deputy Speaker, Sir, I am talking about the late Dr. Godana's seat.

Security issues are paramount in this country. Provision of security is the responsibility of the Government. It is the responsibility of the Government to provide security in the northern part of Kenya. Northern Kenya has encountered many incidences of insecurity, being perpetrated by the Ethiopian militia. Since the Ethiopian Government ceased to be in control of its people, the free

criss-crossing of the border as if Kenya is not a Sovereign State is increasing. It is important for the Government to come to the aid of the people of northern Kenya by stopping the invaders from killing our people and taking their animals.

I am an hon. Member from a minority group. It is important that everyone in this country be given an opportunity to serve in the Government, and to enjoy equal share of the national cake. During the reign of the past Government, which was in place for 40 years, the minority groups were put on the periphery of development to their disadvantage. Those people who have managed to study very hard and go to school and earn degrees do not still get chances to advance themselves. I am happy that the NARC Government, for the three years it has been in power, has recognised the position of the minority groups. I urge the Government to continue following affirmative action so that minority groups can catch up with the rest of Kenyans.

One major disadvantage we have is failure to get identify cards, which is against democracy. It is against democracy when people are expected to vote, yet 90 per cent of my constituents who are below the age of 30, do not have identity cards. That is a clear indication that they cannot vote and exercise their democratic rights. It is important that the relevant Ministry addresses the issue so that people can freely participate in the democratic exercise.

I am happy with our Government because of the creation of the new Ministry of State for Youth Affairs. I am optimistic that something good will come out of it. Youth empowerment is important because many of them are unemployed and have no decent source of income. They have a lot of energy which, if not utilised, can be directed to wrong-doing. So, we hope that the Ministry will address all issues regarding the youth.

Mr. Temporary Deputy Speaker, Sir, on the issue of meat market, KMC was opened recently. However, I do not think that its existence in Athi River is being felt by the people of northern Kenya. I hope the relevant Ministry will take action to ensure that special quotas are awarded to people of northern Kenya, even if it is by setting up mobile abattoirs.

Northern Kenya has been suffering from perennial famine. Year in, year out, we have a vicious cycle of famine where people are dying from lack of food. Having been a District Commissioner in the past, I know how wasteful distribution of famine relief can be. You can spend over Kshs100 million in one year, yet in the following year, the situation will still be the same. I hope the problem will be replaced by long lasting and sustainable development.

I support.

**Mr. Sambu:** Thank you, Mr. Temporary Deputy Speaker, Sir. I want to talk about a national issue before I move on to talk about an issue which is affecting my constituency. I want to ask our friends who call themselves the Orange Democratic Movement (ODM) luminaries--- When some of us were going round last year protesting against the Wako draft, our leaders formed the ODM. We said that we did not want the Wako draft because it gave more powers to the Presidency. I am now surprised that those who were the leaders of ODM, who would take 20 minutes to speak during rallies, while some of us were given only two minutes to introduce ourselves, are saying that they want to contest for the Presidency. I am wondering if it is the same Presidency they were against, that they are contesting for. If it is the same Presidency, let Mr. Kibaki continue leading us until 2019. What we want is a genuine review of the Constitution. I am requesting the Government to re-launch the process of writing a new Constitution, based on the Bomas Draft.

Having said that, our colleagues who are going round campaigning should know that some of us in the ODM know that they are not sincere at all.

Mr. Temporary Deputy Speaker, Sir, may I now say a few things about my constituency, and the allocation of resources. We are now recruiting teachers. But it a shame! In Nandi North District, where we have two constituencies, we have been given 47 vacancies for teachers.

However, there are already 78 teachers with notices to retire at the end of the year. So, we are getting a deficit of 31 teachers. What kind of fairness in resource allocation is that? In most schools in my constituencies, the ratio of teachers to pupils is one to every 70 students in lower classes. Although we call it free education, is it fair for those young children?

As we go for recess, we should go and sit in the District Education Boards (DEBs) and check on the recruitment of teachers. They should look at the figures afresh. There was something terribly wrong. I do not want to talk about the Kenya armed forces and others. But because those are Kenyan children, let us look at that recruitment afresh.

I also want to support what Mr. Musila said earlier, about appealing to His Excellency the President to direct secondary school head teachers and principals of Government colleges to release certificates to students. I have a poor girl in my constituency who completed Form IV in the year 2001. She had a mean grade of C+ through though she did not present her case to me. She owes the school only Kshs5,500. It also happens that from the CDF, we had given that school Kshs700,000 for pumping water. It is sad that, they have not released the certificate of that poor girl since the year 2001. I have assisted her but, let me ask: Is there any legal binding agreement for teachers and Board of Governors to retain certificates? It is illegal! That is why I am seconding the appeal to His Excellency the President to direct school head teachers to release certificates.

Finally, I want to request the Government - and I wish the Minister for Livestock and Fisheries Development was here - to allow us to use acaricides of our choice. The acaricide they are forcing us to use, that is Triatix, does not kill ticks. Those ticks are killing our cattle.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Poghisio): I will give two chances to the Government side. Specifically, I recognise the new hon. Member for Saku Constituency!

*(Applause)*

**The Member for Saku** (Mr. Hussein Tari Sasura): Thank you, Mr. Temporary Deputy Speaker, Sir. My name is Mr. Hussein Tari Sasura, Member of Parliament for Saku Constituency.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the people of Saku for electing me as their Member of Parliament in the just concluded by-election.

Mr. Temporary deputy Speaker, Sir, I would like to touch on the CDF. The CDF, which was put in place by this Government, is a milestone in terms of development. Areas in upper Eastern, which many people confuse as North Eastern, have seen great development. They have made a big stride in terms of realising development project within a very short time. For hon. Members who passed the CDF Act, I would to say a big thank you. We have seen great development.

*(Applause)*

Insecurity is still a major issue in the upper Eastern. We know the late hon. Members died while looking for peace. They were involved in an accident while they were trying to look for peace. However, the problem is still persisting. I would like to commend the Government for enhancing security. However, more needs to be done. We need to have more security personnel in strategic points to curb insecurity.

The road network is very important because when bandits attack and take away our cattle, reaching them is very difficult. That is because of the poor road network. I would like to appeal to the Minister concerned to improve the road network, so that communication can become easier.

We have heard the Minister talk about branding to curb livestock theft. Maybe, he should

borrow a leave from the new technology where we have a balling system. Some electronic balls are installed in the animals stomachs. They can be tracked using the global positioning system. That system is being used in countries like Botswana. It is very easy for animals to be tracked using a very simple garget at every given checkpoint. That way, animal theft can be easily checked.

Mr. Temporary Deputy Speaker, Sir, in terms of improving the standards of education, the upper Eastern region suffers a lot. The girl-child always suffers a lot. The pastoralists do not give them an opportunity to get education. I urge the Government to put up boarding secondary schools for girls, so that they can access education much more easily. The current system only favours the boy child. That way, children will get proper education and access to other facilities.

With those few remarks, I beg to support.

*(Applause)*

**The Assistant Minister for Labour and Human Resource Development** (Ms. Mwau): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute. I stand to support this Motion. I feel it is time we took a break to go back, reflect and implement projects using the CDF. I want to ask hon. Members to go out there and preach the good news of what this Government has done. During the campaigns, Members who campaigned in upper Eastern had the opportunity to see how those people live. I worked in upper Eastern in the 1980s. But for the first time, I realised that the KANU Government never knew there were Kenyans in upper Eastern.

For the first time in Kargi, women who were trekking 70 kilometres in search of water, can now access water in their areas. In Koror Swamps, women who were not able to access water can now access water. For the first time, the Isiolo-Moyale Road is being constructed. I would like to ask the Minister for Roads and Public Works to make sure that, that road is completed as soon as possible.

The people of the upper eastern Kenya have never travelled in matatus. They travel on top of lorries with their livestock. So, opening the Isiolo-Moyale Road will give the people of the upper eastern Kenya an opportunity to travel in comfort.

During the campaigns, we asked the people of the upper eastern Kenya what is the difference between the current Government and the governments that have been there before. They told us that for the first time, they were being fed by the Government, their animals were being fed and water was being supplied to the area. As we go for recess, we should take something positive to the people. All the time, we have been talking negatively about the Government. There might be things that have gone wrong in this Government, but for the first time, the *mwananchi* can now access basic services that were not available before.

Mr. Temporary Deputy Speaker, Sir, I would also like us to go out and preach the gospel of "I am proud to be a Kenyan". I would like to support the previous speaker who has talked about the need for us to check the use of vernacular FM stations. We are talking of being proud to be Kenyans, but the vernacular FM stations are making us more tribal. It is good for me to be a Mkamba, but it is best to be a Kenyan. It is important for us to go out and preach the gospel that we are proud to be Kenyans, in spite of us having conflicts with each other. It is important for us to preach this gospel, so that we can have peace in this country.

Mr. Temporary Deputy Speaker, Sir, I want to speak about the Youth Enterprise Fund. The Minister for Youth Affairs should put in place policies and strategies and let us know how our youths can benefit from this fund as soon as possible. We have so many unemployed youths. Some left school as early as 1991 and their certificates are still with the head teachers. It is important for the Ministry of Education to give an ultimatum to the head teachers to release those certificates.

With those few remarks, I beg to support.

**Mr. Gumo:** Thank you, Mr. Temporary Deputy Speaker, Sir. We are now going on recess. We are going to have an opportunity to visit our constituents, supporters and also supervise development projects in our constituencies.

Of late, we have heard quite a number of hon. Members attacking the Electoral Commission of Kenya (ECK). I do not think it is fair for us, as hon. Members, to attack the ECK. In 2002, the Chairman of the ECK, Mr. Kivuitu, was supported and applauded because the NARC Government took over power. Today, the same people who were saying that he was the best Chairman are now attacking him. Having known him, he is a very straightforward person and I do not think that whoever is making noise is going to influence him. He is a very firm man. He will continue to do his job because he is doing a good job.

Mr. Temporary Deputy Speaker, Sir, when hon. Members from the Government side talk against something, it means that they want to do something. They are looking at next year. Maybe, they are planning to rig next year's general elections and that is why they want to throw him out. We saw the Government using public resources during the last by-election. We saw people alighting from helicopters with posters of candidates. This is misuse of Government resources. If a military helicopter can carry election posters, how do you explain that? If you say that Mr. Kivuitu is wrong to raise this issue, I am sorry for you, my friends.

The other point which I want to raise is that the electoral register---

**The Assistant Minister for Trade and Industry** (Mr. Miriti): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is addressing the Chair and I have just heard him say that he is sorry for you. Is he in order to be sorry for the Chair?

**Mr. Gumo:** Mr. Temporary Deputy Speaker, Sir, Mr. Miriti is my friend and I do not want to respond to that.

The electoral registers are not up to date. They have been there for nearly 20 years. We have only been making new registrations. The names of people who have died are still there. The other day, I heard the ECK Chairman saying that they are going to up-date the registers. There is no point of up-dating these registers. They should be scrapped and we start new registrations. If nearly one-third of the names in the register are dead, is that an accurate register? How do you tell who is dead and who is living? That is why you find people using votes of dead people to vote.

We have people who have moved from one point to another and they cannot vote any more. We have people who tried to move their names from one polling station to another, but their names were not removed. When they go to vote, they are told that they are double registered. This register should be scrapped so that we can have a new register.

Mr. Temporary Deputy Speaker, Sir, we have had so many commissions. Now we have the Kiruki Commission which is investigating the saga of the Artur brothers. The Artur brothers disorganised this country. They disorganised this Government. The people who are being called to the Kiruki Commission to give evidence are very junior officers. If I were the head of the Kenya Revenue Authority and I have given instructions to my junior officers; when you invite them to give evidence, will they tell you that it is Mr. Gumo who told them to say certain things? If they say, I will sack them. So, we are getting no information. If some people can be involved in every department of this Government, including internal security, airport, KAA, immigration, were these people doing these things on their own? This is nonsense. This commission should wind up.

With those few remarks, I support.

**Mr. Karaba:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to the debate on this Adjournment Motion.

It has been a good time. It has also been a good experience for some of us who have been here for the first term. It has also been a very contrasting time when we noted that some Ministries



can practice unfair distribution of natural resources and wealth. A road in my constituency which had stalled for 15 years could not even be captured by the Minister. Instead of allocating money to this road, money is allocated to other new roads of even a lesser class. This is why I think we need to have the Budget Committee to meet before the Budget is presented. There is the Mikahio-Baricho-Kibirigwi and Baricho-Kerugoya roads. These roads have stalled for the last 15 years. Surprisingly, not a single cent was allocated to these roads.

As we go for recess, it has not been very clear as to whether the Kshs800 million which was slotted for bursary last year has been reinstated. We could only read in the papers today. I listened to the Minister for Education very keenly but he never mentioned anything about bursary. We need to explain to parents and students why bursary has not been factored in the Budget this year. If it is not there, then the Government will live to regret, because this is money meant for the poor.

Mr. Temporary Deputy Speaker, Sir, I would expect the Ministry of Education and Ministry of Finance to come together and have the bursary reinstated back to the Ministry of Education.

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

*[Mr. Deputy Speaker resumed the Chair]*

Mr. Deputy Speaker, Sir, I also note that the ongoing teacher recruitment exercise is an exercise in futility. Because of the introduction of free primary education, we have had an increase of about 1.2 million students, yet not even a single teacher has been recruited to cope with the increase. What we are doing now is just replacing teachers who have either died or retired or been sacked. We have not had an exercise aimed at recruiting teachers to cope with the high number of students who have increased because of free primary education.

Mr. Deputy Speaker, Sir, I would, therefore, ask the Ministry of Education to make sure that the exercise of recruitment of teachers is initiated. The Ministry of Education is a very important service Ministry, but if we are not careful, we are going to leave a country that will lag behind in development, and we shall be a laughing stock in Africa and the world. Let us, therefore, pay a lot of attention to this Ministry so that we recruit the necessary teachers.

Mr. Deputy Speaker, Sir, you also notice that many schools in the country have no facilities, yet the Ministry of Education continues to suggest that some subjects are made compulsory, for example, the science subjects. Some schools that do not have science facilities are made to compete with those that are well endowed with such facilities. This will mean that those who have facilities will continue passing exams, and they will continue to dominate admissions to universities and, eventually, continue ruling this country.

With those remarks, I beg to support.

**Mr. H.M. Mohamed:** Mr. Deputy Speaker, Sir, I join my colleagues in supporting this Motion so that we go home and meet our constituents at the grassroots level. Those of us who come from very vast constituencies will have an opportunity to visit our people. The ECK has announced that it is going to start registration of voters on 15th August. It is unfortunate that most of our people, especially where I come from, cannot take part in this exercise because of lack of identity cards. This has been going on for many years and as leaders, we have complained for a very long time but it seems that nobody is listening to cries of our constituents.

Mr. Deputy Speaker, Sir, where I come from, people who are 30 years old and even more have no *vipande*. Married women with four to five children have no *vipande* because when these officers visit those areas, they complicate things. They ask applicants to bring photostat copies of

their parents' identity cards. Where will they get these photostat copies? For one to own a photocopy machine, he or she needs electricity. Some of us, in most parts of this country, have never seen electricity. These officers are delaying issuing out identity cards because of employing the above tactic.

Mr. Deputy Speaker, Sir, let me talk about the ongoing teachers recruitment. It is very sad. When I looked at the newspapers, I saw that Garissa District had been allocated only 13 places. I was very much surprised and I want the Assistant Minister for Education, who is looking at me, to hear this. I called my District Education Officer (DEO) and asked him why he had not requested for teachers. He told me that he had requested for 197 teachers and he was only given 13. Is that fair? It is not fair. I have visited most of the schools in my constituency and I found some primary schools with only two teachers. Sometimes a head teacher travels to Garissa to attend meetings and the school is left with one teacher during the entire week he is away. When the teachers go and get their salaries at the end of the month, children do not learn. I want the Minister for Education to consider this matter. It is a very serious matter; it is not a laughing matter.

Mr. Deputy Speaker, Sir, on bursaries, I want to thank the Government because a lot of money has been sent to the districts but I want to request the Government to introduce free secondary education. If it is not possible for the Government to introduce free secondary education for the whole country, let it be done for the ASAL areas. It is possible, and if the Government refuses, then what happened to KANU in the last General Elections will also happen to you. You can remember when our Presidential candidate said in public that free primary education was not possible and that is why we lost. If you do not give us this free secondary education, you might lose in the next General Elections. So, please, give us free secondary education. That is the only way children from ASAL areas can access education.

With those few remarks, I support the Motion.

**The Assistant Minister, Office of the President** (Mr. Kingi): Asante, Bw. Naibu Spika, kwa kunipa nafasi hii ili nizungumzie Hoja iliyo mbele yetu. Nataka kuunga mkono Hoja hii ambayo inauia kutupatia nafasi ya kwenda nyumbani ili tuweze kushirikiana na wananchi katika mipango mingine mingi ya maendeleo.

Ningetaka kuchukua fursa hii kuishukuru Serikali kwa miradi mingi ya maendeleo ambayo imeanzishwa kila mahali katika taifa letu. Hii ni miradi ya elimu, barabara, afya, kilimo na kadhalika. Tunajionea miradi hii tunapoenda katika mawakilisho yetu. Hata hivyo kuna mambo fulani ambayo tunahitaji kuzingatia ili maisha yetu yazidi kuboreka. Mojawapo ya mambo hayo ni usalama wa wananchi na mali yao katika taifa letu. Jambo hili la usalama ni la umuhimu sana. Tunapoelekea nyumbani, kuna miradi tumeanzisha, kama mradi wa kushirikiana kati ya wananchi na polisi kupambana na wahalifu, yaaani, *community policing*. Ningetaka kuwauliza Wabunge, wakati tutakapokuwa katika mawakilisho yetu tukijumuika na wananchi, tuweze kusisitiza umuhimu wa mfumo huu wa *community policing* ili tupunguze uhalifu katika sehemu tunazowakilisha.

Bw. Naibu Spika, maisha ya vijana wengi yako hatarini kwa sababu ya utumiaji wa madawa ya kulevya. Kila siku tunasoma habari kwamba maisha ya vijana wengi yanaangamia kwa sababu ya madawa haya. Ni jukumu letu kama Wajumbe tuzungumze na vijana na wananchi wote kwa jumla ili utumiaji wa madawa haya ya kulevya umalizike katika taifa letu. Ikiwa tunafahamu watu ambao wanauza madawa haya kwa vijana wetu, tuweze kushughulika na kuripoti watu hawa ili wachukuliwe hatua. Hii ni pamoja na vinywaji vingine ambavyo havijahalalishwa na vinaangamiza wananchi.

Bw. Naibu Spika, kwa muda mchache uliopita tuliona Wizara ya Elimu ikiajiri walimu. Pia tumeona Wizara ya Afya ikiajiri wauguzi, lakini kuna Wizara nyingine ambazo ni muhimu sana kwa maisha yetu, kwa mfano, Wizara ya Kilimo. Tungetaka kuuliza kwamba Wizara hii pia iajiri

maofisa zaidi ili waweze kutembea kwenye mashamba ya wananchi na kuwapa maarifa ya kukuza mimea ili tabia hii ya kuombaomba chakula kila wakati imalizike.

Bw. Naibu Spika, kwa upande wa misaada ya elimu yaani, *bursaries* tunashukuru Serikali kwa sababu imekuja na mfumo wa kupeana pesa za masomo. Tatizo lililoko ni kwamba sehemu kame na maskini ambapo wazazi hawawezi kupeleka watoto shule kwa sababu wazazi ni maskini ndizo zinaendelea kuumia wakati wa kugawanya fedha hizi. Utapata Eneo Bunge kama langu linapata Kshs500,000 na kuna mawakilisho mengine katika jamhuri hili ambayo yanapatiwa milioni kumi au milioni nane. Mawakilisho ambayo yanapatiwa pesa nyingi ni yale ambayo labda maisha ya wananchi wao ni mazuri kwa sababu wana rasilimali mbali mbali na wanaweza kupeleka watoto wao shuleni. Wakati wakuhesabiwa vijana hawa, unapata kwamba wale wa sehemu hizo ni wengi kuliko sehemu hizi ambazo watu hawana pesa. Vijana wanaoenda shule ni wachache na kwa hivyo wanaendelea kuumia. Tungeomba mfumo huu ubadilishwe ili sehemu zile kame na zile ambazo hazawezi kujimudu ziweze kupata pesa zaidi kuliko vile mpango unavyoendela kwa wakati huu.

Bw. Naibu Spika, tatizo lingine tulilo nalo katika taifa letu linahusiana na wizi wa mifugo. Tunataka kuwaomba wananchi waache tabia hii mbaya; tabia ambayo imeleta maafa, vifo, chuki na matatizo makubwa katika taifa letu. Siku hizi wafugaji wote wanaweza kwenda kutafuta mikopo na kufuga mifugo wao badala ya kuiba ya wenzao. Kwa hivyo, tunataka tabia hii ikomeshwe!

Kwa hayo machache, naomba kuunga mkono.

**Mr. Salat:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to also contribute on this very important Motion. We are now supposed to wind up the business of the House and go back to our constituencies where we will be in touch with our people and consult them. This will ensure that when we come back here, we will serve them better after visiting them in their respective areas.

Today, being the day that we are adjourning, I was lucky to have asked a Question by Private Notice, requesting the Government to tell us exactly what it has done with regard to the welfare of the retired President. I am happy to report that although, initially, when the Assistant Minister was answering the Question, he had said that all the provisions of the Act for retired Presidents had been accorded to him, when I followed up later, he also agreed that most of it had not been adhered to. I am also happy to report that a letter allowing the former President to purchase a car has been shown to me by the Assistant Minister. He acted very fast and I want to thank him for that. It is the first time that we have a retired President. In that sense, we will have more and how we treat the first one is very important. We are also going to have retired Vice-Presidents. So, it is important to implement this Act in totality. I am, therefore, happy that we are doing something. We should not wait until a Question is asked in the House to implement the Bills that we pass here. So, it is upon the Government to ensure that all the Bills that we pass are implemented.

Mr. Deputy Speaker, Sir, having said that, I would like to touch on the issue of parties. In this country, as of now, there is total confusion with regard to parties. We do not know which party is governing. We have a new party called "Kenya-NARC".

*(Laughter)*

**An hon. Member:** NARC(K)!

**Mr. Salat:** Yes, NARC(K), Mr. Deputy Speaker, Sir. The confusion is on those lines. Initially, the pledges that were made to Kenyans were made by a party called NARC. So, the contract between Kenyans and the ruling party is that of NARC. It is totally confusing because

Kenyans will be asking NARC to fulfil the pledges that they made to them. However, the President has endorsed another party and so we are totally confused. The Ministers are campaigning for a party that did not sponsor them to this House. It is confusing!

We would like leadership and we expect the President to stick to the original NARC so that Kenyans can hold him accountable. If it has failed, they should come out clearly and tell us that it has failed. When they do that, they have to go back to the people who gave them the mandate and admit to them that they failed in the NARC. However, they should not hoodwink Kenyans midway by running away from their responsibilities and forming another party. We, therefore, expect that Kenyans will be clever enough to know exactly who will be held accountable for all the pledges that this Government had made to them. I hope that they will not be hoodwinked into thinking that the party which is supposed to provide services is NARC(K), but it is NARC. The failures of NARC will automatically be blamed on the hon. Members on the Front Bench and the entire Government. Kenyans need a direction, and right now, this country does not have any direction.

**An hon. Member:** Is it so?

**Mr. Salat:** I am being honest.

**The Assistant Minister for Local Government** (Mr. Shabaan): On a point of order, Mr. Deputy Speaker, Sir. The hon. Member is misleading the House because he was also elected on a KANU ticket, but supports the New KANU. Is he in order to mislead the House?

**Mr. Salat:** Mr. Deputy Speaker, Sir, you can tell the confusion I am talking about by this hon. Member. He is an Assistant Minister in a Government that he is not supposed to be part of. He appears confused because of the side he is talking from. But we will leave him alone.

With those few remarks, I beg to support.

**Mr. Deputy Speaker:** I will now call on Mrs. Mugo and then Ms. Karua.

**The Assistant Minister for Education** (Mrs. Mugo): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion of adjournment. This adjournment will give hon. Members time to inspect many development projects going on in their constituencies. This Government has provided a lot of funds directly to our constituencies for development. I would like to assure hon. Members that there is absolutely no confusion because this Government is delivering. There is no question about if there is a Government in place or not. We know when confusion started, but I will not go into it because it is a waste of time.

There are many issues that have been raised on education. I want to assure my hon. colleagues that my Ministry is completely in charge. As for shortage of teachers, we will make sure that each area gets its fair share. Some areas are said to be employing many teachers, it is because of maintaining a national average, which is dependent on the funds available. However, my Ministry will be fair in the distribution of teachers.

There was also the question on certificates of students who complete secondary school education. Mr. Deputy Speaker, Sir, you brought a Motion to this House to ease the pain of students who complete secondary school education. Whereas the certificates themselves cannot be released to them, they will be given transcripts. Giving the hard copy will render secondary school education free of charge. To do this, we need planning. Much as the idea is good, the Government has to budget for it. We hope that will be the case when this Government comes back to power. We agreed in that Motion that a student should be given a copy of his or her certificate so as to use it to join college or to get employment. But the original certificate must be held, even if the parents pay fees balances in instalments. If we release the original certificates, we will render secondary school education free. We have not yet reached the time to write off all fees for secondary schools, which need money to run. But in the case orphans, their cases can be looked into on their merit. We cannot give a blanket order for release of certificates, but in the case of orphans we can intervene.

Mr. Deputy Speaker, Sir, I want to bring to the notice of this House a very sad case of an

orphaned girl, who was raped by a man. The orphaned girl was supposedly employed by the man, but he had not paid her any money since 1997. The man raped the orphan girl and she has given birth. She is now in Nyeri District Hospital after she was dumped. I am calling on the Commissioner of Police to make sure that the man is arrested in accordance with the provisions of the new Sexual Offences Act which we passed in this House. That man should be charged in a court of law with two charges namely, enslaving the girl and raping her. That will ensure that the law we passed is of some help to our people.

I would like to thank the Minister of State for Administration and Internal Security for the relative security that we are now enjoying in this country. However, I would like to draw his attention to some areas of Dagoretti and Kawangware where insecurity has increased. I am asking the Minister to make sure that we have a police post in that area.

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

**The Minister for Justice and Constitutional Affairs** (Ms. Karua): Thank you, Mr. Deputy Speaker, Sir. I will only take three minutes, so that others may also have a chance to speak.

I rise to support this Motion---

**Mr. Deputy Speaker:** Are you donating some time to Mr. Miriti?

**The Minister for Justice and Constitutional Affairs** (Ms. Karua): Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Go on then.

**The Minister for Justice and Constitutional Affairs** (Ms. Karua): Mr. Deputy Speaker, Sir, I rise to support this Motion. I want to agree with my younger brother, hon. Salat, that we will need to put some legal mechanisms in place to clearly define the Opposition and the Government. This is a transitional period and we do not need to carry over the confusion of this period into the next dispensation. However, I want to advise him gratuitously, as he was trying to advise His Excellency the President, that only Ministers and Assistant Ministers swear to advise the President. Any other Member of Parliament is under no obligation, especially when they are practising double speak, to tell the President not to do what they themselves do.

Mr. Deputy Speaker, Sir, this Parliament will need to sit down and decide how to handle issues that have come because of transition, especially the issue of corruption. It has been made to look like this Government bears the burden and guilt of corruption when the perpetrators are pretending to be the high priests. We need to sit down and see how we can rid this country of this problem corruption, so that the next dispensation becomes a new one.

Finally, may I thank all Kenyans for the mature manner in which they conducted themselves during the just ended by-elections. We are very grateful that the new-born baby is now healthy and bouncing. I am talking about NARC(K), of which I am a serious sympathiser. We are happy and we congratulate Kenyans. They know what work the Government has been able to do for them. They also know what kind of people are in Government. I urge them to continue supporting the new-born baby.

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

**The Assistant Minister for Trade and Industry** (Mr. Miriti): Thank you, Mr. Deputy Speaker, Sir. First and foremost, let me thank the President of the Republic of Kenya, hon. Mwai Kibaki, for the way he has steered this country forward. This has never been witnessed in this country before. He has done it so well that everybody is happy. In fact, you have heard Members of Parliament on the Opposition side say that they are satisfied with the management of this country.

President Kibaki has done a lot despite a lot of noise made by retrogressive leaders, who dwell on platitudes. In fact, we heard senior Members of this House talk about resignation of the President. Those are words that have been used for many months. The President will continue

ruling us, and I am happy that there is one Member of Parliament from KANU who has given the President up to 2019 to rule this country.

I call upon all the parties to use the slogan of "one nation, one Kenya and one country." We should also follow the rallying call of NARC(K).

With those few remarks, let me give one minute to Mr. Angwenyi.

**Mr. Deputy Speaker:** Order! You ought to have consulted me first. But today being a recess day, I will allow that.

**Archbishop Ondiek:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir---

**Mr. Deputy Speaker:** Order! Will both of you sit down? Will you sit down, Archbishop? I want you to learn to obey the Chair. The Chair says: "Archbishop, sit down!"

Mr. Angwenyi!

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, I want to say two things. First, I want to commend this Government for the things it has done. When we go out there, let us tell our people that they have free primary education. Let us tell them that we have increased the CDF, so that Mr. Kimunya cannot reduce it. Let us tell our people that they are going to get services nearer home, so that Mwingi could get another district just like Kisii.

Finally, we the people from Gusiiland, that is, Gucha, Nyamira and Kisii, are suffering because of insecurity. Could this Government send a special squad to Kisii? Tomorrow, I am going to bury my cousin, who was a Deputy Secretary in the Ministry of Local Government. He was killed in his own house. Could this Government send security officers there and arrest those killers?

**Mr. Deputy Speaker:** Thank you, Mr. Angwenyi. At least, you remembered Mwingi. Mr. Chepkitony, Mr. Ochilo-Ayacko and Archbishop Ondiek will share ten minutes. The House will rise at 6.35 p.m. We have to finish the three hours.

**Archbishop Ondiek:** Mr. Deputy Speaker, Sir, this is a very important Motion. We are moving back home to inspect the programmes that we have in our constituencies. Regarding the Youth Fund, the Minister should come here with a proper plan on how to use those funds. If we are not careful, it might end up like the YK which was there in 1992.

Mr. Deputy Speaker, Sir, the Ministry of Local Government should supervise the Local Authorities Transfer Fund (LATF), so that it is well coordinated with the CDF, within the respective constituencies. The way the LATF money is used is not proper. You can hardly see what is going on in the constituencies. The LATF funds are doing completely nothing!

I beg to support.

**Mr. Chepkitony:** Mr. Deputy Speaker, Sir, thank you for giving me an opportunity to contribute to the Motion of Adjournment. This is a good opportunity to be with our constituents and participate in development. We will also assist in the implementation of the CDF projects. We will also assist our constituents to utilise the CDF properly. There is a lot of criticism from our enemies and those who are not in favour of CDF. But the CDF has done a lot. It is one of the biggest achievements of this Parliament.

Mr. Deputy Speaker, Sir, unemployment is the biggest problem in this country. Graduates from our universities are not employed. Some have been in the streets for over 5 or 10 years. It is still a very big problem because other graduates are coming out every year. If this problem is not addressed, it is going to be explosive. The "former NARC Government" promised to create jobs, but it did not. I urge the current Government of National Unity (GNU) to create more jobs, so that our youngsters could be employed.

**Mr. Deputy Speaker:** Mr. Chepkitony, you should read the mood of the House.

**Mr. Chepkitony:** I would like to mention that the appointment of ECK Commissioners

should be done according to regional areas and also the parties.

With those remarks, I beg to support.

**Mr. Ochilo-Ayacko:** Thank you, Mr. Deputy Speaker, Sir, for the opportunity. I represent sugar-cane farmers who are owed a lot of money by Government, because the milling company that owes them money is 99 per cent Government.

Mr. Deputy Speaker, Sir, during this recess, I would beseech the Government to avail that money to be paid out to the farmers who are owed the money, not just in Sony, but also in Muhoroni, Chemelil, Nzoia and Busia; and even Mumias, if they are owed money. Without the money, they become beggars, desperate, and they become unproductive.

Mr. Deputy Speaker, Sir, finally, at the beginning of this Session, there was an attempt at reconstituting the Committees. I am glad my friend, hon. N.M.G. Nyagah, is here. We had pleaded with him very well, in spite of the fact that we look at things differently, to embrace the diversity in this House, both in terms of age, experience and regions, and include everybody in the Committees. Now that we are going for recess and some of us have not been considered to join those Committees, I am afraid that this House is being denied the richness of that diversity.

With those remarks, I beg to support.

**Mr. Sang:** Mr. Deputy Speaker, Sir, I want to support the Motion. Kenyans are asking one big question. The Government is quiet about the Constitution. You will recall that those who have been agitating for the New Constitution, particularly in the 8th Parliament, are the ones who are now in Government and they are now very quiet about the new Constitution.

I beg to support.

**Mr. Muchiri:** Mr. Deputy Speaker, Sir, may I add my voice in support of this Motion and say that this Government has done a lot. I think the new districts need to be actualised. We need those services because we need to bring Government services closer to the people. I also urge that the Districts and Provinces Act should be amended so that boundaries are realigned properly so that we do not have them cutting across a village like one in Kirinyaga District. I support the Motion.

**The Minister for Water and Irrigation** (Mr. Katuku): Thank you, Mr. Deputy Speaker, Sir, for also giving me an opportunity to say something on this Motion. I also take this opportunity to invite Members to attend a workshop beginning 1st September, in Mombasa, to sensitise Members on water reforms, which are critical. I appeal to Members to take time off their busy schedules to attend that workshop, because the reforms we are undertaking in this sector are critical and we need the support of Members. Therefore, I welcome Members to the workshop in Mombasa. You will have a good day and we will educate you on some of the reforms, to reduce the number of Questions hon. Members ask here.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Hon. Members, the Chair wishes to sincerely apologise to those Members who have not had an opportunity to contribute to this Motion.

*(Question put and agreed to)*

## ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members, it is now time to interrupt our business. This House is, therefore, adjourned until Tuesday, 3rd October, 2006, at 2.30 p.m.

I wish all Members a very busy recess.

The House rose at 6.35 p.m.