

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 21st March, 2007

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

PRAYERS

## PROCEDURAL MOTIONS

LIMITATION OF DEBATE ON  
PRESIDENTIAL ADDRESS

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the debate on the Motion on the Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking; 20 minutes for the Leader of the Official Opposition, and the Mover in moving and replying, who shall be limited to 20 minutes in either case.

**The Attorney-General** (Mr. Wako) seconded.

*(Question proposed)*

*(Question put and  
agreed to)*

LIMITATION OF DEBATE ON  
PRIVATE MEMBERS' MOTIONS

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the debate on the Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than 20 minutes for the Mover; 20 minutes for the Government Official Responder and ten minutes for each other Member speaking, and that ten minutes before the time expires, the Mover be called upon to reply.

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Kamanda) seconded.

*(Question proposed)*

**Mr. N. Nyagah:** Mr. Speaker, Sir, to break the monotony of only hearing the Vice-President and Minister for Home Affairs speak, being a procedural thing that we have done since time immemorial---

**Mr. Speaker:** Could I just make an inquiry? Is it "monotonous" for the Vice-President and Minister for Home Affairs to speak?

**Mr. N. Nyagah:** Mr. Speaker, Sir, when you hear one voice over and over again and there is no interaction--- That is why that English word was invented.

Mr. Speaker, Sir, I beg to support this Motion.

**Mr. Speaker:** I will now put the Question.

*(Loud consultations)*

Order, hon. Members! I really expect hon. Members to listen! There is a Standing Order which orders hon. Members to be quiet when the Chair is on its feet. I expect every hon. Member to do that.

I will, again, now put the Question.

*(Question put and agreed to)*

LIMITATION OF DEBATE ON  
ADJOURNMENT MOTIONS

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the debate on any Motion for the Adjournment of the House to a day other than the next normal Sitting Day shall be limited to a maximum of three hours with not more than five minutes for each member speaking; provided that, when the period of recess proposed by any such Motion does not exceed nine days, the debate shall be limited to a maximum of 30 minutes, and shall be strictly confined to the question of the adjournment.

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Kamanda) seconded.

*(Question proposed)*

*(Question put and agreed to)*

**MOTION**

THANKS FOR THE PRESIDENTIAL ADDRESS

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Mr. Speaker, Sir, I beg to move the following Motion:

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday, 20th March, 2007.

Asante Bw. Spika. Nitachukua fursa hii kusema machache juu ya Hotuba ya Rais. Tumekuwa katika likizo kwa miezi mitatu. Nafikiri tumerudi tukiwa wachangamfu sana. Ninataka kumshukuru Rais kwa Hotuba yake madhubuti ambayo alitoa jana hapa katika hili Bunge. Kwanza, aliyakariri yale mambo yote ambayo Serikali hii imefanya, akikumbuka kwamba hiki ndicho kikao cha mwisho cha Bunge la Tisa kabla uchaguzi kufanywa. Ilikuwa ni jukumu lake kukariri huduma ambazo Serikali yake imetoa katika kipindi cha miaka mitano ambacho kitakwisha mwezi wa Disemba.

Kwanza, alitaja habari ya elimu na sote tunaweza kukubaliana kwamba sera ya elimu katika nchi yetu hii imefaulu sana. Alipozindua elimu ya msingi bila malipo, kulikuwa na watoto wachache sana katika shule za msingi. Baada ya kuzindua sera ya elimu bila malipo, ni watoto zaidi ya milioni mbili ambao walijiunga na shule za msingi. Sasa ni watoto karibu milioni nane walioko katika shule za msingi.

Vile vile, katika sera ya elimu, Serikali imefanya watoto wakawa wengi katika shule za upili. Wakati huu tuna watoto karibu laki nane ambao wamejiunga na shule za upili. Rais alitaja jambo la kuimarisha matibabu katika nchi hii yetu. Hapo awali Mkenya alipokwenda kwenye dispensari alikuwa anaitishwa karatasi ili waweze kuandika matakwa yake ambayo atapeleka mahali pa kununua hizo dawa. Sasa ukienda hata huko mashinani utakuta kuwa kuna dawa za kutosha. Hata katika hospitali nyingine kuna dawa za kupigana na virusi vya Ukimwi.

Bw. Spika, Rais vile vile alitaja huduma ambazo zinapelekwa katika sehemu ambazo zinakabiliwa na ukame kama kule Mandera na kwingineko ambapo tumejaribu sana kuchimba mabwawa na kusambaza maji katika sehemu mbali mbali. Wakati ukame ulipokuwa umezidi hata Serikali ilianza kunua majani na kuyapeleka katika sehemu hizo ili ng'ombe wa hao watu wapate chakula kama wanadamu.

Barabara ambazo zilikuwa zimeharibika katika Jamuhuri yote zimeanza kurekebishwa. Kokote unakoenda utakuta kuna mashine ambazo zinafanya kazi; sio tu kurekebisha na kukarabati zile barabara za zamani, bali kufungua barabara nyingine mpya. Kuna wakati ambapo kulikuwa na mafuriko na barabara na daraja zikaharabika lakini Serikali iliona kwamba watu waliokuwa wamezingirwa na maji wameokolewa. Barabara na daraja ambazo zilikuwa zimeharibika zimetengenezwa.

Wakati wa baa la njaa, kuna chakula kingi ambacho kilipelekwa kwa wananchi. Hatukununua chakula hicho kutoka ng'ambo kama ilivyokuwa siku za zamani. Tulitumia pesa zetu kununua mahindi kutoka kwa wakulima wetu nao wakafanikiwa kwa kupata pesa hizo.

Tumefufua uchumi. Sasa uchumi unaanza kukua kwa kiwango cha asilimia sita na hii ni kwa sababu ya muongozo wa Serikali hii ambao umetilia maanani kuona kwamba wametengeneza mazingira bora ambayo yataweza kuwasaidia wenye kuleta rasilmali katika nchi hii. Lakini zaidi tulikuwa tunaangalia wale wananchi wa Kenya ambao wenyewe walianza---

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! We came here to listen to debate. However, there are hon. Members who are not interested in listening to debate, but they have no right to stop those who want to listen from listening. Please allow those who are interested to hear the debate. If you need to consult, it would be very nice to withdraw from the Chamber.

Proceed.

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Bw. Spika, nilikuwa nikisema kwamba uchumi wetu umeboreshwa kwa sababu ya muongozo mwema wa Serikali hii na imeweka mazingira bora ambayo yamewawezesha wananchi wetu kuweka pesa katika biashara hapa. Sasa wanaendelea kufanya hivyo. La muhimu ni kwamba Rais alionyesha dhamira yetu ni nini; ni matakwa gani tuliyonayo na tutaweza kuyatimiza namna gani.

Licha ya changamoto nyingi ambazo zinakumba nchi yetu, kuna mipango mingi sana ambayo imefanywa iliyowezesha uchumi wetu kuendelea mbele. Kwa mfano, wakati tulipounda Serikali hii, tulisema kuwa kutakuwa na nafasi nyingi za ajira ya kutosha watu wetu lakini wengi wa wale ambao hawaungi mkono Serikali wanauliza hiyo ajira iko wapi. Jambo hili lilifanya Serikali kuanzisha hazina ya vijana kwa sababu tunajua katika nchi yetu, idadi kubwa ni ya vijana.

Kiwango cha 73 kwa 100 ni vijana ambao wako chini ya umri wa miaka 30. Ikawa sasa ni muhimu tuangalie "informal sector" ili tujaribu kuwasaidia vijana wetu waweze kujitegemea wenyewe. Kukawa na hazina ya vijana ambayo kazi yake ya kwanza ni kuwafunza vijana jinsi ya kuendesha biashara ndogo ndogo. Ya pili ni kuwapa mikopo ambayo itawawezesha kuendesha hizo biashara.

Hiyo hazina itawasaidia sio tu kuwafunza jinsi ya kuendesha biashara, bali jinsi wanaweza kukopa, kununua bidhaa ambazo watatengeneza na jinsi ya kuuza hizo bidhaa. Hii imeweza kusaidia kwa sababu ikiwa kijana mmoja anajitolea kujitegemea kufanya biashara ataweza kumuajiri mwenzake. Hii imeongeza ajira kwa vijana.

Katiba Hotuba yake, Rais alitaja kwamba hiyo hazina vile vile itaanzishwa kwa upande wa akina mama. Tunajua kuwa ukiangalia maslahi ya mama mboga na wengine, hawa ndio wanaoendesha biashara kubwa sana katika nchi hii lakini wamekumbwa na ukosefu wa kupata mikopo kutoka mabenki makubwa. Ni jambo muhimu sana kuona kwamba sasa kutakuwa na hazina ambayo itawasaidia akina mama kupata mikopo.

Pia watafundishwa jinsi wanaweza kuendesha biashara ili kwa mfano, wakianza biashara na shilingi laki moja baada ya miaka miwili au mitatu watakuwa na nusu milioni na kadhalika.

**Mr. Raila:** Jambo la nidhamu, Bw. Spika. Sitaki kumsumbua Makamu wa Rais, lakini ni haki kwa yeye kulipotisha Bunge hili kwa kusema kuwa Serikali hii inaangalia maslahi ya akina mama ilhali tunajua kwamba miaka minne imepita na Serikali haijafanya chochote? Kipindi cha lala salama kimekuja na ndipo ameanza kuwapumbaza akina mama.

**Mr. Speaker:** Lakini ungingoja hadi wakati wako ili umuarifu jambo hilo. Mpe nafasi yake!

**The Vice-President and Minister for Home Affairs (Mr. Awori):** Bw. Spika, mbali na kuongeza hazina ya akina mama, Serikali imeimarisha sekta ya utalii na imeenda mbele sana. Wakati tulipochukua usukani watalii chini ya 700,000 ndio waliokuwa wakija katika nchi hii. Mwaka uliopita, watalii wapatao milioni moja na nukta nane walikuja katika nchi hii na wakatumia pesa zaidi ya Kshs6.5 bilioni. Hii sekta inaendelea. Tumeweka maanani jambo hili ili watu waweze kuwa wawekazaji bila kuwafikiria wageni peke yake. Tunataka Wakenya wawe wawekezaji. Tumeona jinsi walivyojifanya wawekezaji katika KenGen, Eveready Battery na kwingineko. Wananchi sasa wanakuja mbele kutoa pesa ambazo walikuwa wameficha kwingineko kwa sababu ya muongozo mwema wa Serikali hii.

Bw. Spika, elimu ya upili ni jambo lingine ambalo mhe. Rais ametaja kwa kusema kwamba Waziri wa Fedha na Waziri wa Elimu na wengine watakuja kukaa pamoja ili waangalie swala hili. Labda haitakuwa elimu ya upili bila malipo, lakini itarahisishwa kidogo ili wananchi waweze kuwapeleka watoto wao katika shule za upili. Pia, mhe. Rais alitaja katika Hotuba yake kwamba, labda itakuwa jambo la busara iwapo Wabunge watafikiria habari ya ujenzi wa shule za upili ambazo watoto watasoma mchana na kurudi nyumbani. Hiyo inaweza kuwa rahisi kidogo kwa wale ambao hawajiwezi kwa njia zingine.

Bw. Spika, mhe. Rais pia alitaja kwamba watakuja kuongeza usaidizi katika sehemu kame au *Arid and Semi-Arid Lands (ASALs)* na watakuja kuweka mkazo vile vile, kwa kuwapatia maji na kuleta nguvu za umeme katika sehemu kama hizo. Huu ndio mwelekeo wa Serikali hii, ambayo kazi yake itafanywa mwaka huu.

Tunajua kwamba kuna mipango ya kusambaza nguvu za umeme katika kila sehemu ya nchi hii. Wakati huu, kuna miradi 930 ya kueneza nguvu za umeme kwa sababu tunajua kwamba nguvu za umeme husaidia ile sekta ya Jua Kali. Sasa, vijana wataweza kutengeza vifaa kwa njia ya urahisi. Na sio hiyo peke yake; nguvu za umeme zinasaidia shule kwa kuwa na kompyuta zinazowawezesha kuwasiliana na wengine kwa njia ya mtandao.

Bw. Spika, mhe. Rais pia alitaja habari ya kilimo. Tunaona kuwa wale wanaolima pareto,

kahawa na majani chai watakuja kusaidiwa, ili waweze kuongeza kilimo chao. Pia, wale wanaouza watatakikana kuongeza thamani kwa hizo bidhaa; *valueaddition* ni jambo ambalo alilotaja na ndio mwelekeo mpya ambao tunautaka. Vile vile, mhe. Rais ametaja habari ya kuimarisha uvuvi. Serikali hii imeweka nguvu za umeme kando ya Ziwa Victoria, ambako kumewekwa viwanda vya kutengeza barafu ili waweze kuhifadhi samaki ndio waweze kupata bei nafuu kwa sababu, siku zilizopita, wale wachuuzi walikuwa wanawadanganya wavuvi kwa sababu ukosefu wa barafu uliwafanya wauze samaki kwa haraka. Mhe. Rais pia hakuwasahau wafanyabiashara wadogo wadogo, tunaowaita *hawkers*.

Bw. Spika, hivi majuzi, wameanza kujenga soko kubwa kule Muthurwa ambako hao wafanyabiashara wadogo wadogo wataweza kujipatia riziki yao huko. Huo ni mwanzo tu na pia tutakwenda kufanya hivyo huko Mombasa, Nakuru, Kisumu na kwengineko ili wale watu wadogowadogo nao wapate riziki zao.

Tumeimarisha uhusiano kati ya Serikali na sekta ya kibinafsi kwa sababu uchumi hauwezi kuimarika ikiwa hakuna uhusiano na urafiki mwema kati ya Serikali na sekta ya kibinafsi. Hii imefanya wale walioko katika sekta ya kibinafsi kuchukua jukumu la kuwasaidia wananchi kwa mipango fulani-fulani. Sasa, tunaona makampuni makubwa yanaanza kuwasaidia watoto wetu kwa *bursary*, wanajaribu kusaidia kuongeza misaada ya kimatibabu, wanawapa walemavu viti vya magurudumu na mengineyo. Hii ni kwa sababu ya uhusiano bora ambao Serikali iko nao na *Private Sector*.

Mhe. Rais pia alitaja habari ya kupigana na ufisadi, na hili ni jambo ambalo Serikali inaendelea nalo, hata akasema kwamba sasa wataleta Mswada ambao utafanya watu kuonyesha mali walionayo, jinsi walioipata na ilikuwa namna gani.

Bw. Spika, kurekebisha Katiba ni jambo ambalo limezungumzwa na kila mtu na kadhalika. Watu wengi walimuuliza Rais kuchukua muongozo, na yeye amechukua muongozo akasema sasa tuanze kuzungumza na tujadiliane, ili tuweze kutatua jambo hili kwa sababu Katiba ni jambo la watu wote. Sio jambo la Mbunge au diwani, bali ni jambo la kusaidia nchi hii yote. Lile linalotakikana ni kwamba wakati tunazungumza, tusiwe tunaangalia hii Katiba itanifanyia mimi nini kibinafsi, bali tuangalie hii Katiba itakuja kusaidia nchi yetu na vizazi vyetu vinavyokuja kwa namna gani. Siku ya Jumatatu ya wiki inayokuja tutaanzisha mazungumzo ili tuweze kuona tutafika wapi.

Mwisho, Bw. Spika, mhe. Rais ametaja na kusema kuwa kutakuwa na Miswada mingi ambayo italetwa hapa ili iweze kutoa miongozo ya sekta fulani. Kwa mfano, wakati huu tuko na uhaba wa Mahakimu, na mhe. Rais amesema kwamba kutakuwa na Mswada ambao utampa mamlaka ya kuongeza Mahakimu kutoka 60 hadi kufikia 200. Hili ni jambo tunalolingoja.

Pia, kutakuwa na Mswada kuhusu vyama vya kisiasa ili tuweze kuona vyama vya kisiasa vinaendelea namna gani.

Nikimaliza, napenda kusema kwamba sote yafaa tuunge mkono na tumshukuru Rais, ijapokuwa mtu akiwa katika upande wa Upinzani, kazi yake ni kukosoa na kadhalika. Lakini ikiwa kuna mambo ambayo yako sawa, tuseme mambo yako sawa na Rais huyu amefanya jambo muhimu; ameonyesha njia.

(Applause)

Kwa hivyo, nitataka marafiki zangu, wakati tunaendelea, tukumbuke kwamba tutataka uongozi huu uendeleo hata mwaka ujao, ili nchi yetu iimarike.

Nasema asanteni sana, na ninaomba kupendekeza.

(Applause)

**Mr. Speaker:** Mr. Kamanda, would you like to second?

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Kamanda): Yes, I beg to second.

Mr. Speaker, Sir, I also want to add my voice to the Presidential Address.

*(Mr. Leshore and Mr. Kamama  
consulted loudly)*

**Mr. Speaker:** Order! Order, Mr. Minister! Order! We expect hon. Members to come to the House to listen to debates, and that includes the two hon. Members sitting directly opposite me! Please, do not disrupt the Business of the House.

Proceed, Mr. Minister!

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Kamanda): Mr. Speaker, Sir, I want to thank His Excellency the President because, first, you all know that, in October, 2006, he gave a directive on affirmative action that 30 per cent of women should be employed in the Government Ministries. I want to report here that action has already been taken and the Permanent Secretary, Secretary to the Cabinet and Head of the Civil Service, through a Presidential directive, has directed all the Ministers and Permanent Secretaries that in any recruitment being done in this country, the rule of 30 per cent being women has to be observed. Also, in December, 2006, His Excellency the President talked about women and he empowered and recommended that the Maendeleo ya Wanawake Organization's members be involved in the Constituencies Development Fund (CDF).

Mr. Speaker, Sir, yesterday, His Excellency the President was on it again. He talked about the Women's Enterprise Development Fund. I want to urge hon. Members that to empower women in decision-making, we do not need to come here and shed crocodile tears. We need to focus on the need to have 30 per cent of the nominations in our parties being women. This is an election year. So that we can have 30 per cent women representation in this House next year, we want all the political parties, if they are serious about women issues, to set aside 30 per cent chances for women during nomination. That is the only time we can see that political parties are serious about issues of women.

Mr. Speaker, Sir, I do not want to dwell on that issue. I have realised that male Members of Parliament just want to sweet-talk women and tell them: "We are helping you", but, in reality, there is nothing coming out from male Members of Parliament.

So, I would appeal to even my own party that when we go to nominations---

**An hon. Member:** Which party?

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Kamanda): Do not ask which one! You all know my party! We will try and see that the 30 per cent rule is observed.

Mr. Speaker, Sir, I also want to thank the President for his stand on the issue of election of mayors. We all know that mayors in this country are not mayors of the local authorities they represent. They are mayors of the councillors in the respective local authorities. For years, it has been the councillors who dictate terms to the mayors, and not the people of the local authorities.

Mr. Speaker, Sir, so, this will be the first time that people in this country will enjoy the freedom of electing their own mayors, just like in our neighbouring states of Uganda and Tanzania. This will also be one way of fighting corruption.

As you know, in order for you to become a mayor, you need to loot a lot of money from the local authority you represent. Part of that money will have to go to the councillors. So, by giving powers to Kenyans to elect their own mayors and deputy mayors, our President is trying to make

our local authorities corruption-free. The issue of corruption in local authorities will no longer be there.

Mr. Speaker, Sir, nobody can say that for the last four years this Government has been in place it has not done much for the people. An example is Nairobi. The hon. Members of this House are my witnesses. If they move around Nairobi, they will confirm that there is improvement in terms of roads, street lighting and beautification, which was not there before. That is not just true for Nairobi but also for all other towns in the country. That is only part of this Government's electrification programme. Even those of us who live in Nairobi, for the first time, have seen the Ministry of Energy consider our slum areas. I saw the Kenya Power and Lighting Company workers the other day erecting electricity poles in Mathare. They are also moving to other areas like Kibera. All these efforts were not there previously. So, we need to support the President on all that he said yesterday, and the things he proposed to do, while delivering his Address to this House. All he said is the truth. So, we need to support our President.

Mr. Speaker, Sir, as the Minister in charge of sports, I would like to say one or two things about sports. I have written to hon. Members, requesting them to join us in Mombasa to support and cheer our athletes. These are young boys and girls who have been cheered many times by Members of Parliaments in other countries. They are now in our country. They have brought fame to this country. They have brought about 65 countries into this country. We all need to be there. The event will take place on a weekend.

So, I want to request hon. Members of this House to turn up. I do not think a cross-country event will be held at any other time when you are Members of Parliament. This is the 35th World Cross-Country. There are 200 countries. So, we cannot be in this House for another 100 years. So, it is better for hon. Members to come and be with us in Mombasa, because they will not see this event again. So, you had better come and see it live for the first time and, maybe, the last time as Members of Parliament.

The accreditation will be done at Whitesands Hotel, Mombasa. We have forwarded all the names of Members of Parliament to Whitesands Hotel. Wherever one will be in Mombasa, one will just need to drive to Whitesands Hotel, where the Secretariat of the 35th World Cross-Country is located. I will be leaving tonight to make hon. Members' work easier, so that when they arrive in Mombasa, they do not have a problem in getting their badges.

With those few remarks, I beg to support.

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

**Mr. Speaker:** Hon. Members, this is the tail end of the House. You should know that until the matter has been proposed from the Floor, you cannot debate it. So, relax!

*(Question proposed)*

Hon. Members, as I call the next speaker, the House should know that the Leader of the Official Opposition has requested to make his official response later. So, we will continue now in our usual fashion. I will call the hon. Member nearest to me, Mr. Billow.

**Mr. Billow:** Thank you, Mr. Speaker. I want to start by acknowledging the recognition by His Excellency the President of the number of very important Bills that have been passed by this House in the last four years.

These Bills include the Public Officer Ethics Act, the Anti-Corruption and Economic Crimes Act, the Privatisation Act, the Financial Management Act, the Public Procurement and

Disposal Act and the Sexual Offences Act, among others. All of them are very important laws. They are a milestone in the development of our laws. However, in spite of that, there is no major improvement in addressing the mischief, or the purpose, for which those laws were created by this House. I want to give examples.

The aim of enacting the Public Officer Ethics Act and the Anti-Corruption and Economic Crimes Act, for instance, was to fight corruption, which has been a problem in this country. In spite of those important legislations being in place, today, throughout the world, it is believed that the fight against corruption in Kenya has stagnated, and that there is no significant improvement in the war against corruption.

If you look at privatisation, in spite of that law being in place, you still find that there are serious problems in privatisation, the latest being the issue of Safaricom Limited. If you come to the issue of procurement, there are still major loopholes through which money is being syphoned from public coffers. The Government is not getting value for its money because, sometimes, the competitive bidding requirement is not followed, so on and so forth.

So, in spite of the fact that His Excellency the President recognised the efforts by this House to pass very important legislations, those who have been charged with the responsibility, in the Executive, of carrying out their duties in accordance with those laws, are not doing their work. These are the people who are letting down His Excellency the President. They sit on the Government side of this House.

Mr. Speaker, Sir, I want to also commend the President for recognising the work carried out by the watchdog committees and other committees of this House.

Mr. Speaker, Sir, it is true that the watchdog committees, namely, the Public Accounts Committee (PAC) and the Public Investments Committee (PIC) and other Departmental Committees of this House have been very vibrant. They have been very alert and very current in handling issues. Quite a number of times, they have succeeded in nipping in the bud major corruption scandals that would have caused chaos in this country, including the infamous Anglo Leasing scandal, yet the Committees are lacking support from the Government. For example, this Government adopted the PAC Report on Anglo Leasing, and to date, in spite of the adoption, not a single action has been taken on the recommendations that have been made. There was a raft of recommendations and they have not been implemented. I agree with the President, but the implementation of those recommendations is still lacking.

Mr. Speaker, Sir, I want to thank you, above all, for proposing amendments to the Standing Orders. If there is anything that we need in this House, it is more powers to deal with the Executive, so that we can get the Executive to be accountable to the people of Kenya, implement the things that they promise to implement, live by the laws that are made by this House and implement the recommendations of the various Committees of this House. This House is not taken seriously by the Government of the day. So, I commend the proposal by Mr. Speaker to amend the Standing Orders which will help us to be more effective in our activities.

Let me touch on the issue of the economy. I want to agree with His Excellency the President that the economy has grown at the rate of 5.8 per cent to 6 per cent. That is remarkable given the way it was before this Government took over. However, I have to mention three things regarding the economy. First, that growth is not translating into the development of the wellbeing of Kenyans. In other words, the most fundamental thing that the economic growth should have addressed, is the issue of poverty. When this Government took over, it did away with the Poverty Reduction Strategy Paper that was developed by the previous regime and came up with the Economic Recovery Strategy for Wealth Creation.

In that Strategy Paper blueprint, the Government promised to reduce poverty by 5 per cent in the five years that it will be in power. This has not been done. The latest statistics that are



produced by the Government and other international groups show that the poverty index in this country still remains as it was in 2002. In fact, if anything, it might get worse. The reason is because some of the economic policies that have been developed are not those that are helping the poor to get better or to improve their livelihoods.

Mr. Speaker, Sir, for example, the cost of living has gone up so much that an average Kenyan today is worse off than he was in 2002. This is based on the policies that are passed by this Government. For example, last year, the Minister for Finance passed in the Budget an increase in Fuel Levy of Kshs3.40. We raised concerns here that, that increase is going to have a nominal effect on the prices of transportation, rent and food because everything is dependent on fuel. The Government never took that seriously. They were concerned about raising more money, so that people can be paid more. The consequence is that today, Kenyans are living in a worse situation than before.

Mr. Speaker, Sir, the third most important thing about the economy is the issue of inequality, which His Excellency did not mention again. As long as there is inequality in this country in incomes and resources allocation, we will never get out of the problems that we have. We will live in a city where one of the world's wealthiest and poorest people live. This is the same across this country. That inequality is largely due to the policies of the Government. For example, in resource allocation, whether manpower or financial resources which are allocated through the Budget, it is still as skewed as it has always been in the last 40 years.

If you look at manpower, you will find that every senior appointment that is made by this Government is based on who is making the appointment. If a Minister comes from a region, he appoints somebody from his region. If he comes from a certain ethnic community, he appoints somebody from that ethnic community. To the extent that there is no fairness and equity in terms of how resources are being allocated, this country will remain as poor, as divided and it will never grow as expected. It is not enough for the Government to say that the Constituencies Development Fund (CDF) and the Youth Development Fund have been introduced every time it speaks. Those things are not going to transform the lives of people. It is those wider policies of the Government and the resources that are important.

Mr. Speaker, Sir, let me mention the issue of the Arid and Semi-Arid Lands (ASALs) areas. His Excellency mentioned in his Speech that Kshs12 billion was spent on ASAL areas. I must say that first we have to thank the Government for the number of districts that have been created, particularly in the ASAL areas. This will help because, at least, more resources will be allocated to those areas. I would also like to thank the Government for some of the efforts, particularly in the Ministry of Water and Irrigation, which has done remarkably well in parts of the ASAL areas. But if you take North Eastern as an example, we are in a situation in which we have never been before.

Today, 70 per cent of the population of that region is dependent on famine relief. They are allocated famine relief on a monthly basis. That is how they survive. This is because 70 per cent of their livelihood, which is livestock, was lost during the drought. The Government did not make any effort to compensate those people or to assist them in the recovery. To date, we are dependent on Non-Governmental Organisations (NGOs) who buy ten goats for us. No efforts are being made to improve irrigation or the livelihoods of the people in that area. Unless that is addressed, we will remain poor.

The issue of infrastructure; roads particularly, and the social services which the poor depend on, like health and education, should be addressed. Schools in North Eastern Province still perform the worst in the whole country in spite of four years' pledge, every year here, by the Ministry to improve education in the area. I think there is need for more improvement strategies in the ASAL areas in spite of the money.

With those few remarks, I beg to support.

**Mr. Speaker:** If the Whips of the two sides have any particular preference, I may be able to have a look.

**The Assistant Minister for Education** (Dr. Mwiria): Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute in support of what I consider a very good Speech by the President during the State Opening of Parliament yesterday.

The President alluded to a number of achievements, one of them being the fact that we are now going to use ICT more in Parliament, as indicated by the introduction of the website and so on. In this area, quite a bit more requires to be done. We have spoken before about the fact that it is not enough to just say that we have internet facilities if the hon. Members are not trained and sensitised on how to use ICT. It is not enough if there are no adequate facilities in the offices of the hon. Members. I am saying this because in the last three or four years, we have been told how the hon. Members will be connected to the internet in their respective offices because they have computers that were procured in 2003.

This also raises issues about the procurement of those gadgets. There are issues about the quality of the computers that were procured. Up to this point, there are some hon. Members who do not have computers and I am one of them. I run the risk of being out of Parliament without having received a computer. This is an indication again of why there are questions about what it is about procurement that I have been chasing a computer for the last three years. So, procurement issues also have got to do with our National Assembly as they have to do with other Government Ministries.

Mr. Speaker, Sir, the President spoke about achievements in education. We all appreciate what has been accomplished in the area of free primary school education. The challenge now is much more on how to make public schools, which comprise 90 per cent of our primary schools, compete with the so-called academies. I am saying that because, as much we are talking about millions of children in school, if we do not make it possible for them to compete at all levels - through secondary and university - I think the benefits of free primary school education will not be realised. The same applies to having affordable secondary education. Day schools are good. Expanding streams in secondary schools is very useful. But, in terms of real benefits, unless the students who go to day schools and new schools can compete for available university places, it is going to be less attractive to parents and students themselves.

Secondly, it is important to emphasize the area of technical and vocational education. Majority of our young pupils will eventually get there. That is not going to happen if we keep the Ministry of Science and Technology as under-funded as it is, and expect it to support the technical and vocational institutions that are already in place, and improve the quality of education provided by those institutions. With regard to getting other sources of funding, technical institutions should be funded through the Constituencies Development Fund, which is just concentrating on secondary schools. Other technical institutions like polytechnics should be considered.

There is also the issue of university places, which is a big pain for us in the Ministry of Education. We are always being asked why the pass mark is always increasing, and there is a danger for it now to be pegged at A-. We have been thinking about that issue. We are thinking of strategies to expand educational facilities. This matter will be discussed. But it will remain a problem, especially in terms of inequality. It is okay to expand opportunities and allow students who attained B- and B+ to join universities. But again, it is useful to ask the following: Even when you expand and admit students with B-, what kind of schools do they come from and what is it that they are likely to study at the universities? It does not help if you expand opportunities and all the best places will still be available to "straight "A" students and we know what schools they come from. We also know who will get the other grades and go for Bachelor of Arts degrees, Bachelor of

Science and so on. Unless we address the issue of quota system, there will always be disparity. If we adopt the quota system, it will be possible for children from district schools to have a chance to join university. That is what happens in some countries that have come up with affirmative action programmes. For example, in Texas, if you are top student in any school, you are guaranteed a university place. I do not know why we cannot do the same. We should consider that as Parliament because it has political implications. It should be possible for a student who attains a "B" from a district school to be guaranteed a university place. That is the only way they can compete with other students in good schools. Otherwise, it is going to be impossible for students from district schools to benefit from higher education institutions. These are tough political questions that touch on those who invest in private sector education. It also touches on us because it is our children who go to those top schools and eventually, to universities. I think for posterity, that is a timebomb that should be addressed. If education continues to intensify inequality between the rich and the poor, I think we are creating a time-bomb that might not affect us, but will be a problem for our own children. If your child is the only one who has a big job in a village of 1,000 kids, it will be impossible for that child to survive in that environment. So, if we do not want to invest in ourselves, at least, we need to invest in the security of our own children. We cannot do that until we ensure that the education system enables the majority of our children to compete.

The issue of Maendeleo Ya Wanawake Organisation is good. But I do not know how much we can achieve bearing in mind that, at the grass roots level, their elections are hardly democratic. There were many quarrels about wives of MPs being elected in that organisation. We should address the issue of civic education to ensure that we have the best representatives. It is not enough to have people who have been hand-picked to be members of the CDF and other committees, when they may not be prepared to participate in the decision-making of those committees. So, we should enable more Kenyans to participate in the electoral process of Maendeleo Ya Wanawake, election of mayors and deputy mayors. We would like to see women being involved in decision-making at that level.

In terms of direct election of mayors, we should rationalise the wards, many of which were politically created at some point. We should create equal competition when it comes to direct election of mayors and their deputies.

Mr. Speaker, Sir, it is good that we are addressing regional imbalances. But again, we need to ask questions about areas that were historically disadvantaged. We should have more accountability. That is because the Government and Non-Governmental Organisations are putting more resources there. But we are not asking questions as to whether or not it is making a difference. We are also not asking questions about those other areas that are supposed to be developed, but there are pockets of poverty within those communities. We should address imbalances even within those regions, as opposed to just looking across. But the real issue will remain that of the social plan. You can invest in North Eastern Province and the Rift Valley. But the real problems of inequality do not have a great deal to do with regions these days. They have to do with a social plan. There are rich people in North Eastern Province. There are advantaged people in the Rift Valley. There are also advantaged people in Central Province. So, the real problem is how to address the social inequality issue across the country. That is because the majority of the people in this country, whether they come from North Eastern or Central Provinces, are poor. It is the 60 per cent that we need to be looking at, even as we talk about regional imbalances.

Mr. Speaker, Sir, on the issue of corruption, it is okay to increase the number of judges. But are we going to resolve the problem if we identify judges who have been associated with corruption? If we get advocates and others that people have complained about so much, are we solving the problem by using the same people? I am suggesting that there must be a vetting system.

Maybe, we should have public hearings in those areas that those people are likely to be proposed to serve as judges. In that way, people will be able to say whether they are clean people or not. We always talk about poor representation of certain communities with regard to senior positions in the Government. This is an opportunity to appoint judges from every district in this country. It is a question of just coming up with a data bank and listing the judges that we have against their districts. That can also be done for other positions. In that way, as we progressively fill up positions, we will always have a data bank that will give us an indication of what areas are under-represented when it comes to positions of authority in this country. That way, we will not keep on leading delegations to the people who are in authority. Complaints have been made against Ministers who appoint their own kinsmen. Leading a delegation is only good if the people who have the authority will exercise it in a fair way.

Mr. Speaker, Sir, wealth declaration is fine. But it should also be for all political aspirants. All those intending to vie for any civic, parliamentary and presidential seats must not only declare their wealth, but also show how they got their wealth and when. That, again, must be done publicly. If we have to deal with the problem of corruption, once and for all, we must not let corrupt people get in. They must not even get a chance of contesting for parliamentary or any other seat. That is because, as long as they get in with their money, you can imagine how much they will be able to corrupt the system.

With those few remarks, I beg to support.

**Mr. Speaker:** Yes, hon. Raila! As he takes the Floor, is it not nice when hon. Members can actually listen? That is what has happened in the past and we will continue that way.

**Mr. Raila:** Mr. Speaker, Sir, I want to begin by giving His Excellency the President a piece of advice. It is time that he changes his speech writers. I am saying that with a very clear conscience. The Presidential Addresses have become very stereotyped.

If you take the Speech that was delivered here yesterday, and compare it with the Speech that was delivered here last year, you will see that, except for a few details, they are almost identical. The President's Speech should give us key policy issues. It should not be like that of the Minister for Finance standing in front of us here to give us the state of economy address, before he comes to the nuts and bolts. That is what we saw yesterday. The Constitutional review is a very key issue. It should have featured very early in the President's Speech.

It is fine that the Government is now, finally, at least, theoretically, accepting that there is need for dialogue on this process. They did not need to wait for one full year to arrive at that conclusion.

*(Applause)*

Mr. Speaker, Sir, there are a number of issues and cause features that are coming up or being introduced now, which are actually part of the Constitution. We have the issue of creating new districts. In the Draft Constitution that we have, there is a clear formula on how these districts are supposed to be created. Then this Government which was loud in criticising the previous Government for illegally creating districts is doing exactly the same thing that Mr. Michuki went to court against and managed to get a court ruling.

*(Applause)*

This is a parliamentary function and the President stood here and, with impunity, told the House that they have already created new districts, appointed District Commissioners and they are going to get Parliament to rubber-stamp what they have already done. This is the supreme organ of this

Government. So, this House should not be taken for granted by the Executive; that, they can say they created some new districts. How did you create them? Whom did you consult? Where are you going to put the headquarters for those districts? This is creating unnecessary tension all over the country.

Mr. Speaker, Sir, I was in Lokichar last week and there is serious tension between the Turkana and the Pokot because of the boundaries of the new districts. We are now being told that there is increase of Parliamentary constituencies. You first began by creating new districts and boundaries before you have drawn the boundaries of the new constituencies. It should be the other way round!

On the issue of new judges, I want to agree with my friend over there that the increase of new judges is not going to improve the Judiciary, unless it is accompanied by independence. We want there, men and women of integrity. There are ten election petitions which were filed in 2003 which have not been heard and disposed of by this Judiciary, yet the Chief Justice was sitting here. The question we want to ask him is: Why should somebody who was aggrieved because the person he was running against was rigged in have to wait for five years to get a ruling? Even now if the court was to go and turn down the elections of 2002, of what use are they to the petitioners? Yet the Chief Justice can again come here and parade these people and you ask us to stand up and leave them to walk out silently!

*(Applause)*

Mr. Speaker, Sir, KANU filed a case against the Executive for violating the Constitution by appointing KANU Members without negotiating with KANU as a party as provided for by the Constitution. Today, three years down the road, that case has not been heard. So, what sort of Judiciary are we talking about? Increasing judges is just going to increase other more mouths that are going to be eating in the courts.

On the issue of women and youth, first let us not mix the issue of youth and the issue of gender. Youth is a transit status; it is not a permanent status. Even my colleagues and I were once upon a time young turks. Now we are old turks! However, gender is a permanent status and must be treated specially. Much as I appreciate and thank the Government for what is being done, we must look at the motive for the establishment of Women Enterprise Development Fund. In this country, we have had women since this Government was elected to power; 2003, 2004, 2005 and 2006. Why did it not introduce this Fund in those years? Why is it being now introduced just at the eleventh hour when this Government is now playing in the injury time?

*(A phone rang)*

**Mr. Speaker:** Order! Who is that now?

**An hon. Member:** Own up!

**Mr. Speaker:** Who is it? Own up!

**Mr. Raila:** Mr. Speaker, Sir, what about my time?

**Mr. Speaker:** Stop that time! Who is it?

*(The phone rang again)*

*(Loud consultations)*

**Mr. Speaker:** Where is it now? Whoever that is must get out of here!

**An hon. Member:** Mr. Raila's time is being spent!

**Mr. Speaker:** All right! Mr. Raila will have his time!

*(Mr. Kosgey consulted loudly)*

Order, Mr. Kosgey! I will take this opportunity to ask hon. Members to look at the Notice Board. We had posted a request that no hon. Member will be allowed to get into the Chamber with any metallic object of whatever description.

**An hon. Member:** Even a watch?

**Mr. Speaker:** So long as they are not harmful! However, I want to tell the House that we will not allow offensive weapons to be brought here. Even keep those mobile phones away. I think the Office of the Serjeant-at-Arms is available to store all those things for you. We are going to ensure that there is actual inspection. It is in your own interest, for your own safety and in your own selfish interest that we will do that.

Proceed, Mr. Raila!

**Mr. Raila:** Mr. Speaker, Sir, again, free advice to His Excellency; the Constituencies Development Fund is created by an Act of Parliament here. If they want Maendeleo Ya Wanawake to be factored in there, they should bring an amendment here. It cannot just be done by account of an order from the Executive.

*(Applause)*

Corruption is not just a perception in this country. Corruption is real and we know it. Again, free advice: Action needs, at least, to be taken seriously against corruption and not to tell the President that it is a perception. Anglo Leasing was real; money was "eaten", the culprits have not yet been brought to book and we know it. Some of them are now back in the House and on the Front Bench.

Mr. Speaker, Sir, on the issue of the 400 licences which were supposed to be removed, why has it taken four years for this Government to understand that businessmen in the rural areas are suffering and we need to remove this? Do we have to be told here in this House that they are going to do it? Why do they not just do it and announce it when it has been done? This is coming to seek cheap publicity which is unnecessary. The Government should be doing things and then informing us. It needs to just give a directive.

I know for a fact that the Government has not changed the procurement procedures; for example, in tendering for road construction. So, it is not only donor-funded projects that are taking 48 months before the contractor moves to site. Even the locally funded projects take the same time. I know it because I know that we have not adopted formally, "design-and-build" concept which would make it much more easier for us to conceive, design and commission projects.

Mr. Speaker, Sir, on the issue of the economy having grown, I do not want to dispute figures. However, if the economy is truly improving, it needs to translate to better quality of life for the people of our country. If you go down to Kibera Village and tell them that the economy has improved, you will be lucky if they jeer you but most likely, they will stone you because their conditions have become worse. They were buying paraffin at Kshs38 per litre and it is now Kshs82 per litre. *Unga* was Kshs35 per kilo and now it is over Kshs55 per kilo. *Matatu* fares have gone up three times. They are having to walk from Kibera to the Industrial Area. The cost of cement has gone up and rents have also gone up. So, those fellows living in Kibera are worse off and today, they will tell you: "*Afadhali Nyayo!*"

*(Applause)*

Therefore, this Government is living in illusion if it hopes to pass the next elections on the basis of its performance in the economy. This is what they are flaunting all the time. I have travelled all over this country and I know that it is a hollow thing. They will be surprised when they go and talk of economic growth. It is an illusion!

Mr. Speaker, Sir, the issue of wealth declaration is fine. However, even if you say now that you are going to make them public, effective from this year, of what effect is that going to be? We made the declarations in 2004, 2005 and 2006. Who knows what I stated in 2004, 2005 and 2006, and how I acquired the difference? If this is introduced, it will not apply in the next year. It is not retroactive. So, this is again another gimmick. It was in the President's Speech last year, when he opened this Parliament, that legislation would be introduced to make it mandatory for the wealth declarations to be made public.

Mr. Speaker, Sir, that Speech that was made yesterday was a public relations exercise. It was an exercise meant to hoodwink the voters in the country and that is why he promised so many things that we know he will not be able to implement.

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

**The Assistant Minister for Foreign Affairs** (Mr. Wetangula): Thank you, very much Mr. Speaker, Sir, for an opportunity to contribute and support the Presidential Address and touch on a few things.

The President has shown the way that we need to dialogue and address the issue of constitutional reform. There have been statements emanating from all directions, including one from His Excellency the Vice-President and Minister for Home Affairs last week that we can give the country a Constitution between now and the next elections. I do not think so.

I believe that we must first delink the issue of giving Kenyans a new Constitution from any elections be they this year's elections or any other elections in future so that it has its own proper time table and so that Kenyans can dialogue and agree. I want to suggest that since the cornerstone of our disputes on the Constitution has been the issue of the centre of State authority, it might be desirable for this House to find out that it is necessary to have a referendum for Kenyans to decide whether we want a Presidential system or a Parliamentary system. Thereafter, it will be very easy to craft the Constitution around that issue.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*

Mr. Deputy Speaker, Sir, that will also lessen the unnecessary arguments we **[The Assistant Minister for Foreign Affairs]** have been having over the issue of the Constitution. However, it is equally important to note and appreciate that the President supports dialogue between both sides of the House on the issue of necessary reforms before we go to the elections of 2007. I want to urge my colleagues that we be open-minded and we sit down and talk soberly. We should stop chest-thumping and name-calling and behaving like we know more than others. We need to dialogue freely and properly.

*(Applause)*

We need to agree on issues like the creation of new constituencies to heal the historical injustices that have led to some constituencies being too big for representation by one Member of

Parliament and so on and so forth.

Mr. Deputy Speaker, Sir, we must also give this Parliament total independence like is the case in Uganda. When they hold elections in Uganda, the Member of Parliament only leaves office when a new Member is sworn in. I think that is something that is desirable.

*(Applause)*

Mr. Deputy Speaker, Sir, let me talk about the issue of the sale of Government houses. This is something that might have escaped my colleagues here. If you go to every district and provincial headquarters, you will find lots of Government properties - plots and houses - which are being put up for sale. One of the conditions I do not accept and agree with is that they will be sold to civil servants.

You will find that if you go to, say, Marsabit District, there may be no local civil servants to buy any of those houses. These properties are held in trust in for the local people. These properties were owned previously by county council, built on trustland that is owned by local people. I think that if the Government wants to give up the ownership of houses a fund should be set aside and enable local authorities, whether municipalities or county councils, to purchase these properties and hold them in trust for the local people. We are going to end up with a few people from one or two regions of the country buying out the whole country. That is unacceptable and it is likely to create future problems. If I go to Bungoma District and find that the Government is selling 50 houses and there is no local person buying a single one because there are people there who have no money to buy the houses, how will the people feel when they see that the houses have been bought, but there is no local ownership or possession? This is something that I want to urge my colleagues here that we ask the Ministry of Housing to bring a Sessional Paper here so that we can discuss and agree on how to dispose of national assets like houses.

I would also like to talk about the issue of university education. You have said it here many times before and my colleague, hon. Muturi, has said it about three times here that higher education loans must be available to all students. They must be available to students whether they are on regular or parallel programmes. They must also be available to students joining middle level colleges like Medical Training Colleges (MTCs) and polytechnics. These are public funds that are enabling Kenyans to further and develop their intellect. When they finish, they can be able to service these loans. It does not make a lot of sense to give loans to those who are paying less and deny those who are paying more. Loans should be available, particularly to students who qualify to go to university, but because of the shortage of places in our public universities, they cannot get regular intake and so they have to go on a parallel level, which is more expensive. They are the ones who are more deserving to have loans. The current management of Higher Education Loans Board (HELB) does not provide loans to those students.

Mr. Deputy Speaker, Sir, the President mentioned that we are going to have 200 judges for the High Court and 50 for the Court of Appeal. As a legal practitioner in this country, I would like to say that, first, we have no absorption capacity for that number. In this kind of set-up that we have, 200 judges are too many. What we require is just about 50 judges for the High Court and an extra ten for the Court of Appeal so that at any one time it can have three benches; one permanently stationed in Nairobi, and the other two rotating around Mount Kenya, western and coast regions. Keeping 200 judges on top of what we have is so costly. It is so expensive that it is going to be a major drain on the economy.

Mr. Deputy Speaker, Sir, secondly, there is no guarantee that the more judges we are going to have the better the dispensation of justice. You remember the famous case of the late hon. Angatia where his petition was heard and determined a week before Parliament was dissolved, and



yet the judges were there. I think we need an orientation where judges are made to work harder than they actually do other than just focusing on the numbers. If we do that, that will be wonderful.

Mr. Deputy Speaker, Sir, there is a Political Parties Bill that will find its way to this House. I want to urge the Minister responsible to do what we normally do when we have such an important Bill. I urge him to organise a workshop for all hon. Members of this House. Let us critically look at this Bill, so that it does not come to this House to provide tokens. We want a truly Political Parties Bill that will regulate behaviour of political parties. We want a Bill that will remove rich people from owning political parties as possessions and make this country truly democratic.

Mr. Deputy Speaker, Sir, when we adjourned last time, one of the things that was said here by every hon. Member was to urge hon. Ministers to visit all parts of the country. We urged them to appreciate people's needs and see how to provide better services. What have we done? Hon. Ministers have been going round the country creating more hell than appreciating the needs of our people. They market unpopular political parties in areas they are not desired. The only time a Minister visited my constituency was to open offices and make derogatory remarks about my political party. This is unacceptable! It is an abuse of State resources for a Minister to take a Government vehicle and roam around the country, marketing a political party instead of giving services to *wananchi*.

*(Applause)*

Mr. Deputy Speaker, Sir, this is something that we do not take kindly. We want to see Ministers giving services to our people. We only need to look at the Kenya Gazette on Fridays; if the Minister is from Mt. Kenya region, they appoint people from that region.

Mr. Deputy Speaker, Sir, if the Minister is from Western Kenya, the people they appoint are from that region. If the Minister is from Coast Province, he has to sack somebody from Western Province and appoint another from that region to be the Managing Director of the Kenya Ports Authority. What country are we building? We need to re-address these issues, so that Ministers serve Kenyans fairly, equally and equitably.

With those few remarks, I beg to support.

**Maj-Gen. Nkaisserry:** Thank you Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute on this Motion. I agree with my colleague, Mr. Wetangula. To start with, not even a single Minister has ever visited my constituency.

*(Loud consultations)*

**Mr. Deputy Speaker:** Order, hon. Members! Let us listen to Maj-Gen Nkaisserry!

**Maj-Gen. Nkaisserry:** Mr. Deputy Speaker, Sir, I agree with Mr. Wetangula that Ministers going around the country marketing political parties be surcharged for using Government resources.

Mr. Deputy Speaker, Sir, the President spoke about several issues. However, he never mentioned critical national interests. We can group these interests into two; economic and security. When the economy is perceived to have grown by 5.8 per cent to 6 per cent and that does not translate to help citizens improve their livelihood, as far as I am concerned, that economy has not improved. If prudent distribution of resources is not done, then we cannot talk about an improved economy.

The President said his Government supports multiparty democracy. We have something called Government of National Unity (GNU). The GNU is killing multi-party democracy. The introduction of the Political Parties Bill will help strengthen multiparty democracy in this country.

If we do so, this country will be a great nation.

Mr. Deputy Speaker, Sir, when you look at the economy which the Government claims has improved, it has only created a situation where we have very few rich people and millions of poor people. Prices of subsistent commodities like sugar, *unga* and paraffin, have all gone up since this Government came to power. If the economy has improved, the prices of such commodities should be lowered to help the poor people among us to survive.

This country is made up of 42 communities. I do not like calling them tribes. However, when we look at the distribution of these communities in Government positions in parastatals and Ministries, we can see that one community has taken a larger share. Where are the rest of the 41 communities? We are supposed to have a cohesive nation. The President should have addressed the distribution of Government positions equitably.

If we take an example of the docket I represent, it needs some shuffling. I am the Shadow Minister in charge of National Security and Defence. The other day, we had Mr. Tarus moved so that somebody called Mr. Munya could take his position so that there is a line up of one community from the Minister, the Permanent Secretary and Assistant Minister. That has to stop!

**The Assistant Minister for Energy** (Mr. Kiunjuri): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to insinuate bad motive that this Government makes all appointments from one region without substantiating?

Secondly, is the hon. Member in order to extend the actual tribal hatred perpetuated outside there into this House?

**Mr. Deputy Speaker:** Let us be serious! The hon. Member is making a contribution. To my mind, he has not contravened any rules of the House. You did not even let him finish. Let him finish what he is saying!

**Maj-Gen. Nkaisserry:** Mr. Deputy Speaker, Sir, I am going to continue.

Mr. Deputy Speaker, Sir, when you look at the Ministry of Energy, the Minister, Assistant Minister and Permanent Secretary come from the same region. We have 42 tribes in this country. We have to distribute positions. This is part of corruption. Nepotism is corruption. We have to make a country of all Kenyans not of one region. That is all I am saying.

*(Mr. Kiunjuri stood in his place)*

**Mr. Deputy Speaker:** Mr. Kiunjuri, I will advice you to wait. I will give you an opportunity to react to what the hon. Member is saying.

There is nothing he is saying that--

**Maj-Gen. Nkaisserry:** That is not true!

Mr. Deputy Speaker, Sir, I know that any time I stand to contribute, the hon. Members on the other side of the House think I am contravening the rules of this House. I am not, but I am trying to make corrections for this nation.

Mr. Deputy Speaker, Sir, the President should have brought out the issue of police compensation. I agree with the President on the issue of amendment of the Firearms Act. That will be very important to deter people from having guns without licenses. Those without licenses should be punished severely. However, we cannot accept the order to shoot on sight. Unless a criminal is armed, he or she should not be shot. If he or she is suspected to be armed, he or she should be arrested instead of being shot and killed.

The other issue I would like to mention is that of compensation for the loss of livestock by pastoralists. I did not hear the President mention even a single sentence about compensation to those who have lost their livestock. We all know that a particular group of people in this country have lost a substantial means of income. He should have proposed a policy that will compensate or

help in restocking of animals. That was very much lacking in this speech.

Mr. Deputy Speaker, Sir, the President talked about the benefits of tourism. But do those benefits which accrue from Kshs44 billion trickle down to the areas where the money is being earned? That has not been explained. So, the Speech was very nice but the details on how this Government is helping Kenyans were lacking.

We have always had women in this country. So, to me, the "Women Fund" is an election ploy. Regarding the Youth Fund which was started in 2005, as I speak now, nothing has trickled to my constituency. That is not because of inefficiency. We made recommendations but to date, the funds have not been released. If they are being released, then they are being released to the most favoured areas. So, that is an election ploy. The Women Fund is an election ploy and we cannot accept an election ploy. We are cheating Kenyan women that the fund is going to help them. It cannot and will not happen.

Mr. Deputy Speaker, Sir, regarding the issue of judges, I do not think we are going to finish criminals by increasing the number of judges. By increasing the number of judges to 200, we are not decreasing the number of criminals. We have to try another strategy. If we are going to have 200 judges, it means we must also purchase 200 Mercedes Benz vehicles, rent 200 houses and spent billions of shillings on them. So, instead of supporting the economy, we are going to drain it.

I would also like to give free advice to this Government. We want the salary of teachers and civil servants to be increased from tomorrow. The Government can do it without straining the economy. It can borrow from the World Bank and the International Monetary Fund (IMF) in the form of soft loans which will mitigate the problems the country is facing. It is not enough to chest-thump that you are doing better domestically, you should also go international. You must borrow so as to help our universities and other institutions of learning.

Mr. Deputy Speaker, Sir, with regard to the Constitution review exercise, I think we should give it first priority in this House. We should all agree that the Constitution review should take preference over any other Bill. The only impediment is the Government side because they are hardliners. We should have given Kenyans a new Constitution in 2004. But because of fear by the Government side, they have been postponing that issue. Now that they have seen the light at the end of the tunnel and they appear serious, they should start it without considering any other subject in this House.

With those few remarks, I beg to support.

**Mr. Deputy Speaker:** Hon. Members, before I give a chance to the next speaker, let me say this: Members should not interrupt others unless they are contravening Standing Orders. Simply because another hon. Member has said something you do not like, it does not mean he is out of order. That applies to both sides of the House, so that the debate can flow while following the rules. As the Speaker said yesterday, we are going to apply the rules of the House very strictly this time round.

**Mr. N. Nyagah:** Mr. Deputy Speaker, Sir, thank you very much for this opportunity. I am a beneficiary of the new rule that there should be no interruptions in Parliament. Over the last years, when I walk into this Chamber, I spend more time talking to the hon. Members than actually concentrating and getting an opportunity to speak. Then what is reported by those that write what they write, is that, some of us make no contribution at all.

Mr. Deputy Speaker, Sir, I want to take this opportunity to thank Mr. Speaker for the comments that he made yesterday on page five of his contribution. He talked about the fallacy of hon. Members not working. He gave a chronology of the things that hon. Members do and I want to repeat them. Hon. Members attend to Chamber work like we are doing today and they are involved in Committee work.

I must admit that a lot of the work in Parliament is not done here. This is basically to come

and pass legislation. The work is done at the Committee stage. Since the Committee proceedings are not made public, Kenyans have no idea as to how much time the hon. Members spent. Since we went on recess, I have seen Public Accounts Committee and Public Investments Committee sit from Monday to Friday all the day and into the night. But how many Kenyans know that those people are working? These are some of the problems that we go through. There are Members of Parliament who are permanently located in the Ministers' offices trying to lobby so that their constituencies can benefit from the Government kitty. As Mr. Speaker asked, "If that is not work, then I have no idea what work is."

Mr. Deputy Speaker, Sir, when an hon. Member like Mr. Kajwang is sent out of the country to represent this country on behalf of Parliament, if that is not work, then I have no idea what work is. I would like to see a media house that tracks down the role of a Member of Parliament by following him or her all through until the end of the day. That is when Kenyans will understand what it means. Truly speaking, at the end of any session, I am sure that you and I truly get tired and deserve some rest.

Those countries that we keep on praising for having done extremely well, for example, Britain, where they sit for about 150 days in a year, comparably, Kenya meets just over 100 days in a year. That in itself is hard-work. That is work that cannot be quantified. Those that will replace some of us as Members of Parliament will understand how tedious and tiring it can be to be a Member of Parliament because of the work load.

Mr. Deputy Speaker, Sir, let me say the following about the Speech by His Excellency, the President. All of us who sit in this Parliament, from the bottom of our hearts know what this Government has done for the people of Kenya. Sometimes as we harbour our dreams and chat with our colleagues out there, they say: "Truly, the Government of President Kibaki has done a great job but this being an election, we must fight the Government." I want to mention some of the things that the Government has done. We were told, and it is a fact, that if you went to the rural areas today, including Kamukunji Constituency and all the slum areas like Kanuku, Kinyago, Kiambiu and so on, you will find a three-phase electrification programme going on.

Mr. Deputy Speaker, Sir, between 1963 and 2002, only Kshs6 billion had been spend, but in the last four years, the Government has spend Kshs7 billion. That is, Kshs1 billion plus, compared to what had been spent since Kenya became independent. If that is not credit, then I do not know what credit is all about. We also know about the creation of new districts. I heard my friend Mr. Billow commending the Government for that kind of move. He said that because of the creation of districts that has taken place within North Eastern Province, he knows that during the allocation of funds, it is going to benefit. I would like to remind a colleague who spoke before, that Suba, Nyando and Bondo districts were not created as a favour by the Government. Some of those districts were created in the past before President Mwai Kibaki came into power. What he clearly states here is that legislation must be brought in here to ensure the legality of those districts. Therefore, the point I am making is that this Government is actually looking forward to ensure that it is doing things above board.

Mr. Deputy Speaker, Sir, let me also say something about campaign gimmicks. Most of the hon. Members seated here, on both sides of this House, have some explanations to make and fight to come back to this Parliament. I think the only person who will come back to this Parliament easily is the President of Kenya, because Kenyans are determined to have him come back. In every single corner of this country, people have actually seen, felt, and smelt development by his Government. Literally, in every place one has been to in this country, he or she will find that the President seems to be the only person who will easily come back to this Parliament. The ones that are going to campaign harder are the ordinary hon. Members, like you and me. I think his fate is sealed. In fact, if I were the other hon. Members who are planning to campaign against him, I

would actually tone down some of the things that we say out there. In fact, the President is a superb man.

Mr. Deputy Speaker, Sir, let me talk about security. I will begin with our security here. This is something that is close to my heart and I have talked about it of late at several forums. I think we must be more strict regarding the issue. All these hon. Members here have been to one or two or three Parliaments or more and seen that getting into those Parliaments is a very rigorous process; from Mr. Speaker to the ordinary hon. Member. I think our Parliament should not fail us by not giving us enough security. We want to feel safe as we sit in this Chamber. You all remember that one day a piece of paper was thrown from the galleries towards where hon. Obwocha, the Vice-President and Minister for Home Affairs and I were seated. It could have been anything else that was thrown at us. Therefore, we want to feel safe when we come here and that the administration of Parliament should be extremely strict to ensure that security issues are monitored.

As I was talking with Mr. Speaker and a few other colleagues on the other side, we felt that maybe time has come for a schedule to be followed for passing Bills. One of the greatest criticism that this Parliament has received is on the issue of passage of Bills. We have been criticised for not passing enough Bills that can be felt by Kenyans. However, how can we pass enough Bills when every one of us comes here and talks from morning until evening? Let us borrow what many other democracies have done, like giving some time limit to the passing of every Bill. If a particular Bill is not contentious and we decide that two to three days are enough to pass it, all hon. Members should come in here to be able to discuss them. In any case, most of the Bills are discussed at the Committee Stage where most of the work is done. I think this is something which we should amend.

Lastly, as I sit down, Hon. Members have been demonised through and through for the last four years. I think we need to show that hon. Members can be very serious, and indeed, we are very serious. We want to be seen in that context and in that view; that we are truly honourable in the manner in which we conduct ourselves when we are in the House and out there. Then that way, there will be that dignity. You will remember those early days when we used to hear that so-and-so is coming to your district and everybody would want to come and line up and see this person. I think that is the dignity that this House requires as we go into the next General Election.

Mr. Deputy Speaker, Sir, in as far as the Constitution is concerned and since I only have half a minute to go, I want to ask one fundamental question: "How many people on the ground at home are harping on the issue of the Constitution that we hear every single day; or is it the preserve of the political leadership to have a constitutional change?"

I support the Presidential Address.

Thank you.

**Mr. Kajwang:** Thank you, Mr. Deputy Speaker, Sir. I want to give my contribution regarding the Speech that was made by the President yesterday. I want to start by commenting on what the President opened with. He said the following:

"The laws we have passed and enacted in the past four years form the basis on which Kenyans can realise the dream of a well-governed country that is prosperous, just and equitable."

He called it a dream and a good dream. But are we working towards achieving that dream? That is the question. Are we working towards achieving a prosperous nation, a just and equitable society? Since he said many things, I will only point at just a few things that he referred to and I will show that we are not working towards achieving that dream as hard as we should.

First, Mr. Deputy Speaker, Sir, let me also say that 200 judges cannot be appointed in this country without a constitutional amendment to rearrange the Judicial Service Commission. Without a proper rearrangement and reconstitution of the Judicial Service Commission, we are

likely to continue to ethnicise our benches in this country as we have done before. Secondly, we cannot elect mayors and chairmen of county councils directly unless we are going to give them executive powers, and that is a function of a new constitutional arrangement both in the cities, county councils and municipalities. You cannot subject an individual to an election of 3 million Kenyans in Nairobi and then run the city through Ministerial directives. When London went that way, the Mayor was given executive powers.

I want to thank the President for having spoken about fisheries in this country for the first time. It is a forgotten sector of our economy. However, this is what he said about it: "The sector employs 60,000 people directly." Apart from agriculture, there is no other sector that contributes that kind of direct employment. He further said that it employs 600,000 Kenyans indirectly. There is no other industry like that. Even if you were to manufacture cars in Kenya, you would not even be able to employ 3,000 people. If you really want to help Kenyans and you identify a sector, like fisheries, which employs 60,000 people directly and 600,000 indirectly, you should invest in it. However, what has the Government done? This is what the President said: We have provided electricity so that there are cold storage in 20 beaches in the whole of Lake Victoria. On the Kenyan side, we have more than 200 landing beaches. The President announced from that Chair that they have provided electricity to 20 landing beaches and he did not mention any other investment in this sector that employs 60,000 people directly and 600,000 indirectly. If I were in the President's shoes and wanted to invest in it, I would provide credit facilities to the fishermen to buy fishing gear and ensure that there is security in the lake. We have left our Kenyan borders with Uganda and Tanzania to be manned unpoliced, and our fishermen, who invest between Kshs1 million to Kshs2 million in their boats and fishnets, lose them every other day and nobody bothers. If, for example, you lose an investment of Kshs2 million by fire in Nairobi, I am sure it will be a national issue. When you lose fishing equipment to Ugandan or Tanzanian pirates, it is not a problem because it is far in the lake. Mr. Deputy Speaker, Sir, His Excellency the President talked about the milk sub-sector, the Kenya Meat Commission (KMC) - of course, that is the livestock sector - and the coffee sector. However, he did not talk about the sugar industry. The sugar industry employs a large number of unskilled labour in this country. It is a simple investment. We merely need to invest some money in increasing the crashing capacity of our industries and we will employ three to four times the number of people who are employed now. It does not take more than Kshs2 billion to do that. If we did that, we would employ more people. We would not be wasting foreign exchange to import sugar in this country. Maybe, it is politically-correct to destroy the sugar industry so that we can import cheap sugar and make money out of it. Of course, that is for the politically-correct.

Mr. Deputy Speaker, Sir, His Excellency the President also talked about education. He emphasised the issue of day schools. In my constituency, we have identified that because we are too poor to afford boarding schools. However, after we invest so much money to develop day schools, there are no teachers. I have put up ten day schools in my constituency in the last four years. Each one of them is lucky to have two teachers from the Teachers Service Commission (TSC). Why does the Government put our children through an education system which it recommends to be good, but fails to give us teachers? Where do we get the money to pay those teachers? We talk about the Free Primary Education Programme (FPEP). I have visited primary schools in my constituency and discovered that most of them with eight classes have three, four or five teachers. Nobody seems to talk about that issue. The Minister for Education seems to be happy about that. What is the essence of the FPEP when we have three, four or five teachers for eight classes? Many people in some of our constituencies are infected and affected by the HIV/AIDS scourge more than in some other areas of this country. I do not know why that is the case. But many of those three, four or five teachers are also sick and the Ministry is not bothered about that.

Mr. Deputy Speaker, Sir, His Excellency the President also talked about something that needs to be done in this country, which is very good. He talked about day streams in boarding schools. We have developed boarding schools which have a bigger capacity of teachers and learning materials. However, boarding schools have refused to allow day streams because they claim that day-streamers will bring indiscipline. I want a circular from the Minister for Education from tomorrow indicating that from next year, all day schools should allow, at least, one day stream from Form I to Form IV. If we do that, we will develop this country a little bit.

Mr. Deputy Speaker, Sir, the Maendeleo ya Wanawake Organisation (MYWO) is not an organ of management or governance in this country. We will not allow it in the Constituencies Development Fund (CDF). There is already a provision for gender in the CDF. The MYWO is an organ which is influenced and partisan. It is not an organ of the Government. Until we are told why the women who have been included in the CDF are not adequate for gender balance, we will not allow it.

Mr. Deputy Speaker, Sir, before my time runs out, there is something which His Excellency the President said and which, if it ever happens, will be very good for this country. He said that the business confidence in Kenya is at an all time high, both for local and foreign investors. About three days ago, a foreign investor in the communication industry was unable to pay Kshs12 billion to our economy for a licence because they were forced by a law which says that 30 per cent of the shares must be off-loaded to local investors. There is no local investor who had the Kshs3.6 billion or more. However, they were told that, unless they find a local investor who can buy the 30 per cent shares, they cannot invest in Kenya. What are we trying to say? We are trying to invite people to invest in our country, but we are also putting in place laws to deny them a chance to invest. We were waiting for our young people to get jobs when that investor rolled out! Now, those jobs have gone! Where will we get them from? We must be serious on the direction that we want to take. We must remove that law and allow anybody who wants to invest to do so.

Mr. Deputy Speaker, Sir, we will also allow anybody who wants to dis-invest to do so, anybody who wants to grow to do so and anybody who wants to collapse to do so, so that this economy can grow. Those laws are not helpful.

Mr. Deputy Speaker, Sir, lastly, last year, the Governor of the Central Bank of Kenya (CBK) closed down Charterhouse Bank. The Minister said in this House that he reluctantly closed that bank because it was strong in capital, management and profits. Why has it not been re-opened?

**Mr. Deputy Speaker:** Order! Mr. Kajwang, your time is up!

Hon. Members, the Front Bench on my right has had a lion's share of the debate this afternoon. So, I will go to the Back Bench.

Mr. Angwenyi!

**Mr. Angwenyi:** Thank you, Mr. Deputy Speaker, Sir, for this opportunity to contribute to this very important Motion. You have given me a chance to speak as a Back Bencher, and also as a spokesman for the FORD(P) in this House.

I would like to thank His Excellency the President for giving a very nice Speech. Why do I call it nice? That Speech was not political. That Speech tried to address issues affecting Kenyans - poverty, unemployment, corruption and a new Constitution. I know that some of my colleagues may want to play politics with that Speech.

Mr. Deputy Speaker, Sir, has this Government delivered? Yes, to some extent! Coffee farmers in my constituency, for example, are now happier than they were four years ago. Those farmers used to get Kshs3 per kilogram of delivered coffee. That payment would be done two years after delivery. Today, those farmers are paid Kshs20 per kilogram within three months. That is something that the people of Kitutu Chache Constituency and, I believe the people of Gusii Land, appreciate.

*(Applause)*

A lot is being done to improve the infrastructure. Over the weekend, I was at a place called Rioma. The residents of that area never thought they would have electricity in their homes. On Sunday, we switched on three rural electrification projects in the constituency. The people of Rioma always thought that electricity is only for towns. That place is about 30 kilometres from Kisii Town. That is something that can be seen. If I cannot call that development, then I do not know why I am in Parliament.

Mr. Deputy Speaker, Sir, I have got some background in economics. When you realise growth in the economy, it does not necessarily mean that every person's economy grows by that margin in the same year. Growth takes time to be realised. If I was teaching a student about the fundamentals of economics, I would say that you spur growth. Once you have done that, there are linkages. That later trickles down to the people. There are various ways of ensuring that, that growth can be fast-tracked to have the trickle down effect. Some of it is like what the Government has done by providing free primary education. By so doing, parents who would have paid fees for their children remain with that money in their pockets. In a sense, you have given them that money. That is what economics is all about. When you allocate money to the CDF and prevent chiefs, assistant chiefs, DOs and DCs from collecting people's *mbuzis* and chicken to sell and raise money for harambees to build classrooms, that is a trickle down effect of economic growth. That is taxpayers' money. Maybe, time has come when we should attend a workshop, so that some of those fundamentals are explained to us. Since I do not understand the law, for example, Mr. Muite can take us through the fundamentals of law, so that we do not contradict the principle of law. The same should happen to the subject of economics.

I urge the Minister for Finance not to misadvise the President on the increase of CDF. If the CDF is increased today from two and half per cent to seven per cent, you will see a major revolution in the economic growth of this country. If that amount of money could be employed in Kibera, for example, in one year's time, you will not see people eating in an unhygienic environment. If we build a classroom, a laboratory or a mortuary, the people who are employed will earn money locally from that CDF. That is what economic development means.

Mr. Deputy Speaker, Sir, on education, the Government must look into the issue of teachers, which my colleague has talked about. It is useless to say you are providing education when you cannot provide quality education by having an adequate number of teachers. In fact, I would propose that before they talk of free secondary school education, they first provide the free primary education with an adequate number of teachers, and from there we can move on. They could, for example, also increase the amount of bursary to secondary schools from Kshs800 million to Kshs3 billion or Kshs4 billion, in order to increase the number of beneficiaries.

Mr. Deputy Speaker, Sir, there is a problem which the President did not address adequately, in my view, yesterday. That is the problem of unemployment. Unemployment in Kenya is rampant. We cannot address that unemployment through the Youth Enterprise Fund. The Government must develop a major policy on unemployment. If, for example, you employ from each constituency 1,000 young people at an average salary of, say, Kshs10,000 per month, you will have employed 210,000 youths in this country. That will cost this country only Kshs25 billion. That amount can be saved by reducing the number of judges you are going to employ to punish delinquents who will get into crime. There will also be linkages in economic growth because they will be able to buy sugar or even underwear. They will be able to do things and the trickle down effect will go to the people of this country. We should have a major policy, and implement it, to employ a minimum of 1,000 young people in each constituency. That way, we will address the issue of crime, poverty and



corruption.

Mr. Deputy Speaker, Sir, this Government has tried to revive various sectors of the economy. For example, the Government has spent Kshs6 billion on sugar, Kshs6 billion on coffee and Kshs3 billion on the Kenya Meat Commission. I now understand it is now pumping Kshs800 million into the cotton industry. But there is one sector that this Government has forgotten, and it is as if it is being punished. That sector has been the mainstay of the economy of this country. That is the tea sector. It has never received a single penny from this Government or even from the previous Government. It is time for this Government to invest a minimum of Kshs5 billion to expand and improve that sector. Today, to construct a tea factory, like the one we want to do in Somboko in Marani, it will cost Kshs500 million. We are supposed to fork out a minimum of 30 per cent before the Government can look for a financier. It is as if it wants to punish us. Where we are now taking our tea at Tombe is congested, and our tea goes to waste. So, I am urging this Government to, in the next Budget, provide an amount of at least Kshs5 billion to support the tea sector, because this sector has been the mainstay of the economy of this country.

Mr. Deputy Speaker, Sir, we have heard about the constitutional review. I agree there should be a review. But we should delink this review from the next elections. We must also come up with a constitution which the people of Kenya will agree with, which means we must go back to them. I do not think this Parliament has got the power to override the decision of Kenyans in a referendum. If there is an issue that was rejected in the referendum, this Parliament does not have power to bring it back. So, we should all create goodwill. We, as the political elite, must talk to our people and create goodwill in a trustworthy manner, so that we can now delink the constitutional review from the elections. If we want to address various issues which were not in the rejected constitution, for example the Political Parties Bill, we can handle them here without connecting them with a new constitution.

Mr. Deputy Speaker, Sir, I have heard people speak against the new districts. Those shouting loudest are the ones who benefitted from the Moi regime when he created new districts. Before those people can talk against the new districts, they must give up the districts they were given in the 1970s and 1980s by former Presidents Moi and Kenyatta. We must also have new constituencies. If the value of a vote in Kitutu Chache is to be equal to the value of a vote in Embakasi or Langata, we must create new constituencies or change the boundaries of existing constituencies. That is how we can have equal value of our votes.

With those remarks, I beg to support.

**Mr. Muturi:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to say a few words about the President's Address yesterday.

Mr. Deputy Speaker, Sir, among many things that the President talked about and, indeed, what some of my colleagues have just been addressing, is that the President, in his Address, appeared to place some value on dialogue. He emphasised that there is need for dialogue for us to be able to agree on the way forward, particularly on the issue of constitutional review. However, we must be able to read the President's intentions from his past, and particularly, recent past conduct.

Mr. Deputy Speaker, Sir, there was a gentleman's agreement in the IPPG negotiations of 1997 regarding the mode of appointment of commissioners of the Electoral Commission of Kenya. Indeed, towards the tail end of the last Session, we discussed here that it is a normal practice in most modern democracies that when you are appointing commissioners to an electoral body, because they will be dealing with contests between political parties, there is great desire to consult those political parties that are recognised in any country. But what did we see? It is particularly in that area that we expected to see a lot of consultation through dialogue.

As the President reads his Speech to us, we can say: "Yes, in fact, two to three months ago,

we witnessed this because through dialogue, we were able to agree on the number of commissioners that each political party would nominate to the Electoral Commission of Kenya (ECK) to replace those whose tenures had expired." We all know that did not happen. Therefore, even as we read this Speech by the President where he emphasises dialogue, we must ask ourselves: "Is he serious? Does he really mean it?"

Mr. Deputy Speaker, Sir, a lot of the stuff that has been said here has been repeated several times. On the question of the Political Parties Bill, indeed when you read through the President's Speech, one tends to think it is a very exciting statement. If, indeed, he believes we need stable political parties, what examples has he led with in the last approximately two-and-a-half years? What we have seen is the raiding of political parties. Through dubious means, he has attempted to acquire political parties. Therefore, even as we look at the Speech we must actually be very careful. We must not begin to applaud too early.

Mr. Deputy Speaker, Sir, I have no quarrel with the creation of new constituencies or districts. We must be able to differentiate the process from the results. However, during the Eighth Parliament we were told that the process which was used to create new districts was an irregular one and, indeed, the courts of law did uphold that position. All that I am saying today is that whoever wrote the Speech for the President should have actually not included that date. He should just have brought the legislation to legalise because what we are admitting by this is that we have actually done something irregularly, but we would want Parliament to come and regularise it. There is a process called *post-facto* approval. What the President is saying is that has already happened and that he knows we did not follow any particular law. We should have actually had a law to do it and we have not, but we will be doing it. The danger of that is admitting that there was no law and presuming or assuming that Parliament will pass that law as brought and it may not happen. That means we will remain with the irregular position that obtained both in the previous regime and which obtains even in the current regime. So, really the issue here is that we should not even be quarrelling about it. All I am saying is that: "Please, now that we have noted that we have been acting irregularly as we have acted in several other ways, please, bring that Bill sooner than later."

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker  
(Mr. M'Mukindia) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, I must say that the President did appreciate the critical or crucial role played by the watchdog committees of the House. However, I must say that those committees make recommendations year in, year out, which are not being implemented. Indeed, when we find flagrant violations of procurement laws and we raise the flag, what we have seen in the recent past is Ministers of Government standing up to defend those positions. We would want to see what the President says here being implemented by Ministers.

Mr. Temporary Deputy Speaker, Sir, something that I commend is the encouragement of the construction of day secondary schools. However, we need to match our words with our deeds. What the President says here in his Speech is good. We know in very many instances this process of building day secondary schools has also been frustrated by certain other requirements by the Ministry of Education, particularly with regard to registration of new secondary schools. They put such thresholds sometimes about the populations which do not make any meaning because a school must begin from somewhere. It cannot begin with 100 or 200 students. However, to register such schools we are told we must have a population of so many students. As I said, that kind of requirement is stifling what the President would wish to see encouraged in many parts of this

country. The fact that we do not have enough teachers employed is in itself a discouragement. We need to have a clear policy that tells us that this country requires so many teachers and that the Government will employ them, whether or not our multilateral friends like it. We cannot peg the number of teachers that we will employ in this country to what the World Bank and the International Monetary Fund (IMF) are telling us. We must move away from it.

Mr. Temporary Deputy Speaker, Sir, I want to comment on the issue of economic growth. As has been said by several speakers, both in and out of this House, we need to translate this statistical economic growth to the people. Our people need to feel it. As it is now, people do not feel it. The situation we are in is like a situation whereby we have a body of a person which is not dead, but the head is put in the freezer and the legs are in an oven and then we are told to declare his condition. The head, of course, as we would expect, is freezing and the feet are burning. We need to translate this growth which we are seeing in statistics down to the people, so that they can feel it. It is good. Indeed, we want to encourage it, but it needs to go down.

Mr. Temporary Deputy Speaker, Sir, as I conclude, I want to observe quite sadly that in the last four years there has been increased ethnicity. There are too many ethnic tensions in this country. We hear and feel it. It is not good for the country. The country will not grow when we have these kind of tensions.

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

**The Assistant Minister for Health** (Dr. Machage): Mr. Temporary Deputy Speaker, Sir, indeed, the President's Speech was embellishing, splendid and to the point. He did elucidate the gains that this country has achieved in the last four years since he took over leadership. He did also show the weak areas that need to be addressed. It was a statesman's Speech. His main attention was on a few places that I am going to highlight.

Mr. Temporary Deputy Speaker, Sir, he did talk about education and the gains that have been made with the free primary education. It is true that every process has its own shortfalls. It is true there has been an over-enrolment of children that might not have been planned for, but he said that these will be addressed with the improving of the economy. However, affirmative action should be addressed, especially when it comes to the issue of training teachers among the under-privileged communities. It is a big irony that all areas in Kenya have to be considered using the same parameters in deciding on who is standing for what, when there is no equitable distribution of resources in terms of teachers and other facilities in our schools. We expect students in the whole country to attain a mean grade of C+ for them to qualify for P1 teachers training, when those from privileged communities or Provinces have that advantage of attaining that grade, vis-a-vis those who come from areas that are poorly endowed. I would suggest to the Minister for Education that, as the President addresses this issue, affirmative action should be taken, to a little bit lower the pass mark for all the Form Four graduates from less privileged areas, who have to be trained as P1 teachers, for instance, Kuria, Trans Mara, Pokot and Turkana Districts. Let the pass mark be C, so that there can be equitable distribution of resources in this aspect.

It is true that the Government has endeavoured to improve the welfare of teachers. In the same way, we would expect reciprocation from these professionals; devotion to their time and quality of teaching to our children.

Mr. Temporary Deputy Speaker, Sir, the President did address the gains in the agriculture and livestock industries. I would like to add that these Ministries should address more issues, especially in deciding which crops have to be grown in the different areas of this country. We are still using research that was done by the colonialists, that only identified certain areas for certain crops. We have forgotten some crops that are coming up, such as vanilla, which is giving a lot of foreign exchange to countries like Uganda, for example. I believe this country can benefit in terms of economic growth. Sunflower cultivation is still not well-addressed, especially so, in areas that

have to be weaned out of tobacco farming for obvious reasons. We also need to expand our tea zones and so on. It is important that we fully address our potential, as a country, in terms of food or cash crop production.

This also goes to addressing our industry in terms of processing. We should desist from the habit of exporting raw materials to be processed elsewhere and then importing the end products. Sometime back, instant coffee was processed in Britain after buying our crop. We then used to buy it back into the country. The hides and skins industry is one area that is poorly addressed, especially so, because livestock development is not being addressed. We also have meat factories coming up. We should harness all the profits for this country.

I would not want to agree with one hon. Member who said that the establishment of 20 beaches at the lake is insignificant. The truth is that there was none. We can only say: Let there be more. One step in the right direction is worth praising. Let us have even more advanced industries that not only take our fish, but also process it at that level, and consume everything including bones which should not go to waste. That is a direction that we should actually encourage.

It is true that a lot needs to be done in terms of security. But it is the responsibility of every hon. Member of Parliament to address this issue in his or her own constituency. Insecurity has hit every part of this country. I would really support the idea of actually introducing capital punishment for those people who are found to keep firearms without any licences. That should be done as quickly as possible. Kuria District, for example, has suffered because of legal arming of people from the neighbouring districts. We have suffered a lot. The same applies to other marginalised communities living in Mt. Elgon District, Pokot, Turkana District and other areas.

It is important to also appreciate the gains we have achieved in terms of health. I will emphasize this because nobody looks at it as a way of trickling of the gains in the economic development to the people. When we improve medical facilities, availability of drugs and equipment, what we are actually doing is to improve the quality of the lives of the people of this country and, therefore, increasing the useful man hours that more often than not, go to waste. This is a direct gain. We have to endeavour to increase the life expectancy of Kenyans, which is at its lowest level now; that is, 44 years. Therefore, I thank the Government for not only addressing certain drugs, but also giving free Anti-Retroviral drugs to those poor people whose health has been so much jeopardised that they cannot produce anything by themselves. The Government is giving them this opportunity.

People talk of political districts. Which district in this country was not created politically? At Independence, how were the districts created? They were all tribal districts. Look at their names. Which Parliament ever sat with the colonial powers to decide which group had to be given a district? It is only those communities that bowed and knelt before the colonial masters that were given the opportunity to have districts, at the expense of other Kenyans. Then, we find Members of Parliament coming up and urging that the beneficiaries of the current distribution of districts, are irrelevant. Let them be ashamed! It is the only way that this country can distribute its resources to its people. It is a way of bringing the Government closer to the people. It does not matter whether it has been done before the legislation or not because, after all, this is the practice. Even in law, if the practice has been to rule on a certain sort of behaviour of the Judge, it is accepted. It is normal. So, I find nothing wrong with this.

This also applies to the Constituencies. I am the only Member of Parliament representing the Kuria community in this country. If I am denied a chance to speak, it means denying Kuria people, 100 per cent. It is a shame that I am the only person from the Kuria community in this Parliament. We do not even have any worker from my community in this Parliament; not even a sweeper. Mr. Ojaamong, suffers from the same problem. Are we not people? The President said that the number of Judges will be increased to 200. It is a shame that some people are urging that

only particular people have to be appointed Judges, regardless of their tribal affiliations. They say this because they know that they were privileged. When you take a random sampling of who will qualify, they are most likely to be in that bench, and other communities will be marginalised forever. There must be affirmative action when making decisions relating to the distribution of the national cake.

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

**Mr. Mirugi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to the Presidential Speech which he gave yesterday. I want to commend most of the economic gains that this Government has achieved.

Mr. Temporary Deputy Speaker, Sir, as other hon. Members mentioned, the trickle-down effect is taking a while. But I believe that the process has already started. That is what is most important.

The other issue that I want to support, is the fact that the President mentioned that the Government is going to start a women enterprise fund. This will go a long way in fighting poverty amongst our people. Women are the most enterprising part of our society.

Women are the highest number of small-scale business owners in this country besides the youth, and we need to empower them by starting an enterprise fund.

I also want to appreciate the Government's commitment that 30 per cent of all Civil Service jobs go to women. I want to urge the relevant Government Ministries to enact the necessary legislation so that whoever takes over this Government after the General Elections does not change this policy direction. I also want to urge all hon. Members that, when the Political Parties Bill is laid on the Table of this House, they should support the proposal to have a 30 per cent representation in this House, through nominations by various political parties to be strictly women.

Mr. Temporary Deputy Speaker, Sir, I also want to thank His Excellency, the President, and the Government for the commitment in creating new districts. I want to say, on the onset that in my district, Nakuru, we are the ones who have suffered greatly in this country because of the historical injustices in the creation of districts. That is very wrong because it means that resources are not equitably distributed and Government services are not accessible to my people like other people in this country. I also want to support His Excellency the President's decision to support the creation of new constituencies. Nakuru District has also been left behind in the development of this country through various development committees, be it the Constituencies Development Fund or bursaries. We have not had any new constituencies in Nakuru since Independence, while other districts have been able to get new constituencies. It is only fair that we should have more constituencies so that we can have equitable distribution of wealth in this country.

Mr. Temporary Deputy Speaker, Sir, if I talk about bursaries in Nakuru Town Constituency, where we have over 120,000 voters, it is very wrong when some hon. Members come to this House with more than 100,000 votes while others come with less than 10,000 votes. Where is the fairness in the representation in this House and in the various development projects? I also want to urge the Government to look into the possibility of increasing the bursary allocation. Last Financial Year, my constituency had over 3,000 applications, and the money that we got was enough for only 582 children. So, you can see that we can barely meet half of the demand. But I am sure and confident that with the creation of new constituencies, hopefully, we can also be able to help more children access the bursary. I also hope that the Government will look into the possibility of having free secondary education in the next couple of years. I know that we can achieve that as a country with good management. As we have seen with the free primary education, we can also achieve free secondary education in, say, about two to three years.

I also want to support the proposal that we expand the Higher Education Loans Board (HELB). There are so many children, others that we are funding through the bursary that have not

been able to raise tuition fees for colleges, and we do not want to make this a luxury. It should be a right for every Kenyan to access education, be it secondary education or higher education. It should be made a right for every Kenyan.

Mr. Temporary Deputy Speaker, Sir, I also want to urge that, in the agricultural sector, we have made high gains. Look at the coffee and tea sectors where we have had a lot of commendable work. But if you look at the pyrethrum sector, we have had problems. This Government needs to come out and sort out that problem. Parliament has already made a financial guarantee to jump-start the pyrethrum sector. I do not know why it is taking more than two years to revive that sector. Already, more than a half of the output of pyrethrum has gone down because of poor management. So, I want to urge the Ministries to act fast and revive this sector so that Kenyans and this country can be able to gain from the pyrethrum sector. I also want to urge the Government, through the Ministry of Co-operative Development and Marketing, to speed up the revival of the Kenya Farmers Association (KFA). I believe that this Parliament made a guarantee of Kshs2 billion. I do not know why it is taking more than one year to revive this sector. Farmers are suffering and I want to urge this Government to try and speed up the revival of that industry.

I also want to support the increase in the number of judges from 60 to 200. Given that some of the proposals I have heard, among them that we need to complete election petitions within six months and the essential reforms that some of the hon. Members are requesting, I do not believe that it is possible if we cannot increase the number of judges. It is wrong for us to want the number of judges to be ethnicised and go by the districts. Those are the proposals I cannot support because they are not good for this country. I do not think we should put the Judiciary in the path of ethnicity because we will not have justice for all Kenyans. We should not politicize the appointment of judges in this country. It is a good thing; it is long awaited that we need to take off this backlog of cases, some of which have taken more than ten years to resolve. I believe that with the increase in the number of judges, we can be able to sort out some of these problems.

I also support the direct election of mayors and county council chairmen. I support the proposal to give them executive powers, especially mayors. It will not be right that mayors will still act as juniors compared to town clerks, who take directives from the Ministries.

I also want to urge the Public Accounts Committee (PAC) to try and speed up their work because for now, the Controller and Auditor-General, who is answerable to the PAC, has not been able to audit the accounts, for example, of the Nakuru Municipal Council for the last four years. He does not have any records. I believe that the PAC is, right now, dealing with accounts that are already four or five years old. How can you be able to hold the Government of the day responsible if you are dealing with accounts that are for the previous regime? So, some of these issues that have to do with corruption, for example, the Municipal Council of Nakuru has over Kshs400 million to provide services this Financial Year alone, but they have not been able to show anything for that amount of money. If we have to end corruption in this country, we have to hold our institutions accountable. In this regard, the PAC has failed to ensure that these councils are accountable for the money that is passed through the Ministry of Local Government in this House and the money that they collect from the general public.

Mr. Temporary Deputy Speaker, Sir, I also want to support the proposal to have capital punishment for people who bear firearms illegally. That will go a long way towards fighting crime in this country. Hon. Members should also take the initiative in fighting crime by using the Constituencies Development Committees (CDCs) to set up police posts and police stations. I believe that we can come to this House and haggle about equipment and vehicles for police officers, but as hon. Members, we should, as a first step, help in fighting crime by setting up those police posts and police stations. It is my wish and proposal that in the war against corruption in this country, we also have capital punishment for people who are convicted of corruption-related cases.

That will go a long way towards providing a mechanism for letting our people know that the Government or this country does not appreciate people who steal from public coffers. I think that will go a long way towards fighting corruption.

Mr. Temporary Deputy Speaker, Sir, the Government has done a lot besides the few activities that I have mentioned, and I want to urge hon. Members that, the constitutional review issue that the President mentioned, we should approach it soberly and also to let them know that this House is not immune to criticism.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Your time is up!

**Mr. Mirugi:** With those few remarks, I beg to support. Thank you very much.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Proceed, Mr. Rotino!

**Mr. Rotino:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to add my voice to what my colleagues have said about the Presidential Address.

First of all, I want to thank the President for having given us some direction and told us some of the things that have been done. The Address he gave, at least, elaborates what his Government has done. What we are doing is that we are comparing the performance of the previous Government with that of the current Government. That is why we are getting the difference. However, if we have another government, which might be better than the current one, we shall also compare its performance with the performance of the current Government.

Mr. Temporary Deputy Speaker, Sir, so, in his Address to this House, the President just elaborated what his Government has done, and nothing more. It was good for him to have done so, because he needs some votes. He needs to convince us that he has done something good.

Mr. Temporary Deputy Speaker, Sir, having said that, I would like to touch on a few things. The first one is about the creation of the new districts. I do not think those who are opposed to the creation of the new districts know what they are talking about. When the old districts were created, the population of this country was between 15 million and 18 million people. Our population has now doubled. The facilities that existed are not enough. So, we have to create more districts, because of the population increase. I want to thank the President so much for having given us Pokot North District, which covers Kacheliba Constituency.

Considering the insecurity situation in that constituency, once that district is created, it will help in fighting insecurity from the neighbouring district. We will have an Officer Commanding Police Division in that constituency. Also, more infrastructure will be put in place because more funds will be allocated to that district. That will help us deal with the insecurity that we have always been having. That area has been having security problems because of infiltration by the Karamojong and other communities from Uganda. They come into Kenya through that constituency.

Now that we have a district in that area, we will have a lot of peace in that area. The effects of peace will flow to other neighbouring areas. Therefore, the Government should, quickly, bring to this House the Bill that is intended to legalise the creation of the new districts, so that we can pass it and enable those districts to be allocated money in the next Budget.

Mr. Temporary Deputy Speaker, Sir, I now want to talk about corruption. As much as we talk about corruption in the previous Government, we should note that this Government is even more corrupt. Corruption is very expensive. When we were on recess, we talked to many people. Many people, including truck drivers, came and complained to us. For example, we were told by truck drivers that they pay Kshs4,000 for each truck that passes through the weighbridge at Mlolongo. At Naivasha, they pay Kshs3,000. At Mai Mahiu, they pay Kshs3,000. So, all the trucks on our roads are overloaded.

The money they pay is mandatory. A truck driver would tell his employer: "I am carrying 20 tonnes. If you want me to ferry this load from Mombasa to Kapenguria, you should give me

Kshs4,000 for Mariakani, Kshs4,000 for Mlolongo, Kshs3,000 for Mai Mahiu, Kshs3,000 for Naivasha and Kshs3,000 for Eldoret weighbridges". The employer will have to part with that money. The driver assures his employer that if that money is made available, the truck will pass through all those weighbridges. Some of us have seen this happen. So, corruption is very expensive.

Mr. Temporary Deputy Speaker, Sir, I will now turn to the proposal to introduce capital punishment for people who will be found in possession of unlicensed arms. As much as we, and any other person with a right mind, would not accept guns to flow into the country in the manner they are doing now, talking of introducing capital punishment for that offence is giving enough bribery to the police. The police will be bribed. If I know that my person has been caught with a gun, and I know that he will be sentenced to hang, I will opt to pay Kshs50,000 to the police to save him. That is what will happen. We will only end up punishing the people who will be found with guns. The guns will not even be taken away from them. They will bribe their way out with amounts ranging between Kshs50,000 and Kshs100,000, because the stiffer you make the punishment, the bigger the bribe becomes.

So, as much as we do not want guns in the wrong hands, I am personally against the introduction of capital punishment for this crime. We should sit down, amend the law and provide for enough security. Ask yourself why people buy guns, especially those in remote areas. They buy guns because the Government has not provided security. We want all the guns in the possession of individuals to be retrieved.

Nobody wants a gun. However, if you take away guns from a certain community and leave the other communities with guns, what are you saying? What are you telling some of the people living in districts that border other countries? The disarmed community will have no security. They will have no home guards. We tell the Government what to do, but the Government does not want to do it. So, we should be able to be lenient enough. If we introduce capital punishment for possessing unlicensed guns, we will end up increasing corruption.

Mr. Temporary Deputy Speaker, Sir, I now want to talk about the Free Primary Education Programme. I want to join my colleagues in saying that free primary education is good. We have put up facilities, but there are no teachers. As I speak, West Pokot District is short of 896 teachers. All the primary schools in that district have no teachers. We have been given money through the Constituencies Development Fund to build more classrooms and equip them with desks, but there are no teachers. The Government should be able to facilitate implementation of this programme by giving us enough teachers.

The rate of dropout from primary schools is high. Of course, we want to applaud the Government by saying that by giving us free primary education, we have increased the enrolment of both girls and boys. However, compare the number of the pupils who sit for the Kenya Certificate of Primary Education Examination and those who proceed to join Form One. Ask yourself: "Where is the difference? Where do the other pupils go?"

Mr. Temporary Deputy Speaker, Sir, even if polytechnics are there to absorb 2 per cent or 5 per cent, where do the others go? You have educated somebody, but you have not given him enough education. You have not left him illiterate. So, what are you doing? Those are the criminals that we have. They become criminals because, when they go home, they are told: "We have sold all the animals. There are no animals at home". So, they leave their rural homes and go to urban centres in search of employment. They end up roaming the streets of our towns and becoming the criminals that the police have to deal with.

So, as much as the Government supports free primary education, it should be able to support polytechnics. The Government should ensure that every location has a village polytechnic, so that these people can go there for vocational training. Once they finish training, they will be



artisans. They will help communities to build classrooms and do many other things. Our system of education does not give self-employment ability to school leavers. You just go to school for formal education.

Mr. Temporary Deputy Speaker, Sir, in order to enable our children to be self-employed, we must impart work knowledge into them, otherwise, we are creating a society of persons who will not be employed, and who will become rogues and disturb us all over. Therefore, as much as we talk about insecurity, we should appreciate that the situation is being worsened by people we have not provided with employment, and for whom we have not created a conducive atmosphere for work.

Mr. Temporary Deputy Speaker, Sir, I want to talk about insecurity, particularly with regard to Mount Elgon area. Mount Elgon is part of this country. From the time security problem started there up to now, more than 150 people have died. Those people have died in the hands of Government security agents comprising of regular police and Administration Police officers. There is nobody who has gone there to see what is going on. Even Mr. Kiai of the Kenya National Commission on Human Rights has not gone there to see what is going on, but when something happens in other parts the country, people rush there. The Government must be able to have a meeting and address the problem. The problem can be addressed. There is nobody else who can solve that problem apart from the Government and the people of Mount Elgon.

People are dying every day. We listen, hear and see people die. Even children are dying. If you watched television yesterday, you should have seen how pathetic the situation is. It is pathetic to see people in our own country suffering in the hands of police officers. The police cannot even allow anybody to go there and give the people food. Their granaries have been burnt down by Government security agents, and they cannot allow us to go there and give them the things that we have collected. There are many people who have collected food. They are in Kitale, but they cannot be allowed to take food to those people in Mount Elgon.

The Government does not want to listen to the people. This is a concern to some of us who are neighbours to those people. We have relatives and friends there. They are really suffering, but they cannot cry to anybody. So, I urge the Government to treat this matter very seriously and go to Mount Elgon and try to solve the problem. If it cannot solve the problem, it should do something that will help those people.

Mr. Temporary Deputy Speaker, Sir, I will now talk about pyrethrum. In my constituency, we grow pyrethrum. Since we started delivering pyrethrum to the Pyrethrum Board of Kenya, there is a year when the Board never paid us. The Pyrethrum Board of Kenya owes my people about Kshs28 million. In fact, the Board has not paid them for two or three years.

Mr. Temporary Deputy Speaker, Sir, I do not know if the Government will be able to pay us Kshs1 billion. If the Government could write off the debt that was owed by coffee farmers to the Co-operative Bank of Kenya, why can it not set aside Kshs1 billion to pay those poor farmers? Many people have suffered. Some farmers are owed up to Kshs2 million by the Kenya Pyrethrum Board. When you make an inquiry to the Board, you are told that it is the Government that is delaying the payments. I am pleading with the Government to pay these farmers urgently.

Just last week, all the directors of the Pyrethrum Board of Kenya were sacked. By sacking all of them, you are not solving any problem. Some people within the Board are the problem. The Government should identify those people and sack them.

With those few remarks, I beg to support.

**Mr. Bifwoli:** Mr. Temporary Deputy Speaker, Sir, the President's Speech was very good. This is a clear indication that this is a working President.

Let me talk about the Women Enterprise Development Fund. When the President said that money is going to be set aside to be advanced to women to do business, I realised that I am not the

only man who went to school because his mother went everywhere doing business. We are many and I am sure the President is one of us. That is why he is thinking about women.

Mr. Temporary Deputy Speaker, Sir, we should not criticise certain things just because we do not like the persons behind them. Even if the devil has done something good, it is always good to say, "thank you". The President has really initiated something nice for this country. Some of us have ladies in our constituencies whose husbands have abandoned them or have died and they have no means of living. They cannot be given loans by any institution and they cannot do anything at all for themselves. We keep on saying that we are gender sensitive and yet we have failed to empower women to do business. On that issue, I think the President scored highly.

Mr. Temporary Deputy Speaker, Sir, another thing which I think the Government has done very well, and the President brought it out very clearly, is on the issue of the Youth Enterprise Development Fund. I know that this Fund will not create jobs for the youth. We should have entrepreneur seminars for the youth. Our youth have no experience and they do not know money can be a dangerous weapon. They might take the money and go and look after their welfare. The idea is good, but I would like to ask the Government to employ entrepreneurs as youth officers in the various districts. All the youth officers should have the basic training in entrepreneurship, so that they can train the youth. Now that women will come on board, the officers should train them on how to start and run small businesses.

I would like to applaud the President for reviving the Kenya Co-operative Creameries and the Kenya Meat Commission. However, there are certain challenges in the cotton industry. We visited the Minister for Trade and Industry with the Members of Parliament for Amagoro, Sirisia, Kanduyi and Nambale constituencies and asked him to get an investor to start the Malaba-Malakisi Ginnery. This ginnery will cater for people of western Province. There are very many cotton farmers in Kenya, but honestly, I do not understand some of the gentlemen that His Excellency appointed as Ministers. They do not do anything for us. The Minister for Trade and Industry has not done anything for us. It is unfortunate that this Minister comes from Western Province and he has done nothing for the people of western Province.

Mr. Temporary Deputy Speaker, Sir, the people of Western Kenya still remember the Government of the late Mzee Jomo Kenyatta. During this time, the Minister was a Kikuyu and he initiated projects such as Mumias Sugar Factory, Nzoia Sugar Factory and Panpaper Mills. Today, we have one of our own as a Minister, who has initiated nothing for us except going round Western Province marketing a factory called "NARC(K)". It is a shame that we have one of our own, who cannot think about our village. We cannot blame him because he has done nothing for this country. He has never brought in an investor to invest in the agricultural sector.

We were told that they were going to start village cottage industries. Where are these industries? Such Ministers are actually failing the President. It is time we stopped referring to people as our own and failing to point out their mistakes. Some Ministers have not performed and we should say this in broad day light. The President has said good things, but he cannot go round and work when he has appointed Ministers to work. The blame should go to the particular Ministers.

I would like to challenge the Minister for Agriculture to revive the cotton industry in this country. He should support the cotton farmers. When the Minister says that he has set aside Kshs8 million for the cotton industry, surely, where is this money? They have said that they are working on some modern seedlings to be provided to the farmers. We do not need seedlings. The Government only needs to show us where to sell our cotton and we shall plant more cotton. Our African cotton is resistant to all the diseases. This Government has performed, but there are certain challenges that need to be addressed. It is good for us to tell the Government what the challenges are.

Mr. Temporary Deputy Speaker, Sir, the free primary education has been a success. The rich people have nobody to look after their animals and that is why they are bitter with the Free Primary Education Programme, because all the children from the poor families have gone to school. The only challenge is that there are no teachers in primary schools. The other day, I heard the Minister for Education saying that he is thinking about employing more teachers. I would like to urge the Minister for Finance to allocate money to the Ministry of Education to employ more teachers, so that we can have a fair distribution of teachers in this country. We will have quality primary school education if that is done. Once we have quality primary school education, there will be clear signs that under the Kibaki administration, free secondary education can be achieved.

I would like to recommend to the Government to introduce free secondary education in Forms I and II. We should start in day secondary schools. We should sponsor students in day secondary schools in Forms I and II, so that only those parents who are able to afford to take their children to national and provincial secondary schools can pay school fees. This is possible.

Mr. Temporary Deputy Speaker, Sir, the other thing is corruption. Corruption is a disease. If we have to declare wealth, then we have to tell the world where we got the money from, even if we inherited stolen money from our parents like some of us have. How can you have a lot of money and yet you have never worked in life? If you have inherited billions of shillings, 100 acres of land or a whole district, where did your father get all that money? If we have to make sense, we should go down in history. In the African culture, if your father was a wizard, you would be punished for his sins. Why can we not also punish the sons of the thieves of this country, so that we can repossess the money that their parents acquired wrongly?

We will not allow a situation where certain families become gods, just because they inherited and looted a lot of wealth. This is not fair inheritance. If somebody allocated himself 1,000 acres of land and today the son is the one who is shouting the loudest saying that this Government is corrupt, we should find out how that land was acquired.

Mr. Temporary Deputy Speaker, Sir, we should also thank the President for being categorical and telling us that we need some minimum constitutional reforms. I do not understand why some people think that we are against certain persons when we talk about minimum reforms. We are not against an individual. We simply want to make a fair political play ground. There are people who are political nomads. I am told there are people in this House who are calling themselves NARC(K), when they came into this House through NARC, which was a combination of LDP, FORD(K) and DP. Today, you have crossed over! We need a law so that those who cross over should go home and cross over with the constituents.

This Government has done very well. But to be fair in appointment of people to senior positions, we need a vetting committee. The committee should vet who should be appointed an ambassador or a director in this country. There are enough committees of the House to do that work. The Departmental Committee on the Administration of Justice and Legal Affairs can vet the judges. The Departmental Committee on Education, Research and Technology can vet the appointment of Teachers Service Commission commissioners. The Departmental Committee on Agriculture, Land and Natural Resources can vet the directors in various agricultural institutions. The Departmental Committee on Finance, Planning and Trade can vet those who are appointed in the Ministry of Trade and Industry.

Mr. Temporary Deputy Speaker, Sir, unless we introduce those measures, Ministers will appoint their brothers to those positions. Some Ministers have their brothers appointed as ambassadors.

With those few remarks, I beg to support.

**Mr. Weya:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to talk about the Presidential Speech. I would also like to thank the Chair for highlighting the

various roles of Members of Parliament. Many of my colleagues work tirelessly in their constituencies and Parliament. In fact, many of them are even ailing because of the work they do for their constituents. They travel up and down the country to visit their constituencies and make sure that the people who elected them are represented well.

It is unfortunate that this House has not been able to go on live broadcast in this session. It is only through live broadcast that *wananchi* will be able to see what their Members of Parliament do in this House. As you see today, there is no live broadcast. Yesterday, it was full house because hon. Members of Parliament knew that if they were not there, they would be asked by their people: "How come we did not see you in Parliament?" But today, they have no way of telling whether their Members of Parliament are in Parliament or not because we do not have live broadcast.

I would also like to commend the Speaker for availing Information and Communication Technology (ICT) to Members of Parliament. Now, Parliament is on the web. We can proudly say that wherever you are in the world, you can see who are the Members of Parliament in the Kenya National Assembly. You can access the website, whether you are in Japan, Italy, France or America. I would also like to encourage my colleagues to set up their own websites to enable their constituents to see the work they are doing in their various constituencies. It is also a way to advertise themselves. It is only through such means that Members of Parliament can show their constituents what they are doing and to fulfil their vision and mission. That way, they will enlighten our society.

I think there are modern ways and means in which the Government can conduct its business. I do not think hiring 200 judges is the way to go. That is because they will clear all the pending cases and in the end, we will still have 200 judges who will have no work to do. We should go the modern way. We should go to the private sector and identify lawyers who can tackle those cases. Many governments in the world use that kind of method when they have a backlog of cases. As soon as the work is complete, they can now revert to the judges. We have the problem of backlogs because we have very few judges. Some of them are incompetent, while others are over-worked. So, we should go in that direction. What will we do with 200 judges after they have cleared all the cases? It is just a huge cost to the taxpayers and we will not benefit as a community.

Mr. Temporary Deputy Speaker, Sir, in the 21st Century, it is wrong for a country like Kenya to still use hoes and jembes in farming. We should modernise our farming tools. The Government should be involved in modernising our farming methods. The Government should hire extension workers to tell our farmers the way to go.

I will give you an example. I come from a constituency that grows cotton. Cotton is not only grown in Nyanza Province, but also in Western Province. But nothing has been said about cotton. The price of coffee, as you can see, has risen from Kshs3 to Kshs35. But we cannot tell you the price of cotton in Kenya today. There is no price for cotton and yet, it is the key crop targeted by African Growth and Opportunity Act (AGOA). Tanzania has heavily invested in cotton. I was recently in South Africa and saw how that Government has invested in the cotton industry. They invest in form of farm inputs and extension services. It is only through such measures that we will uplift and encourage our people who had stopped growing cotton over the years, to start growing it again. By doing that, the Government will gain more revenue. By doing that, the issue of unemployment will be solved. We will solve many other problems by doing that.

Mr. Temporary Deputy Speaker, Sir, we have heard about the introduction of the youth and women funds. That is a very brilliant idea. But what I object to is trying to channel those funds through the banking industry. Those funds should be given to groups. Those groups should then be monitored by another set of people and not the banks. If you want to borrow money from banks, you can borrow from them. But we should not compel the youth and women to go to the banks to get that money. I do not think that is the right way to do it. We should go to the constituencies and

form committees. We can then identify people who can encourage other people to do business in those constituencies and give them funding. Giving Kshs1 million per constituency is not enough. We should raise it to Kshs3 million per constituency and use the poverty index to do the rest. That will uplift the living standards of our people in the rural areas. We should give them that facility and ensure that they pay back. When you borrow money, you should be able to pay it back. That is taxpayers' money and we should not charge them interest for it. We are trying to facilitate the people who cannot get assistance elsewhere.

Mr. Temporary Deputy Speaker, Sir, we are talking about living in a modern society. I was shocked recently when the Government revived an institution that was ten years old; I mean the Kenya Meat Commission. You pump Kshs700 million into an old machine!

In modern times, we need a mobile abattoir. With Kshs250 million, you will have a mobile machine that will go where the cattle are. Such a machine will process and can that meat instead of moving those animals from all parts of the country to Nairobi. We should have bought three new machines, instead of putting Kshs700 million into an old and outdated ten-year old machine in Athi River, where even the land around has been allocated to people. We should think about modern ways of doing things. Even in Government offices today, we should not have walls. Government offices should be open-planned. That way, a Minister can see people who are working and who are not. The reason why the private sector is flourishing is because it has young people who are focused and have a vision. But you cannot bring somebody who is outdated and has no idea of modern times to uplift a system.

Mr. Temporary Deputy Speaker, Sir, let me talk about the districts. In my opinion, all the departmental heads in Siaya District are doing nothing! They just sit there. When you approach them to give you information about roads or water dams to be built, they claim they have no information. If that can happen to a Member of Parliament, you can imagine what can happen to the public. They talk about our CDF, which is only 2.5 per cent of the Budget. The other Government departments get 97.5 per cent. But you will never know how much money comes into the district and what projects will be undertaken and yet, you are a Member of Parliament. So, you can imagine the mismanagement of resources that go into the districts. Let us reorganise the districts and have accountability in the district headquarters. Let us put in place systems that can ensure that district headquarters are run efficiently and effectively, so that they can deliver services to the people they serve. When you talk about creating more districts and there is no mechanism of running those districts effectively and efficiently, we are just running ourselves into bigger problems. Let us reorganise and restructure the ones that we have, and then we can think of creating others. But we are expanding a system that is already failing Kenyans. I do not know whether we are going to progress in that direction.

Mr. Temporary Deputy Speaker, Sir, I agree with His Excellency the President on the issue of creating day schools in our constituencies. It is something that I have seen performing. When I was elected, I was involved in the construction of such a school from Form I to Form IV.

It is now the seventh best school within the district. It recently came sixth in the district because the infrastructure that is closer to the people enables students who live near the village to go to school. Moreover, the school fees is much less. You find that instead of that child going to a school that is paying Kshs45,000 per year, the secondary school in the village charges only Kshs15,000. The students are not told to compete with other students who have come from outside who will devastate them. It is, therefore, a good idea but I would like us to encourage the Ministry of Education to come up with a system that can facilitate for teachers to be provided in those schools.

Mr. Temporary Deputy Speaker, Sir, on the issue of the Constituencies Development Fund (CDF), I think it should be increased. We had teething problems in the beginning, but I think for

many Kenyans, it is a brilliant idea. It was a big war in this Parliament to kick off. I remember that time when Mr. Salat and I were thrown out of this House because of saying: "No CDF, no Budget!" We had a big war in this House. I think hon. Members should take credit for having allowed the CDF to take off. It was a big war and it is still a big war because we want it to be increased from 2.5 per cent to 7 per cent. We know what benefit the CDF is doing for our people. It is creating employment and changing the face of the constituencies. If you go to many constituencies today, you will be shown CDF projects. If you ask them to show you where Government projects are, you will not see them. They do not exist! Dams are being constructed, a grader scoops once and they say that Kshs5 million was spent on the dam. There is no accountability! When they construct a road, a grader runs over the road and there is no murrum on it, yet you are told that Kshs10 million was spent on that road. You look at the road and you cannot see where the Kshs10 million went on that road. However, when hon. Members are using their CDF, they are doing so in an accountable way. They are using it in a manner that even *wananchi* are keeping them in check.

(Applause)

You can even falter as an hon. Member. You are not even a signatory to the cheque that is given through the CDF, yet you are accountable for it almost 100 per cent. You can imagine the accountability because it is a project of which hon. Members have taken the initiative and care, to ensure that the projects work effectively and efficiently. I think you can go to most constituencies and find that it is working.

Mr. Temporary Deputy Speaker, Sir, I would like to bring up ideas because we believe that the younger generation in this country should be put in positions of responsibilities. You will find that people who have outdated ideas are running parastatals. Some people do not even have a clue of what they are doing in their jobs.

With those few remarks, I beg to support.

**The Minister for Water and Irrigation** (Mr. Katuku): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the debate before the House. From the outset, I would like to say that I fully support the Presidential Speech which was very excellent. I have been in this House for almost a decade now. That is one of the best and clear speeches I have heard from Heads of State who have made speeches before this House. With the road map set, I am sure we are going to reach there. That Speech gave me an inspiration and confidence that we have the right man at the right position of being the Head of this Government. Since I am one of the voters in this country, I made a decision yesterday when I was seated here and listening to him that I would give him another chance to take this country to higher heights.

When we talk about the growth of any nation, we must look at the economy of that country. We have seen previous administrations never bothered about the growth of the economy. They were keen on handouts and on people benefitting individually. However, this Government has set aside programmes to ensure economic growth. That is why the economy has grown from negative to now about 6 per cent. With that growth and with what the President indicated, the road map is to get to 10 per cent. That means, therefore, that we will be able to get more jobs, more people will earn better and establish themselves as well as employ others.

Mr. Temporary Deputy Speaker, Sir, the effects of any growth--- The way the administration has gone about investing in infrastructure has ensured economic growth in this country. We have seen roads being constructed throughout this country; may it be going towards Machakos, you will find a road being repaired or constructed afresh. Even going to Nyeri, you will find a road being constructed or going towards Nakuru, another is being done. That is putting

infrastructure in place so that businessmen can cut down on costs of repairs and be able to move their products to the market. That is the only way the economy can grow.

As the Ministry responsible for water and irrigation, we have put in place more programmes as compared to previous administrations. The previous Government used to give the Ministry of Water and Irrigation - I am talking about 2002/2003 Budget - only Kshs2.3 billion. Now, this Government has given the Ministry of Water and Irrigation Kshs11.5 billion. That is why you are able to see more dams being constructed, more water points being drilled, more water projects, which had stalled, being revived and other new ones being put in place. When we went on recess, I took time to go round the country. I visited several constituencies. I would like to thank hon. Members for the support they have given my Ministry and the interest they have shown in the water projects. Apart from one constituency I went to, all the others, where there is a dam or borehole being constructed, hon. Members have shown interest. I would like to encourage hon. Members to take part in ensuring that the monies we send to the villages or districts is properly monitored, not only by my officers but also by people elected in those areas. So, I want to commend hon. Members for the support they are giving this Government in ensuring that funds are properly spent.

Mr. Temporary Deputy Speaker, Sir, when we talk about the CDF, some people are trying to separate the CDF from Government achievement. That is Government's money; taxpayers' money given through Parliamentary representation to the constituencies. The role of hon. Members is to guide in that process. That is an achievement and I also want to applaud hon. Members who have ensured that this money is spent well. However, there is one area that we must look into: The money being spent by the Local Government. My colleague, Mr. Kombo, must look at it critically. The CDF, the Local Authorities Transfer Fund (LATF) and the Local Authorities Service Delivery Action Plan (LASDAP) were allocated Kshs7.5 billion yet if you go to the villages, you will see projects by the CDF, which is Government's money. However, you will not see projects by councils. I am not criticising the Ministry but I would like to point out that something must be done. This money should be seen working the way we see CDF working. It must be seen! If the difference is only Kshs2.5 billion, then we should only see that difference in the villages the same way. It means that this money, therefore, is going to the pockets of the clerks. The councillors must be given more powers to be able to run that Fund the way hon. Members have managed to run CDF and is successful.

Mr. Temporary Deputy Speaker, Sir, when the President was making his Speech, he alluded to the fact that his Government is going to give funds to women. Some of our colleagues have criticised it. They have said that this is political. However, whether it is political or not, this is a political Government. Any programme brought to this House is for the benefit of Kenyans; whether brought by the Opposition or the Government. However, this is a political Government and that is a political programme. It will assist people not only in the Government supportive areas, but all Kenyans. Women in this country play a very important role. If that money reaches women--- In fact, I propose that, that money should be more than what is going to the youth.

Women perform very important roles and I would like to see them given more money from that Fund. This matter should not be politicised. It should be seen as a way of empowering our women to do more. If President Kibaki has found it necessary to do this, nobody should come up to criticise it. Why did you not do it when you were there? Why did you not create the Youth Enterprise Development Fund and the Women Enterprise Development Fund when you were in Government? Why did you not ensure that the Constituencies Development Fund Act was passed when you were in Government? These are the credits that we must give where they deserve, and credit must be due where necessary.

Mr. Temporary Deputy Speaker, Sir, one of our colleagues has accused Ministers for using

public funds in their campaigns. When you talk about Ministers, you must be specific. I have gone round myself, but only with regard to water projects. You must be specific and say: "This Minister." You cannot just say: "These Ministers are misusing public funds." Some of us are doing a good job. So, when you talk here, you should be able to state who in particular you are not happy with. You should not stand here to say that all Ministers are spending Government resources doing other things. We go out there to see that Government projects are properly implemented. We also go out to interact with the people on the ground to get their feelings with regard to what needs to be done.

Mr. Temporary Deputy Speaker, Sir, on the issue of creation of new constituencies, I would like to see more constituencies created. In fact, I would like to propose that this House must have a minimum of about 300 Members. I would also like to see us create about 80 more constituencies. Why am I saying so? My constituency, for example, is very big. Even going round the constituency alone without talking to anybody will take you a number of days. We need to split these constituencies so that we can reach our people and administer programmes, like the ones funded by the CDF and others with the necessary and adequate capacity. We need to agree on how many constituencies we need to create. I am proposing that we create 80 more constituencies so that we can have a total of 290 constituencies and ten slots for nominated Members of Parliament. That will give us 300 Members of Parliament who will be able to represent our people properly in this House. Every voter pays taxes, and if you are not properly represented in this House, then something is wrong.

With regard to the issue of the Constitution, I would like to support what the President said. It is time we engaged in dialogue. Chest-thumping has no place in Kenyan politics, whether it is done by Members of the Opposition side or the Government side. There are people who think that whatever they say is always right; it is not necessarily so. You must also be able to listen to the other side of the story. So, chest-thumping does not pay. It is better we sit down as leaders and agree. At the end of the day, the people on the ground do not talk about the Constitution, rather it is about how they can meet their basic needs, for example, how they can educate their children. It is only us in the political class--- In fact, people are interested in how education can be made free, how bursary can be increased, how the CDF can be increased and so on.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I would like to support the President's Speech.

**Mr. Kagwima:** Thank you, Mr. Temporary Deputy Speaker, Sir, for this opportunity. I would like, from the outset, to support the Presidential Speech which was well presented.

Mr. Temporary Deputy Speaker, Sir, talking about free primary education, I want very briefly to say that, we need quality education. I want to echo the sentiments expressed by my colleagues that we require more teachers so that the number of teachers distributed over the classes are adequate to ensure that they supervise the classroom work adequately. The present ratio of pupils per teacher in primary schools is 70. You cannot expect a teacher to mark 70 exercise books in one day and then the following day, he gives another homework.

Mr. Temporary Deputy Speaker, Sir, from the beginning, we need to ensure that we have quality education in primary schools. I also agree that we need to give affordable secondary education. However, if we start giving free secondary education, we will be worse off. We will be doing mass production instead of ensuring quality education. Before we can talk about giving affordable secondary education, we should start by employing enough teachers in primary schools.

Mr. Temporary Deputy Speaker, Sir, the staffing and equipping of tertiary institutions are also wanting in this country. The other day, we had an opportunity of visiting the University of Nairobi (UoN), the engineering workshop. I was shocked to see the same facilities we used as students many years ago and yet, the number of students admitted have gone up by five times.



Engineering courses are supposed to be done practically. Let us go for quality as much as we would want to educate more people. Let us modernise these institutions. The equipment should match the numbers of students we are admitting rather than just producing people who go through primary, secondary and university education. By so doing, we will be wasting our resources. We would be producing people who would not be useful to our economy. Many years down the line, we may find ourselves without people to depend on in terms of quality production of work.

Mr. Temporary Deputy Speaker, Sir, it is good that we have free primary education. We are now planning for free secondary education, but we should look at what we want to achieve at the end.

Mr. Temporary Deputy Speaker, Sir, having said that, I want to say that the Government has done well. Looking at the past, our economy has grown by six per cent. However, I am sure that we can achieve more economic growth if we remain committed and focused. It is not one man's job. It is not the President's job to ensure the economy of this country grows. It is the responsibility of all of us; hon. Ministers, hon. Members, civil servants and even *wananchi*. Let us all be productive. Let us have a sense of discipline in whatever we are doing. Those in the private sector and public service should all be disciplined and focused on the issues assigned to them.

I am happy that the Government is putting in place service contracts for public servants. We need to ensure that these contracts are properly supervised and analyzed. At the end of the day, before one renews his contract, we must find out whether he has performed to the expectation or needs to be replaced.

Mr. Temporary Deputy Speaker, Sir, since civil servants started signing service contracts two years ago, there is a bit of improvement in performance. We need to ensure this mechanism stays so that we can gauge our civil servants. This is the only way we can instil discipline in the public service. Otherwise, some civil servants will not perform without being supervised. They should avoid engaging themselves in private businesses to make extra money.

Mr. Temporary Deputy Speaker, Sir, I know sometimes people reach their peak at the retirement age of 55 years. Unless we amend our laws, we should go by what is in the books. If a civil servant is 55 years, he should retire. We need to create vacancies for the younger people. Let public servants prepare for retirement so that younger people are encouraged. We have very many unemployed graduates out there. It is a pity that some of them attain the age of 45 years before they get employed.

Mr. Temporary Deputy Speaker, Sir, we should encourage those people working in the public service to prepare and retire when their time comes so that they can give others a chance to serve the Government. But if we could amend the law and retain a few that must be retained, well and good, but people should be prepared for retirement other than for them to plead for extensions.

I would like to talk about the Ministry of Roads and Public Works. For a long time, we were told that there was an embargo on employment and therefore, now, that Ministry does not have engineers. The Ministry does not have essential staff that can enable it cope with the increased work. We are happy that there are more resources in terms of finances, but there are no workers. There are no engineers. For example, at the Department of Bridges which is supposed to inspect and repair bridges, especially, if they are swept away, the headquarters has only two engineers who are also due for retirement. That is Eng. Muthigani and Eng. Kirago who are over 55 years. When you go to the provinces, there is only one engineer in charge of bridges for a province which has 13 districts. We are now constructing roads and there are floods coming and we expect one person to go round and ensure that bridges are designed, new ones constructed, old ones replaced and those that are swept away by floods are also repaired in good time. We are asking for impossible things from those few people.

Mr. Temporary Deputy Speaker, Sir, I want to plead with the Government to put changes in

place quickly. They should employ engineers because they are there in the private sector and they could come and do those jobs. Unless we do that, we are just pumping money in that sector and in a short time, we shall be unable to cope with what is expected, especially, on the maintenance and inspection work. We also need to look at other Ministries and sectors that are under-staffed due to the embargo that has been there for the last 15 years. We should do so, so that we can equip them in terms of human resources and be able to deliver services.

Otherwise, I am very happy that the Government has collected revenue reasonably to ensure that we continue providing services. The human element is a major resource for any development and so, we need to look at that factor very quickly so that whatever we are putting in place can be maintained.

Mr. Temporary Deputy Speaker, Sir, I am happy that the Minister for Water and Irrigation is here and he has talked very well. I am happy that he is also working very hard, especially in the Arid and Semi-Arid Areas, including Tharaka District that has not had water for a long time. I hope in the next Budget he will remember that we require a few irrigation projects, so that instead of relying on relief, we produce enough food for ourselves, and if possible, produce enough for export. Therefore, irrigation is of essence to this country. Actually, a half of the money that is being spend on relief, could feed this country in the next few years. The money used in the transportation of food from Nairobi or Mombasa to those North Eastern districts is enough to pump water from Lake Victoria to those areas. So, the way forward is to ensure that we are productive. Even rain water should be harvested. You only need to do a simple dam and you have water after the rains. You do not have to go far into the rivers.

With those few remarks, I beg to support.

**Mr. Ojaamong:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the President's Speech, which he read yesterday.

Despite the present Government's few achievements, I would like us to ask ourselves some basic questions. I managed to go round the country during the recess period with some of the presidential candidates. Some of basic questions that people were asking about had to do with food, shelter, identity cards, seed for planting and about many more things. In Garsen, some people were asking us why the Government was allowing the Kenya Meat Commission (KMC) to slaughter animals while it had warned people against eating meat in their areas.

People were asking very basic questions. Why were they asking us those questions and not directing them to any Government department in their districts or to any other relevant institution? It is because the Government departments and Ministries have failed in totality. That is why *wananchi* are very desperate for services from the Government, but they cannot get them.

Why did we moot idea of the CDF? It was not out of our wish. Had the Executive been delivering, no hon. Member would have been interested in the CDF. In fact, it looks so awkward when I am distributing bursary funds to students because I am surrounded by many people. We have the Provincial Administration and other staff in the district who should be able to identify the needy students from various schools. But because most of the Government departments and institutions have failed, some of this work has been pushed down to hon. Members and other institutions which are not relevant to people. Mr. Temporary Deputy Speaker, Sir, when people say that the current Government has delivered, they just talk about boreholes and electricity projects which are being undertaken in some areas. If you were to audit the current status of the projects--- I will give an example of my Teso District. Recently, I was with the Minister for Water and Irrigation and his Assistant, and the Vice-President and Minister for Home Affairs at my place. If I were to ask the hon. Minister: "Which water project either a borehole or a dam, is operational in Teso District, despite money having been allocated even through the Budget allocation here?" The answer would be "none." However, since these Ministers want to show the President that they are

working, they go round in Government vehicles using Government money and cheat him.

Later on, when the President goes round while looking for votes, he will not see any boreholes. He will be posing questions such as: "Where are the dams?" I remember in my constituency, contracts were awarded by the National Water Conservation and Pipeline Corporation (NWCPC). The guy came and scratched a dam and Kshs3 million went to him. For three dams, he got Kshs9 million. The boreholes were also three and each cost Kshs2 million. If one were to value the work done, it would come to a total of Kshs200,000. What mischief are we talking about? We are blindfolding our people.

Mr. Temporary Deputy Speaker, Sir, let me talk about electricity projects. When the President said that he was trying to implement an ambitious project, I agreed with him because in my constituency, we have around five projects which were very ambitious. They were started three years ago, but very few of them are operational. Those which were completed were done using very poor materials. The quality of work done and the materials used are very disastrous. One day, it may cause a catastrophe to the people. If the Government could tell us how much it has collected from people in terms of revenue; and if a proper valuation was to be done and found to be commensurate to what it has done for the people of Kenya, using the current rates, we would see that this Government has done something. However, you will find that if you value a project where Kshs2 million is supposed to have been utilised, you will find that only Kshs200,000 has gone into it. The rest of the money has gone through corruption. Mr. Temporary Deputy Speaker, Sir, on the issue of creating new districts, there are people who are saying that others are opposed to it. Nobody is opposed to the creation of new districts. But the intention and timing of the Government in doing that is vital. When the Government creates a new district, it should be prepared to take care of it.

**Mr. Angwenyi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to question the creation of new districts, when he comes from a district that has one constituency? He has not given it up!

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, I am not questioning the creation of new districts, but I am questioning the intention and timing. Definitely, people want to have services brought closer to them. My district, for example, was created about 10 to 15 years ago.

**The Minister for Water and Irrigation (Mr. Katuku):** That was political!

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, the district was created, whether politically or not! However, it does not have buildings to house the officers and heads of departments. Our people have to travel all the way to Bungoma and Busia districts. There are many districts which are being created and yet, the Government cannot afford to post enough staff to run the already existing ones. Where are we heading to? Where is this Government taking us? The Government should create a few districts, staff them properly and move ahead. We are not objecting to the creation of new districts. In fact, I pity His Excellency the President because some of the already created districts, for example, that of Mr. Angwenyi, has only a DC and no other officer to run it! There is no DO and Medical Officer of Health (MOH)! What are we doing to our people?

**Mr. Angwenyi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. My district is fully fledged! We have an economy that can support our people, unlike his!

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, in fact, my district is the richest in western Kenya. It might even be richer than Kisii District. That is why we have been fighting so hard to have our own *jimbo* called "Teso", so that we can get out of Western Province!

Mr. Temporary Deputy Speaker, Sir, I must also thank His Excellency the President for creating the districts. In future, now that we have Teso District, we might also want our own

province. We want services from the provinces to reach our people very readily. That is if His Excellency the President is interested in the welfare of all the people. So, the Government should have a planned way of creating districts. This is our nation and we want our people to get services.

Mr. Temporary Deputy Speaker, Sir, on the issue of district boundaries, we have not had a boundary between us, Bungoma and Busia districts, even though we are co-existing. Why is the Government fearing to create those boundaries? There is nothing to fear. We know, for example, where Teso, Busia and Bungoma districts are located. For how long are we going to leave that animal called "boundaries" unattended? That might cause problems in future! The Government should stamp its authority. The Government should give us the boundaries. We cannot rebel against the Government because it is supreme.

Mr. Temporary Deputy Speaker, Sir, Teso District has housed Busia District, where the Vice-President and Minister for Home Affairs comes from, for a long time. Enough is enough! In fact, that is a case of foreign occupation. Those people have their district in our own district. They have refused to take their district to their own constituencies. Why can the Government not relocate those people from Teso District to their own district? The Vice-President and Minister for Home Affairs can ask for Kshs400 million from His Excellency the President and build district headquarters in Funyula Constituency. Why should he be operating in Teso District? They are denying the people of Budalangi Constituency, who are represented by Mr. Wanjala, all the services from the Government. The people have to travel all the way from Siaya District, the last boundary where Mr. Wanjala comes from, to Teso District - around 200 kilometres - for the DC to append his signature to a form. When the Government is looking into the issue of districts, it should also look at the issue of boundaries.

Mr. Temporary Deputy Speaker, Sir, when it comes to the issue of issuing identity cards, there is an outcry all over the country. In fact, last week, the Chairman of the Electoral Commission of Kenya (ECK) and the Minister for Immigration and Registration of Persons said that over 200 million people will not participate in the General Elections because they will not have identity cards. As a result, they will not be able to get voters cards. That is a very large number of people and the Government should speed up that process and purchase better equipment. The equipment should be better than the passport issuing machines which were mentioned in the Anglo Leasing scandal! They should process identity cards for young people who need them to get employment and participate in other important functions such as voting during the General Elections. We passed a Motion here that certificates should be issued to those who have sat exams, and whose certificates were being detained. Why can they not be given to their owners?

With those remarks, I beg to support.

**The Assistant Minister for Tourism and Wildlife** (Mr. Muriungi): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this debate on the Address by our statesman. It will take a pretender, or a very malicious person, not to appreciate the contents of that great Address.

I will touch on a few things that came out of that Address. One of them concerns the proposed Women Enterprise Development Fund. It has been said that educating a woman is like educating a nation. It can equally be said that empowering a woman economically is like empowering a nation. Most of the households in this country are headed by women, not necessarily because the women are widows but because of the lifestyle of men, who are not bothered with what happens at home. Therefore, when money is allocated to this Fund, it will be useful enough, because it will mean this Fund will ensure that food is placed on the tables of all Kenyans. Mr. Temporary Deputy Speaker, Sir, when we talk of even the Youth Enterprise Development Fund itself, the part of that Fund that will go to females is likely to be spent in a better way because the womenfolk are known to go directly home from their work places, and they will never forget to

carry home a loaf of bread. So, I commend highly the introduction of the Women Enterprise Development Fund; it is a very great idea.

The other issue I would like to mention is that of recruitment for jobs. This is an issue which many people might not have realised. This Government has provided more than the 500,000 jobs per year as it promised. I will show you why this is true. If we take the CDF projects, many people are employed to put up many classrooms or day secondary schools that we are all boasting about, health centres, opening up of new roads and so on. This means that young women and men in the constituencies have a lot of employment opportunities. So, this is money which has gone to the grassroots and which never reached there before. A look at the newspapers these days will show that even the Public Service Commission is recruiting daily. It is a factor which we must emphasise and make the whole world see. Today, for instance, there is a list of 500 young men and women who have been given jobs in the National Youth Service. These ones have ready jobs, and I have evidence of people who finished their training in the National Youth Service and are currently employed. There was a young lady who was doing attachment in my office, and by November she was employed. So, "tarmacking" is not necessarily being suffered by everybody.

Mr. Temporary Deputy Speaker, Sir, still on the issue of employment, I would like to tie it up with that of education. It would be very important to ensure that new teachers are employed, not just the usual 8,000, who are employed annually to replace those who have died, retired or left the service for one reason or another. It is important to allocate more funds for the employment of teachers, because expansion of education will never be a loss. Even if we have to spend half of the Budget on education, we will produce people who are employable even outside Kenya. It is on record that since this Government took over power, a lot of money has been coming from our brothers and sisters in the diaspora, because the environment in Kenya is now conducive and the economy has been revived. Therefore, a lot of money is coming into the country, and for this reason, we should continue encouraging provision of education.

After we educate our children, we should let them go to Sudan, America, Somalia and other countries. This also calls for the consideration of the dual citizenship that we have been talking about over the years. This is the only way we will enable Kenyans out there to bring in their money.

Mr. Temporary Deputy Speaker, Sir, on the issue of security, it is the only element I could say has been a bit of a bother to us. It is giving the country a bad name. There are many cases of insecurity because there are many guns in the wrong hands. The aim of anybody holding an unlicensed gun is to kill. Therefore, I totally agree that those people found with unlicensed guns should be given the severest punishment possible. We should not be lenient with criminals. I am surprised to hear some people defending gangsters who have terrorised the whole country. Some of them have even gunned down police officers. However, when they are gunned down, some of us condemn our officers for not immobilising those criminals. What will you do if you encounter armed criminals? I am sure most of us will do anything possible to save our lives.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank the President for addressing the issue of the Judiciary in this country. However, in my opinion, increasing the number of judges would not be enough. We need to come up with regulations to ensure that the Judiciary dispenses off cases within a certain given duration. We all know that courts are letting down this country. We hear of a case which is very well known to every Kenyan, but it drags on for many years before it is dispensed off. I wonder why known criminals are allowed to go scot-free just because the judges hide themselves behind the law. We might say whatever we can about the law, but it should not be an excuse for us to allow criminals roam freely on our streets.

Mr. Temporary Deputy Speaker, Sir, I would also like to talk about discipline in public service. We all know that in the past some sectors of our economy had failed us. However, discipline has been instilled in our public servants through service contracts. Civil

servants have set targets which they must achieve.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Hon. Muriungi, you will continue for about five minutes tomorrow when the House resumes.

Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Thursday, 22nd March, 2007, at 2.30 p.m.

The House rose at 6.30 p.m.