

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 27th March, 2007

The House met at 2.30 p.m

*[Mr. Speaker in the Chair]*

### PRAYERS

### QUESTION BY PRIVATE NOTICE

#### TRACING OF MISSING POLICEMEN FROM DUKANA MARSABIT POLICE POST

**Mr. Lesrima:** Mr. Speaker, Sir, I beg to ask the Minister of State for Administration and National Security the following Question by Private Notice.

(a) Is the Minister aware that two policemen, PC Ltangee Lolkirau and PC John Leshimbiro, have been missing since the attack on Dukana Marsabit Police Post by Ethiopian militia early last year?

(b) What action is the Minister taking to trace the two police officers?

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

(a) I am aware that two police officers, PC Ltangee Lolkirau and PC John Leshimbiro, went missing during an attack by heavily-armed people who raided Merille Manyatta at Elhadi in Marsabit.

(b) The Marsabit District Security Intelligence Committee has since then been engaged in talks with their Ethiopian counterparts with a view to obtaining tangible information leading to the whereabouts of the officers. All indications are that the missing officers are in Ethiopia. However, all efforts are being made to trace the officers and to establish whether they are still alive or dead.

In addition, the Government is also using diplomatic channels to work with the Ethiopian Government to trace the whereabouts of these officers.

**Mr. Lesrima:** Mr. Speaker, Sir, it is about a year since these officers went missing in the course of their duties. They were pursuing bandits into Ethiopia. Could the Assistant Minister explain how the police officers could pursue bandits beyond the border, deep into Ethiopia without escort?

I would have thought that with modern technology in global positioning systems, one would be able to know when he or she has crossed the border. How did this happen? Why is it taking more than a year to firmly establish whether these officers are alive or dead?

**Mr. Munya:** Mr. Speaker, Sir, as I have just said, very heavily-armed bandits numbering about 300 attacked a manyatta in Merille and our General Service Unit (GSU) personnel and Kenya Police Reservists pursued them and managed to kill 14 of them. A reinforcement was brought from the Kenya Army and the Administration Police, which continued to track down the raiders. The stolen cattle and two AK47 rifles were recovered during the pursuit.

Unfortunately, three of our officers pursued the raiders and strayed into Ethiopia. One of the officers was later found by our officers when they carried out a search, but they were not able to

get the other two officers. However, we are making all efforts to try and trace the officers. There is a joint commission of Ethiopian personnel and their Kenyan counterparts in Marsabit, which is doing everything possible to see if they can trace the officers.

The hon. Member knows that the Ethiopian side of this area is largely controlled by bandits. We are doing everything in our power to trace the missing officers.

**Dr. Rutto:** Mr. Speaker, Sir, this is a very serious matter and I think the Assistant Minister is taking it lightly. This was a year ago. Could he tell the House specifically what steps, one by one, his Ministry is taking to trace these Kenyans? A year is a long period. What has he done?

**Mr. Munya:** Mr. Speaker, Sir, I have already said that the three officers in pursuit of the bandits who had attacked Kenyans, crossed the Ethiopian border. Even some civilian Kenya Police Reservists who were assisting them crossed the border with them. We managed to get back the civilians who were handed over to us by Ethiopian authorities. We also managed to get one of the officers who was among the three who strayed into Ethiopia. He had been attacked and his rifle had been taken away. He was not able to give any information as to where the other officers were.

Mr. Speaker, Sir, our police officers conducted a search, but they were not able to find the missing officers. The Kenyan security committee is working with its Ethiopian counterparts to try and trace the officers. All indications are that the officers could be dead. We are in touch with prison authorities in Ethiopia and we are informed that the officers are not in any jail there. The highest probability is that the officers could be dead and we are trying to trace the bodies. All efforts are being made to do that.

**Capt. Nakitare:** Mr. Speaker, Sir, I am dismayed. In his reply, the Assistant Minister has not even indicated the involvement of our defence forces. Since there is an element of aggression, I would like to know whether the Assistant Minister's answers are coming from the Ministry of Defence or from the office of the Vice-President and Ministry of Home Affairs.

**Mr. Munya:** Mr. Speaker, Sir, I do not know why the hon. Member thinks that the Minister in charge of defence is supposed to be involved in this matter. The Minister in charge of internal security is capable of answering this Question. It does not matter if it is the Minister in charge of Defence who answers the Question or the Minister in charge of internal security. The most important thing is that information that is sufficient is provided to this House.

**Mr. Ogur:** Mr. Speaker, Sir, it appears that the search will be long. Is the Government giving any assistance to the families of these people who disappeared and have not been found?

**Mr. Munya:** Mr. Speaker, Sir, we sympathise with the families of these two officers. The families have been in touch with us and we have been briefing them on the efforts we are making to trace the officers. Right now the families are concerned about getting proper information on whether these officers are alive or not and if they are dead, for their bodies to be traced. We have been assisting in that direction. If the families require any other assistance, they can get in touch with us and we will provide it.

**Mr. Gachagua:** Mr. Speaker, Sir, it would appear the Ministry is doing its best, but could the Assistant Minister confirm whether the salaries of the officers and all the emoluments that are due to them are still going to their families? As a result of the way the Civil Service works we could be surprised to learn that the names of these officers have already been struck out of the payroll. Could the Assistant Minister confirm whether their families are getting whatever was due to the officers?

**Mr. Munya:** Mr. Speaker, Sir, these officers are still in the employment of the Kenya Police. Obviously, they are receiving their dues, but these cannot be given directly to their families until we establish whether the officers are alive or not. Obviously, their salaries are going to their accounts and everything is normal. They are still employees of the Government even though they are missing.

**Dr. Ali:** Mr. Speaker, Sir, the Assistant Minister is playing politics. Is he in order to say that the money is going to their accounts and yet their families cannot access that money? How can

he be sure of that?

Mr. Speaker, Sir, could he confirm or deny whether their family members are getting the money or not?

**Mr. Munya:** Mr. Speaker, Sir, the families of these officers have not come forward to ask for any money belonging to these officers. Dr. Ali is becoming a bit too solicitous by demanding the money on behalf of the families although they have not come forward to ask for it.

**Mr. Speaker:** I truly do not think so. As you realise, even the Chair has given this Question an inordinately long time because these are gallant Kenyans who went to defend the citizens of this country. I think the hon. Member, like everybody else, is right in not only being concerned about the safety and whereabouts of these officers, but also the welfare of their families.

**Mr. Munya:** Mr. Speaker, Sir, these officers are still employees of the Government. Until it is determined whether they are dead or not so that we know what to do with their estates, we cannot determine who to give their salaries to because they are still employed by the Government. We are ready to provide any assistance the families require from us. A salary is usually paid to an individual until he is no longer able to receive the salary and the law determines who is to be given his estate.

**Mr. Lesrima:** Mr. Speaker, Sir, these police officers happen to come from my constituency. I am very much appreciative of the efforts being made by the Government of Kenya, and the Government of Ethiopia, to trace them. However, the members of their families have not come forward to claim the terminal benefits because they are waiting for the Government to give its final position and declare whether these people are missing, alive or dead. I am aware that the policy is that you have to wait for seven years before declaring one dead. Seven years is a very long time.

Mr. Speaker, Sir, could the Assistant Minister consider paying part of the terminal benefits to their families while waiting for the legal requirements of the period within which the payment of the final benefits should be made? Could the Assistant Minister also take a position and state whether these people are dead or alive?

**Mr. Munya:** Mr. Speaker, Sir, I have already indicated that we are doing everything to be able to arrive at a conclusion as to whether these officers are still alive or dead. There is nothing we can do in terms of distributing the estates of these officers when they are still alive. We cannot pay terminal benefits to the families when we have not been able to determine whether these officers are alive or dead. We have to follow the law as much as we sympathise with the families. We will give any other assistance that we can. We really sympathise because these officers were working for this Government. It is unfortunate that this happened.

The Kenya Government is working with the Ethiopian Government to make sure that bandits do not disturb our peace because it is the responsibility of the Ethiopian Government to keep their citizens in their country. We will give any assistance that we can to the families.

### MOTION

THANKS FOR THE  
PRESIDENTIAL ADDRESS

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

*(The Vice-President and Minister  
for Home Affairs on 21.3.2007)*

*(Resumption of Debate interrupted  
on 22.3.2007)*

**Mr. Maore:** Thank you, Mr. Speaker, Sir, for giving me an opportunity to contribute to the Speech by His Excellency the President on the 20th of this month.

I would like to join those who have contributed to this debate, starting with the Chair, about the major achievements of the Ninth Parliament specifically having devolved the resources to the constituencies through the CDF. A lot of propagandists, specifically from the Government, do not want to make reference to the efforts and time put in by hon. Members of this Parliament especially Eng. Muriuki for initiating this Fund during the Eighth Parliament up to its conclusion when it was implemented by the Ninth Parliament.

The Ministry of Education also, with the initiative of Parliament, allocated some bursary funds to the constituencies whereby there is a problem of over-expectation about what these funds can achieve. It is on this note that I join those who are calling upon the Government to put forward the proposal for free secondary education.

Mr. Speaker, Sir, most of the children who have left Form Four are not able to obtain their certificates to enable them to either go to any training colleges or seek jobs because their results cannot be released by their respective schools owing to debts that they have in those institutions. While celebrating the major achievements of the Ninth Parliament, it is also important to recall that it was during the Ninth Parliament when we mourned the death of Parliamentary democracy arising from the death of the ruling party and then we had collection of ashes and put them into the Government of National Unity that came up. For many years to come, those of us who understand Commonwealth Parliamentary Democracy, take this to be a semblance of democracy introduced by some elected Members of Parliament who turned out to be con men after being elected; by mixing up any issues that would not make reference to a political party.

Kenyans are being bothered about this party and that party. They have never seen a manifesto before. I know of hon. Members in these parties who have contested in different parties during elections in 1992, 1997 and 2002. We want to nurture our democracy and make sure that, one day, history will have a foundation from the institutions that we are building or the ones we are having today.

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! I think we agreed at the beginning of the Session that hon. Members will give their colleagues the opportunity to be heard and to hear what is being said on the Floor of the House. So, could we please listen?

Proceed!

**Mr. Maore:** Mr. Speaker, Sir, I would like to make further reference to the State Opening of Parliament. Those who have ever watched the live coverage of the House of Commons or any other Parliamentary proceedings will agree that our media houses are very unfair and unethical in the way they cover the proceedings of the House not just this time, but even during the Budget in the previous years. This is because they get preoccupied, not with the salient issues raised by either the President while addressing the House or the Minister for Finance, but hon. Members who are caught napping. I do wish to say this because I was not captured on TV so I have a reason why I should be able to defend those who were caught napping. The image left with the voters is that those specific hon. Members were actually sleeping during the entire Speech; which is not true.

Secondly, those who get invited to the hallowed precincts of the House to do live coverage should never, ever be allowed to air footage of anybody sleeping or the ladies without their shoes because that is not the purpose for which they were invited here. I would wish to invite those media houses to make reference to other countries where there is live coverage of Parliament. The media

there actually focuses on whoever is speaking or on others on a positive note.

**Mr. Speaker:** Mr. Maore, indeed you are raising a very important point. Everywhere else in the world, live coverage concentrates on the Members speaking. No other country is bringing their Parliament into ridicule like ours. I hope the Press will take heed because I think it is wrong and uncalled for. I think they should do what is done everywhere else in the world.

Proceed!

**Mr. Maore:** Mr. Speaker, Sir, in conclusion, it appears that reporters of Parliamentary proceedings are actually tempted to feel like they would do a better job from up there if they were down here on the Floor. That can cause problems because they want to ridicule hon. Members because they feel they can do a better job than us.

Mr. Speaker, Sir, I would like to raise the issue of retirement age in the Public Service. You remember I had raised a Question about the appointment of managing directors in some parastatals. Another hon. Member had asked about the appointment of Permanent Secretaries. We want to ask this Government to stop---

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! We want to hear what the hon. Member on the Floor is saying. That is why we are here. Proceed, Mr. Maore!

**Mr. Maore:** Mr. Speaker Sir, I know that the Government is looking for people with experience. I remember the lobbying and the ironical speeches that the Government gave at the beginning of 2003, when it assumed power. They said they did not want anything to do with the previous Government. They also said that they did not want to repeat the mistakes of the previous Government. The only way to de-link from the previous Government was to look for people with the longest experience. But if they have bad manners, we should send them home and get new and fresh blood. It is surprising to note that, in its fifth year, this Government is still appointing very experienced and over-aged "home boys". That would be the best word to use. When you attain 55 years, you are supposed to give chance to somebody else. If you want to give a contract, you can do so for one year to allow somebody else to be trained in that position. A Question to that effect will be forwarded to the Minister of State for Public Service. I know he will be at pains to defend something which is defenceless. We want this Government to formulate a policy statement to genuinely recruit young people into the Public Service. Let those who are chairmen of those boards lead the retirees and not the other way round. You will go to a parastatal and find that the chairman of the board is younger than the managing director. It is a behaviour that is only found in Kenya.

Mr. Speaker, Sir, I would like to talk about the various instruments that we have passed here to do with good governance. We passed the Public Procurement and Disposal Act and the Public Officer and Ethics Act. But, through the craving of Non-Governmental Organisations (NGOs), people think that if you make the wealth declaration public, it will stop corruption. That is not true. The only way to control corruption in the Public Service is to punish those who are involved in corruption. It is not wealth declaration!

Mr. Speaker, Sir, we submit our wealth declaration forms to you every year. But I can assure you that very many hon. Members here will agree with me that the Kenya Anti-Corruption Commission (KACC) is lazy and busy doing nothing! They never know what is in our wealth declaration forms. They will not scrutinise those forms unless there is a political red herring raised by somebody who wants to settle some scores with somebody else. We have many corruption cases which have been forwarded to KACC, but they were just noted in a reference and nothing happens. We want to support any initiative that can activate those legislations.

With those few remarks, I beg to support.

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

*(Loud consultations)*

**Mr. Speaker:** Mr. Ndile!

**An hon. Member:** Thank you, Mr. Speaker, Sir---

**Mr. Speaker:** Order, hon. Members! I really appreciate all the "thanks" that are being given to me by hon. Members whom I have not called to speak. Thank you for thanking me! But on this occasion, I called Mr. Ndile!

**The Assistant Minister for Tourism and Wildlife** (Mr. Ndile): Ahsante sana, Bw. Spika, kwa kunipa fursa hii. Kabla sijaongea juu ya Hotuba ya Rais, ningependa kuchukua nafasi hii kukushukuru kwanza kwa kutambua kwamba Wabunge wanafanya kazi. Kuna watu wengine ambao wanafikiria tulichaguliwa kufanaya kazi hapa Bungeni peke yake. Hawajui kwamba tunafanya kazi nyingi sana huko nje. Lakini uliwakumbusha.

Bw. Spika, Hotuba ya Rais ilikuwa na mambo mengi sana. Ningependa kusema kwamba labda mimi sielewi sheria. Bado ninajifunza. Lakini, nakumbuka kuna sheria ambayo tulipitisha hapa Bungeni! Tulisema kwamba zawadi kwa Wabunge inayopita Kshs10,000 ikabidhiwe kwa Bw. Spika. Wakati niliona gari lingine hapa nje, nilifikiri ni lako kwa sababu ni zawadi na thamani yake inazidi Kshs10,000.

*(Applause)*

Bw. Spika, sijui ikiwa nilielewa vibaya, lakini nilisikia kwamba hilo gari linaloitwa "nyundo" ni zawadi. Nakumbuka Wakenya walioko ng'ambo walipiga kelele sana wakati Wabunge walinunuliwa magari na Serikali. Walisema Wabunge walipewa magari ya bure. Wakati wa ukame, nilitoa gari langu liuzwe lisaidie watu wangu. Watu wanaongea juu ya ufisadi Serikalini lakini hapa nje, kuna mambo mengi sana ya ufisadi. Tunaomba Serikali iangalie mambo hayo.

Wakati huo wa ukame huo, Rais alitangaza kuna janga la njaa hapa Kenya. Kulikuwa na picha mbaya za watu walioathiriwa na baa la njaa. Kule kwangu, watu walikufa kwa kula mahindi yenye aflotoxin. Lakini, kuna mtu ambaye alifikiria kulitwaa hilo gari langu. Ndiyo maana tunaomba Serikali ichunguze jambo hilo. Baadhi ya watu wanaofanya biashara za simu ni wezi. Ni lazima wachunguzwe na waangaliwe vile wanavyofanay kazi.

Bw. Spika, nilishangaa sana kusikia juu watu wakimshtumu Rais juu ya mshahara tuliomwongezea. Lakini yeye mwenyewe alisema hataki kuongezewa mshahara. Lakini kuna mtu mwingine ambaye anataka uongozi wa nchi hii na ananunua gari la Kshs54 milioni. Mtu huyo anawania kiti cha Urais. Ni lazima watu waache kujificha. Tunaambiwa kuna wakati nchi ya Uganda ilikuwa na siasa mbaya. Ukienda kununua bidhaa za Kshs2 milioni, ni lazima ubebe magunia mawili ya pesa. Hata hakuna wakati wa kuhesabu! Unamtupia mtu magunia hayo na unamwambia: "Nipe televisheni ile! Hizo ni Kshs2 milioni. Ikiwa kuna matatizo, niambie ile wiki ijayo. Nitakuja!" Sijui ikiwa uaminifu kama huo unaweza kufika nchi hii yetu ya Kenya. Kinachowatatiza viongozi wetu ni kutoaminiana.

Juzi, Mhe. Rais aliongea hapa na akasema kwamba anataka Katiba mpya. Mimi nilifikiria "minimum reforms" isipokuja, dunia itapasuka! Wakati niliangalia yale wanayoyasema, ni yale yale tuliyoyasema katika Katiba iliyopita. Wanasema wanawake wawe wengi hapa. Nakubaliana na hayo lakini, ni vizuri tuache nafasi za kung'ang'ania hapa Bungeni. Kama ni hivyo, hata Wabunge wawajibike kupata asilimia 50 + 1. Wengine tulikuja hapa Bungeni tukiwa na kura

10,000 na wenzetu na kura 8,000, 7,000 au hata 5,000. Mbona wewe uko hapa na ulipita na kura 2,000 ama 800? Ni lazima haya mambo yote yaangaliwe.

*(Applause)*

Bw. Spika, nasema hivyo kwa sababu hapa kuna siasa za kujificha na kuwadang'anya Wakenya. Ni lazima sisi viongozi tuanze kuaminiana. Kwa mfano, kuhusu mambo ya uraia, nina dadangu ambaye amelewa ng'ambo. Ikiwa yeye amekuwa raia huko, hawezi kuja huku kwa sababu yeye ni raia wa kule na hawezi kupata uraia wa hapa lakini ni dadangu. Hakuna mtu alikataa hilo jambo. Lakini hawa walisema kuwa eti sheria haisemi hivi, inasema kuwa wanawake watatahiriwa! Siamini kuwa hata sasa tukisema tunataka kubadilisha Katiba, ni nini itawekwa kwa vichwa vyao waseme ukweli. Ikiwa hawatasema ukweli, labda wengine watasema ukweli. Sisemi ni upande fulani, lakini wote wanajificha. Viongozi ni lazima tuwajibike na tuangalie ni nini kinaweza kuwasaidia watu wetu. Hata kama wamepewa zawadi kama za gari, tunataka kuona mhe. Kalonzo na mhe. Balala wakipewa hiyo Hummer wiki moja. Maskini rafiki yangu, Prof. Ojiambo, ambaye hawezi kununua Hummer, yafaa apewe aiendeshe wiki moja.

*(Laughter)*

Tukiendelea hivyo, hata mimi nitafikiria kama nitajiunga na ODM(K) nione kama nitapewa Hummer kwa sababu siwezi kuinunua. Ni lazima viongozi wetu waseme wanavyotaka kufanya.

Nikizungumzia jambo lingine, watu wamewatumia vijana vibaya. Kama ningetumiwa vibaya, singekuja Bungeni. Niliomba kura kwa watu wangu nikitumia baiskeli. Hakuna mtu aliyesema kuwa nilikuwa naomba kura na kwa vile ninampinga mtu fulani yafaa nichomwe. Hata juzi nilijaribu kusema kuwa vile rafiki yangu mhe. Wamwere alifanyiwa si vizuri. Lakini nilisema kuwa si chama kinachofanya hivyo; ni watu. Watu wasifanye kitu na wasingizie chama. Kwa yale mambo nilifanyiwa huko Mwingi, sikuona chama cha ODM(K) pale. Ni watu walipanga! Niliwaona wahe. Musila na Kalonzo wakipanga!

*(Laughter)*

**Mr. Speaker:** Order, Mr. Ndile! Order, hon. Members! Please, keep his time!

Mhe. Ndile, nakubaliana nawe kwamba ni lazima viongozi wajifunze kuwa watu wa kusema ukweli na kuwajibika, na tutaanza na wewe kusalimu amri au Kanuni za Bunge.

*(Laughter)*

Kanuni za Bunge zinasema kuwa huwezi kuzungumzia mwenendo wa mwenzako kabla hujaleta Hoja Maalum. Lazima ulete Hoja Maalum! Kwa hivyo, kama hujafanya hivyo, salimu amri!

Proceed!

**The Assistant Minister for Tourism and Wildlife** (Mr. Ndile): Asante, Bw. Spika. Wakati mwingine ukiona jambo, unaponyokwa na maneno. Sikuwa nikizungumza hivyo kwa ubaya. Walisikika wakisema: "Mhe. Ndile ameshikwa sikio! Mhe. Ndile ni chawa; ameondolewa!" Walionekana!

**Mr. Speaker:** Na unaendelea?

**The Assistant Minister for Tourism and Wildlife** (Mr. Ndile): Bw. Spika, siyataji majina yao sasa, lakini kuna watu ambao walionekana.

*(Laughter)*

Nasema hivyo kwa sababu hao watu walisikika wakisema: "Vile mwingine amesema, nimeweka sahihi, eti mhe. Ndile ameondolewa." Ni hao watu! Ni lazima siasa zetu ziwe za kukubaliana kimawazo. Niliwasamehe na sitaki kurudia hayo maneno lakini sitaki kuona vijana wakitumiwa vibaya. Vijana ni lazima waanze kufunzwa. Mimi nilichaguliwa kuwa mwenyekiti wa ukoo wetu nikiwa na miaka 28. Nilimuuliza baba yangu ni kwa nini wazee walinichagua na kama ningeweza kutatua matatizo kama vile baba yangu angekosana na mkewe. Waliniambia nisijali kwa maana siku kama hiyo ikifika, watatafuta wazee wa kusuluhisha hayo mambo, maana ni makubwa kuliko mimi, ijapokuwa walikuwa nyuma yangu. Ni wangapi hapa ambao wako tayari kuwafunza viongozi wadogo njia ya kuwajibika? Ni wangapi hapa wataamka na kumaliza vita? Ni lazima tufanye hivyo Bungeni. Mara nyingine, mimi hujiuliza kama hili ndilo Bunge nilikuja kuwakilisha watu wangu wa Kibwezi, ama hili ni Bunge gani? Kwa maana utamsikia mtu akisema jambo fulani na kesho yake anasema jambo lingine. Kesho watakusengenyha halafu wakane. Ni lazima tuanze kukua na kukua ni kuwajibika kama tulivyosema. Ikiwa ni kura, mwishowe tutaenda kwa debe. Watu wetu wataenda kwa debe na mtu atakuwa pale peke yake na kupiga kura yake. Lakini akijiuliza ni kwa nini alimumiza mwenzake sikio, hatajua.

Bw. Spika, hii nchi ikiendeshwa vizuri kwa uongozi, itapiga hatua. Juzi, watoto wetu walikuwa wakifukuzwa kutoka shuleni lakini sasa hawafukuzwi. Ikiwa Mawaziri wengine hawangekuwa wakipiga kelele kwa miaka miwili na kusema Bw. Kibaki aondoke, tungekuwa mbali. Tungekuwa na elimu! Hata nilikuwa nimeanza kuwaambia vijana kwamba hawatakuwa na shida. Kuna wengine ambao hawawezi kua au kuolewa. Wanashindwa wakioa wake watawapatia nini au waume watawapa nini kwa sababu ya shida. Nilikuwa nimeanza kuwaambia wale walikuwa wakifikiria kuwa uchumi hautakuwa mzuri, wana bahati na waoe na kazi yao itakuwa ni kuzaa. Hawangekuwa na kazi nyingine, maana Serikali ingewalipia karo za shule. Hiyo haikufanyika kwa sababu wakati wote viongozi wetu wakiona mtu anafanya vizuri, wanataka kutafuta mbinu za kumharibia.

Kwa hayo machache, ninaunga mkono.

**Mr. Salat:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to also contribute to the Presidential Speech, during this last Session of the Ninth Parliament. Most of the speakers who have spoken before me have dwelt at length on the Speech by the President. However, I will only touch on those issues that I feel should be commented on; those that I feel are personal to me and my constituents.

The President touched on the issue of education where we have an increased enrolment. We believe that truly, there has been an enrolment because of the free primary education. However, I hope and believe that when the Minister said that the Government is going to employ an additional 40,000 teachers, this is going to be a welcome move from the Ministry. It will also be welcome in the sense that with the increase of enrolment in primary schools, the student-teacher ratio should be addressed. This sector is the foundation for our nation building. When we start to inject the necessary resources to ensure that we have enough teachers for our children, we will have a nation that can cater for them for years to come.

Mr. Speaker, Sir, I would also like to touch on the issue of the Youth Enterprise Development Fund, which, to me, again, is a good move. However, it is only good to the extent that we can see its results. So, for this particular fund, we expect that it is going to be distributed equally; and that we will have personel at every level. We should have them at the grassroots level to ensure that all the youth are given a chance to access this particular fund. We have in this country, some areas where we have youth who are more educated and some who have no knowledge of the existence of the Youth Enterprise Development Fund. So, we hope that the



relevant Ministry will ensure that all our youth have equal access to this Fund.

Mr. Speaker, Sir, the President also talked about the Rural Electrification Programme (REP). As many hon. Members will agree with me, this particular programme is now in effect in most of our constituencies, including mine. However, I only hope that there are no constituencies that are getting the bulk of the benefits of this programme more than others. The President said in the last four years, Kshs7 billion has been allocated for the REP. I would want to believe that the Kshs7 billion was evenly distributed. We all want to benefit from the REP.

The President also talked about the fiscal and monetary policy of his Government. On this front, we have noticed some improvement, especially on the way banks are now treating their clients. In the recent past, banks never used to have a human face. They treated clients like second-class citizens. However, nowadays they go out to seek clients and offer services to them. So, I commend the Government for improving on the accessibility of funds. Nowadays, banks advertise along our major highways about the facilities that they offer to clients.

Mr. Speaker, Sir, with regard to revenue collection, it is true that it has gone up. We hope that in the next Budget, the revenue collected will be distributed equally. It is common to find that during Budget Day, when we come here to listen to the Minister for Finance read the Budget Speech, some areas are allocated more resources than others. So, in the next Budget, we expect that the revenue collected will benefit everybody in the country.

Mr. Speaker, Sir, with regard to agriculture, the President talked about the Kshs1.8 billion which has been given to maize farmers in the country. That amount of money is only good to farmers to the extent that it is paid on time. There could be money, but there is a lot of laxity on the part of the National Cereals and Produce Board (NCPB) in terms of letting farmers take their produce to the Board's silos and paying them on time.

One other thing that is very close to my heart is the issue of milk production. Yes, it is true that the Government has allocated Kshs600 million to this sub-sector. However, I would like to point out a case in Sotik where farmers who take their milk to the New Kenya Co-operative Creameries are turned away with their milk to give room to farmers to deliver their milk to the factory for processing.

*(Loud consultations)*

**Mr. Speaker:** Order, Members! Order, Mr. Salat! There is an unlicensed meeting over there! In fact, it is an illegal meeting. So, please, can you come to order? We want to hear what hon. Members are saying. You will want to reply to this hon. Member after he has sat down and to do that, you need to hear him out. Please, give him audience.

**Mr. Salat:** Mr. Speaker, Sir, I was speaking about the New KCC in Sotik where farmers from that particular region, including myself, are turned away with their milk to give room for milk from other areas to be processed there. We urge the relevant Ministry to make sure that the New KCC branch in Sotik serves the interests of farmers in that area. Failure to do that, our farmers have said that they are not going to condone milk producers from outside Sotik to deliver their milk to the factory for processing.

Mr. Speaker, Sir, on the issue of the constitutional review, the President said that the Government will bring to this House a Bill that will address the constitutional review process. The sad thing is that the constitutional review process has been turned into a two-horse race between the Government and the Orange Democratic Movement (ODM). The Constitution belongs to all of us. It does not belong to the Government neither does it belong to the ODM. So, when the Government says that they have nominated 12 Members to look into the constitutional review and that they are waiting for ODM to do the same, then I ask myself: "Who is ODM?" This

document will serve this Government and the next one. The sad part is that we have a Government which says that we are not going to have anything--- Even when it comes to elections, they are saying that this time round, it will be a two-horse race elections. With regard to the Constitution, they are also saying that it will be a two-horse race constitutional review process. We want a document that is going to reflect the wishes and desires of all Kenyans. Unless we address this matter and leave this "you-against-me" attitude, we will never get a new Constitution for this country.

Mr. Speaker, Sir, with regard to employment, I read an article in one of the dailies this morning which made reference to the just concluded 35th IAAF World Cross-Country Championships in Mombasa. I saw you there, Mr. Speaker, Sir. The article stated that people should not complain when many Kalenjins sweep medals in athletic races and so they should not complain when many Kikuyus are employed in Government. I do not think the two should be compared in any way. When it comes to employment, every Kenyan should be accorded a chance to be employed by the Government. We know that in all our Ministries, we have capable Kenyans. Since Independence, there is no community in this country that does not have somebody who has a Masters Degree and so on. We are all equally educated! I believe that the President was fair enough---

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

**The Minister of State for Administration and National Security** (Mr. Michuki): I thank you, Mr. Speaker, Sir, for affording me the opportunity to also contribute to this very important debate on the Speech of His Excellency the President, which he gave at the opening of this House.

First of all, Mr. Speaker, Sir, I want to congratulate the President for the information that is contained in his Speech and in particular the matter-of-factly way he outlined the achievements of this Government in relation to what has been done in the last four years. The Speech goes even further because it also gives the Vision and in particular states what the Government intends to do between now and the year 2030.

Mr. Speaker, Sir, first of all, it is worth noting that the basis of our progress on the economic front has been put in place. If one looks at the Kenyan economy from the point of view of macro-economics, we have made tremendous achievements in making sure that the interest rates in all our financial institutions are not only stable, but also lower than ever before.

I would also like to note that over the period, the Kenyan shilling has considerably strengthened and acquired a very stable exchange rate. Inflation has also been very well contained to a single figure. Indeed, this single figure is more on the lower than the higher side.

Mr. Speaker, Sir, we are all witnesses of what has been done in this country by this Government. We have put in place all that goes to create a growing economy in education, health, water infrastructure and information technology.

Mr. Speaker, Sir, at the risk of repeating what has been said before, I want to say, with a little bit of difference, for instance, that from our own taxation we have achieved tremendous progress. We are able to finance 95.28 per cent of the total budget. This budget stands at Kshs474.4 billion per year. The ability of Kenyans to provide this money emphasises the underlying strength that this economy continues to acquire. The amount we are taking out of the Gross Domestic Product (GDP) is slightly under 25 per cent.

Mr. Speaker, Sir, over this four-year period, I hope this House has observed the creeping-in of another facet in terms of progress that has taken place. For the first time in the history of Kenya, it is during the reign of this Government that our national statistics have been referred to in trillions. We have now moved away from billions. Our GDP today is Kshs1,781,599,000,000. Therefore, for the first time we will have to change our calculators because they have ten digits and yet, the figures we are supposed to account for are more. If there is any proof of the extent to which

the economy has expanded, it is by looking at the GDP. It was about half the amount four years ago.

Mr. Speaker, Sir, I, therefore, want to invite this House to join His Excellency the President in trying to achieve and implement what he sees as the next course of action. This is because it is in this way that we will achieve economic independence which we still do not have. He has visited Kenya Agricultural Research Institute (KARI) a number of times to ensure we have quality maize, wheat and beans seeds. As a result, Kenya is self-sufficient in terms of food production. We could say that, this is the beginning of that journey towards economic independence that this country still yearns for.

I would, therefore, challenge every Kenyan to join hands with the Government. It is the war to achieve economic independence that we still remain to fight. It is not what we engage in by exchanges, which do not add any grain of maize on our tables. We must now, as the President says, move away from politics of confrontation into constructive politics.

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

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I hope you noticed that Mr. Michuki talked about the reign of this Government. He said, "during the rein of this Government". This is a very undemocratic concept. That, indeed, marks Mr. Michuki's concept of how to rule this country.

Mr. Michuki also said that we must stop politics of confrontation. I am very happy about that. I hope he will apologise to Kenyans about what he did at the Standard Group offices. That was confrontation per excellence

*(Applause)*

Mr. Speaker, Sir, I have read the Speech of His Excellency the President very carefully after listening to it in this august House.

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! Let us listen!

Prof. Anyang'-Nyong'o, please, proceed!

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, one of the two things that struck me is the absence of foreign policy in the Speech. There is not a single sentence on Kenya's foreign policy and yet, this country is an extremely important player in African politics. It is also an important player in the politics of the Horn of Africa and the Great Lakes Region.

Mr. Speaker, Sir, you will realise that the role this country has played in bringing peace to the region is something that is not only understood in the community of the world nations, but also highly appreciated in the African Union (AU). As I speak, Somalia may again go up in smoke. We need a foreign policy at the highest level. What position is Kenya taking as a people and a Government? This was totally absent in the Speech.

This position belongs to the East African region, going by African Union (AU) politics and it particularly belongs to a woman from East Africa. The role of Kenya in international organisations is extremely disappointing. At the moment, we do not even have anybody at the director level in the United Nations (UN) family of organisations. In the AU, we do not have anybody at the level of commissioner or deputy commissioner. That is one position that Kenya can take at the AU. The AU has signalled to us that if we nominate a woman candidate of credible credentials, she will take it hands-down. But what we have done is to forward to the AU a name of a male from a specific region which feels that it must fill all positions in this country forgetting the face of the Republic.

**The Assistant Minister for Foreign Affairs** (Mr. Kembi-Gitura): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to mislead the House about our policy in the AU and about the commissioners being appointed, when we have not even reached the point of vetting for the commissioners who are retiring in July? He says that a name of a person from a particular region has been nominated, could he name that person because that is misleading the House?

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, as Mr. Shikuku and Mr. Seroney once said in this House, "I do not have to substantiate the obvious."

**The Assistant Minister for Foreign Affairs** (Mr. Kembi-Gitura): Mr. Speaker, Sir, I am the Assistant Minister in charge of African Affairs in the Ministry of Foreign Affairs, so I think I know what is going on. When he says that he is not substantiating the obvious and yet he is misleading the House about an appointment which is not existent and it is not going to be existent until the vetting has been done between now and July, that is misleading the House. That is trying to put the Government or the Ministry in bad faith, which is not correct. Could he substantiate?

**Mr. Speaker**: Order, hon. Members! Order, Professor! The Standing Orders are very clear; an hon. Member is responsible for the accuracy of any utterances he makes. You have made some utterances that have been challenged. It is my duty to hold you to it and it is not obvious because I do not even know about it.

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, I can bring the documents to this House tomorrow. I am prepared to substantiate. I do not know why they are howling like wolves over there. I am prepared to substantiate and I can bring the documents to the House tomorrow. What is wrong with that?

**Mr. Speaker**: Order, hon. Members! I appealed to hon. Members, the very first day we came here, that we must be responsible for whatever we say. I think we have to stick to that. I do not accept hon. Members to make statements and say that they will bring the information tomorrow. I am certain of one thing; an hon. Member who knows, cannot forget the memory at home. It is not possible.

**An hon. Member**: On a point of order, Mr. Speaker, Sir.

**Mr. Speaker**: Order! Let the hon. Member finish then we can proceed. This is a very simple matter.

*(Loud consultations)*

Order, hon. Members! Order, Professor! Actually, this is a very simple matter. It is absolutely simple!

Prof. Anyang'-Nyong'o, if you think that you have jumped the gun, you can withdraw and proceed. If you have the facts, then give them out.

**The Assistant Minister for Tourism and Wildlife** (Mr. Ndile): *Profesa mzima!*

**Mr. Speaker**: Order, Mr. Ndile! I do not expect that.

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, I have said that I have the name---

**An hon. Member**: Say it!

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, I do not remember exactly what the name is.

*(Loud consultations)*

**Mr. Speaker**: Order, hon. Members!

**Prof. Anyang'-Nyong'o**: Mr. Speaker, Sir, I have to be exact.

Could I make myself clear? I have the name and the e-mail and I can bring it here

tomorrow.

**An hon. Member:** Order!

**Mr. Speaker:** Order! You do not do the job for me. Do you?

Prof. Anyang'-Nyong'o, in the meantime, since you do not have the facts, you must withdraw.

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I will withdraw on condition that tomorrow, I will be given the opportunity---

**Mr. Speaker:** Order! There cannot be conditional withdrawals. I want hon. Members to cool down. Professor, if you do not have the facts now, withdraw. When you ever get the facts, bring them.

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I will respect that. I will withdraw. Can I now continue with my debate?

**The Minister for Water and Irrigation** (Mr. Katuku): On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** I hope you are not going to unnecessarily take his time.

**The Minister for Water and Irrigation** (Mr. Katuku): On a point of order, Mr. Speaker, Sir.

I want to draw your attention to a remark that Prof. Anyang'-Nyong'o made and it is very serious. He called hon. Members on this side of the House wolves.

Is he in order?

**Mr. Speaker:** What did he say?

**An hon. Member:** Wolves!

**Mr. Speaker:** Professor, did you say that?

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, it looks as if the opposite side of the House were organised to come and interrupt me today. But that is okay.

I said, "please, do not shout like wolves."

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! Can you hold it this time, please? I have just consulted with the Clerk and the HANSARD will bear this out. I am told that the hon. Member said: "Do not howl like wolves." To me, that is derogatory. You must withdraw that and apologise to the House.

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I withdraw that statement.

*(Loud consultations)*

**Mr. Speaker:** Order, hon. Members! Now, the hon. Member must be given a chance to speak. In the meantime, Prof. Anyang'-Nyong'o, do not invite unnecessary interruptions to your speech. Cool down and proceed. Relax!

**Prof. Anyang'-Nyong'o:** Mr. Speaker, Sir, I am the coolest guy in this House. I am very cool and I expect the other side of the House to be cool.

Mr. Speaker, Sir, the other thing I wanted to say about the President's Speech is that, the President referred to "Vision 2030." If we are going to have a vision in this country, then it must be a vision for all Kenyans. Developing a vision for this country must involve the Government and the Opposition. When I went to the launch of "Vision 2030", the people who were on the platform were just one-eighth the face of Kenya. That cannot be a vision for the country.

Mr. Speaker, Sir, I am appealing to the Government to rise up to the occasion and if they

are going to develop a vision for the country, then they should do it for the country. It should represent the face of Kenya. A vision for the country is not a technocratic matter. It is an emotional, an intellectual and a political statement. But if you take it that it is going to be done by the President with a few technocrats coming from one region, then it will never be a vision for this country.

Mr. Speaker, Sir, when they vision for this country, they should please realise that they are visioning for the future of a nation. They are not doing that to fight the politics of today. What is happening is that, we are wasting plenty of time on the other side thinking that we are visioning, when all we are doing is fighting the politics of conjecture. That cannot be for the future of this country.

**Mr. Kosgey:** Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute. I happen to represent a rural constituency---

*(Loud consultations)*

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

**Mr. Speaker:** Order, hon. Members! Order, hon. Wetangula! The hon. Member for Tinderet has the Floor. I think all of you must listen to him so that if he says something that vexes you, then you will have heard it at least.

Proceed!

**Mr. Kosgey:** Thank you, Mr. Speaker, Sir. I represent a rural constituency. One of the things that we are told quite often in Presidential Speeches is that the economy is growing and Kenyans are well off.

Mr. Speaker, Sir, I even heard the Minister for Finance say that the faces of Kenyans are shining. We cannot dispute statistics. Maybe the Kenyan economy is growing. I am not a statistician, but I know that people in the rural, agricultural and in the Arid and Semi-Arid Lands (ASALs) of this country are wallowing in poverty. They are suffering to a point that it makes a mockery of the statements that the Government is making that they are doing well while they are poor.

When we looked at the poverty index in this country, slightly more than ten years ago, we averaged it at 42 per cent. We moved to 52 per cent and now, we are at 56 per cent. In certain regions of our country, the poverty index is as high as 80 per cent. We should speak the truth and say that there is a certain section of our economy which is growing, but 90 per cent of our people are wallowing in poverty. This is the truth.

We read in the United Nations Development Programme (UNDP) report that Kenya has the most unequal distribution of income in the world where incomes range from as low as zero and as high as Kshs3 million. The Government should stop chest-thumping that the economy is growing. As far as rural and urban slum areas are concerned, poverty is reigning and is rampant.

Mr. Speaker, Sir, the President touched on agricultural production. I think we should define agricultural production not just merely by increase in quantities. Farmers are not there just because they want to farm, but to make profit. I can speak and say that farmers are not making any profit because of the high production costs. The prices of fertilizers, diesel and all other farm implements have doubled. If you look at the cereals such as maize and wheat and dairy farmers, you will find that their net income is lower than what it was four years. That is a fact. Therefore, what we are being told is not true.

The other day, I saw people who do not even own a single cow chest-thumping and saying that the dairy farmers are being paid very well. How do they know? For example, in Lessos Collection Centre, farmers deliver milk every alternate day because the milk is ferried to Sotik. Is it

true that, that person in Lessos is making any profit if he is delivering milk every alternate day? That happens to farmers in Kapsabet, Ainabkoi, and even in Eldoret. This is because milk is ferried everyday all the way from Eldoret to Sotik. It is about time that the Government helped the New Kenya Co-operative Creameries to revive the factory at Eldoret. This factory was cannibalised and the parts were taken to go and repair the factory in Sotik.

*[Mr. Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, the cost of a bag of maize still ranges between Kshs700 and Kshs1,300. That does not give them any net income. Even then, delays in payments are still there. These delays come in when farmers need money most, like in January and February, when they need to pay school fees. During that period, the National Cereals and Produce Board did not have any money.

Mr. Temporary Deputy Speaker, Sir, I would like to touch on education. This is a very important and vital sector in this country. It is true that there is Free Primary Education (FPE). What quality of primary education are we giving to our children when classes have as many as 80 pupils? I have done a survey in my constituency and I found out that, on average, there is one teacher for about 80 pupils. Are we really offering quality education to our children? The Government must come out clearly and specifically and tell us when it will employ teachers, not just for primary schools, but also for secondary schools.

Mr. Temporary Deputy Speaker, Sir, as you know, in this country, there are 21 national schools. These schools are well equipped and staffed. Then there about 200 provincial secondary schools, which can also be described as well equipped and staffed. However, there are about 4,000 district schools and majority of Kenyan children are in these schools. God knows, what kind of education these students are getting. As they announce the Kenya Certificate of Secondary Education results, they are supposed to compare students from the 4,000 district secondary schools with students from the 21 national schools. These schools are poorly equipped and staffed.

Mr. Temporary Deputy Speaker, Sir, I have one district school in my constituency which has a single stream with 160 students and there is only one teacher from the Teachers Service Commission (TSC). Students in that particular school have equal rights as those in national schools.

**Mr. Angwenyi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the former Minister for Education in order to question the ranking of schools when, in fact, he never put in place a policy to implement what he is saying?

**Mr. Kosgey:** Mr. Temporary Deputy Speaker, Sir, the former Minister for Education has a right to speak in this House. It is my democratic right. You cannot gag me just because I was a Minister for Education. It is about time we employed teachers for both primary and secondary schools.

When we talk about free secondary education, we are serious. There are one million students in secondary schools in this country. If, today, we said that school fees is, on average Kshs20,000, for the one million students in secondary school, we are talking about Kshs20 billion. We have to start somewhere. The biggest problem that parents face in this country is the payment of school fees. Let us face it. This is a fact and it is true. We can alleviate this problem. I am putting a figure of Kshs20,000, although I do not believe that it costs that amount to run secondary school education in this country. It is much less. So, the programme is feasible. Mr. Temporary Deputy Speaker, Sir, if this Government is not prepared to introduce free secondary education now,

next year, Kenyans will have it courtesy of the Orange Democratic Movement Government.

**The Assistant Minister for Water and Irrigation** (Mr. Wanjala): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am sure you have heard the former Minister for Education talk about the issue of school fees and yet, during his tenure, he never gave bursaries outside his constituency. Is he in order to mislead this House when he was taking away Kshs800 million every year?

*(Applause)*

**Mr. Kosgey:** Mr. Temporary Deputy Speaker, Sir, that is not a point of order!

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Mr. Wanjala, that is not a point of order. Please, do not interrupt Mr. Kosgey!

Proceed, Mr. Kosgey!

**Mr. Kosgey:** Mr. Temporary Deputy Speaker, Sir, I want to touch on security. I listened to the contribution by the Minister of State for Administration and National Security, Mr. Michuki, but he never touched on security. I do not know whether it was an oversight on his part or he knows that the security of this country is in shambles! That is why he does not want to talk about it. Insecurity in this country is a threat to Kenyans. Insecurity was denounced in His Excellency the President's Speech. He said that we must win the war against insecurity. We would like to know exactly what the Government is doing to make sure that Kenyans are secure. We want to have security for Kenyans, so that we can develop. We want to know why the Government has chosen to close Mt. Elgon District. Why are there so many people being killed in that area? Almost 200 people have died in Mt. Elgon District. It is being perpetuated by this Government!

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

**Mr. Kosgey:** But most of my time was taken up by interruptions from hon. Members!

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

**The Assistant Minister for Local Government** (Mr. Muchiri): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. The Speech by His Excellency the President was up to the point and I support it. His Excellency the President exuded a lot of confidence in his Speech. I would like to highlight a number of pertinent issues that were mentioned in the Speech, and which need to be applauded.

Mr. Temporary Deputy Speaker, Sir, the fact that we will bring the Political Parties Bill in this House is a very important step as far as democracy is concerned. The issue of political parties and how they will relate will be defined in that particular Bill. It is high time we defined what coalitions, alliances and agreements are, so that parties can co-exist in this country. We want to further democracy in this country by embracing multiparty democracy.

The whole question of how to register a political party is important. It should be contained in that Bill, so that parties are registered not necessarily because they are tribal or otherwise, but because they need to be registered.

Mr. Temporary Deputy Speaker, Sir, on the issue of amending the Constitution, His Excellency the President mentioned that, that issue will be brought to this House. It is important for us to understand that constitution-making is highly political. It is a political process. By being a political process, we need to involve all the stakeholders. As a Government, we want to talk with the other side so that we can give Kenyans a new Constitution. If that is not possible, we shall give them essential reforms. We must have essential reforms that will benefit the larger Kenyan public. We do not have to craft essential reforms to please one person. We are all in agreement that when those essential reforms will be brought to this House, we shall support them because they will benefit all the Kenyans. It is also true that *wananchi* in our constituencies rarely ask about the



Constitution. *Wananchi* want development to be delivered on their tables. They really do not want the document alone. It will not bring food on their tables. Therefore, the talk and debate about the Constitution should end soon after the amendments are brought to this House. We need to define the process and the contents so that things can be clear when we go to the negotiating table. That is very important because Kenyans have, for a long time, been yearning for some constitutional amendments, even from the time I was a Commissioner in the Ufungamano Constitutional Initiative.

Mr. Temporary Deputy Speaker, Sir, the economy of this country has improved. There is no doubt about that, whether you come from Government or the Opposition side. As a Government, we should ensure that the ordinary *wananchi* have more purchasing power. The improvement of the agricultural sector and other sectors of the economy will give *wananchi* economic power to purchase goods and services. Nobody can deny that the Kenya Meat Commission (KMC) and the New Kenya Co-operative Creameries Limited are now operational. Roads are in a better condition. We are able to transport agricultural produce to the markets.

Mr. Temporary Deputy Speaker, Sir, in Nyandarua District, for example, roads are now in a better condition. We assure this country that we will bring a lot of potatoes, carrots and cabbages to Nairobi and elsewhere. That is a move in the right direction. That is happening because roads are being repaired and constructed. We need to ensure that farmers get their dues.

Since the Ministry of Local Government is in charge of markets, it should ensure that the potatoes are packed in the right bags. They should be packed in 110 kilogramme bags. In future, we will not allow produce to enter the markets of Nairobi, Nakuru or elsewhere, if it exceeds what is contained in the various legal notices.

Mr. Temporary Deputy Speaker, Sir, a Bill to elect the mayors directly is very important. That way, there will be concentration of leadership at the local level. I assure hon. Members that, that will bring a lot of improvement in the governance of local authorities in this country. Instead of the mayors and chairmen being parochial in their approach to administration, the fact that they will be elected directly by *wananchi* will make them accountable to those *wananchi*. The fact that they will stay in office for, at least, five years will make sure that they deliver services to *wananchi*.

In the same breath, we want to urge town clerks and chief officers of local authorities to manage them properly. As a Ministry, we will not tolerate any town clerk or chief officer who is mismanaging a local authority. We will not transfer one officer from one station to another. We want to tell them that if one messes up in one station, he or she will be suspended and, eventually, lose his or her job. We do not want to transfer a problem from one station to another. I can assure this House that, that will be done. We want to embrace transparency and accountability in our local authorities. The Government would like to forge ahead in that direction.

With regard to security, the docket that Mr. Michuki heads has done well. Let us give credit where it is due. Mr. Michuki is trying to fight people with illegal guns and as such he has to be tough. We want to encourage him to be tough. You cannot be a security man if you are an easy-going person. We still have security concerns here and there. For example, last night in my constituency, in an area called Nyanjoro, a group of thugs who wanted to rob a shop attacked my constituents with all manner of crude weapons. I take a lot of exception to that kind of action. Fortunately, police officers from that area were able to contain the situation. Although the Government may not be able to post its security officers to every corner of this country, we want to ask *wananchi* to ensure that, if they have bad elements within their midst, they should inform the Government. That is the only way we can curb insecurity. At the same time, through the Constituencies Development Fund (CDF), we have created police posts everywhere. We want to ask the Minister of State for Administration and National

Security to provide security personnel. In that regard, since there shall always be victims of insecurity, the Government should create a fund for those people. I imagine the two men, from my constituency, who were hacked by thugs last night; they have seven stitches on their heads. Who will bear that cost? The Government should come up with a fund to compensate victims of crime. That is something that can be explored.

The issue of wildlife is a matter I would like to address because there are areas, including my constituency where elephants and other wild animals are still a problem. I want to ask the President that if he is not happy about one or two things in the Wildlife Conservation and Management (Amendment) Act, it should come back here so that we can look at it. It is necessary that we have this Act assented to, so that people whose property is destroyed by elephants can be compensated in good time. The other day, I had to give my two-acre maize crop to *wananchi*, because their maize had been destroyed. But for how long can we do this? I think it is incumbent upon the KWS to ensure that the human-wildlife conflict does not continue to be a problem in this country. Let us take the elephants where they belong; Mt. Kenya and the Aberdares.

With those remarks, I beg to support.

**The Assistant Minister for Transport** (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity---

**Mr. Odoyo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Chair to recognise hon. Members from the Government side only?

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order, Mr. Odoyo! You know the rules and if you look at the Members in this House, the ratio of hon. Members on the two sides is two to one. So, it is quite in order. In any case, Mr. Githae has got an urgent matter to attend to, but it is not necessary for me to explain it. Proceed, Mr. Githae.

**The Assistant Minister for Transport** (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. First of all, I would like to commend the President for having come up with the Youth Enterprise Development Fund. That fund is now in operation, and quite a number of youth groups have been funded, and they have started a lot of industries. For example, in my constituency, a lot of youths have started barber shops, salons, photography, have bought cameras and water pumps for irrigation and so on.

Secondly, I would like to commend the President for coming up with the Women Enterprise Development Fund. I hope in this year's Budget, we will also have at least Kshs1 billion for that fund. Women are the backbone of the economy of this country and they must be empowered to conduct business. I am also hoping that since now we have the Youth Enterprise Development Fund and the Women Enterprise Development Fund, the Government will also come up with a fund for the disabled, so that we also do not forget the disabled members of our society.

I would also like to commend the police, particularly the Provincial Police Officer (PPO), Coast Province, for a job well done in the just concluded International Association of Athletics Federations (IAAF) championship in Mombassa. The security and organisation was perfect, with very minimal problems. I, therefore, take this opportunity to commend all the people who were involved in that organisation.

Mr. Temporary Deputy Speaker, Sir, I would also like to commend the President for reviving the Kenya Co-operative Creameries (KCC) and the Kenya Meat Commission (KMC), and for increasing the strategic maize reserve from three million to four million bags.

Mr. Temporary Deputy Speaker, Sir, the Rift Valley Fever is now almost over, and we now need to encourage our people to start eating meat, at least in those districts that have been given the green light to do so. We also need to encourage Kenyans to start drinking milk. If we do not do this, the livestock industry is going to collapse. But one thing that shocked me is that when the Minister for Livestock and Fisheries Development cautioned Kenyans against eating meat

because of the Rift Valley Fever, Kenyans stopped eating meat. But when the Minister for Health says there is AIDS, I do not see Kenyans taking the necessary action. So, I am wondering whether the Rift Valley Fever is more serious than AIDS.

**Mr. Odoyo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to compare the Rift Valley Fever with AIDS? He is the very Minister who advised Kenyans to start eating rats. He is misleading the House by trying to confuse these two very different subjects.

**The Assistant Minister for Transport (Mr. Githae):** Mr. Temporary Deputy Speaker, Sir, I am not responsible for the ignorance of my colleague. I never said anything about eating rats; that was a creation of the media. I said we should go back to eating our traditional foods. I am surprised that the Hon. Member was in this House and he heard my contribution. Now, I know who first started spreading that rumour; he has just confirmed it and I am going to take the necessary action.

Mr. Temporary Deputy Speaker, Sir, we now have free primary education. We need to commend the KRA for increasing tax revenue from Kshs150 billion to triple that amount. It took the first President, the late Mzee Jomo Kenyatta, together with the immediate former President, Daniel arap Moi, 40 years to attain a revenue base of Kshs150 billion. It has taken President Kibaki only three years to triple that amount to Kshs450 billion. This is the more reason why we need to give him another five-year term. I am saying we should not just pick on a few Ministries or parastatals to show that there are skewed appointments to public offices. If there is one parastatal that is performing, it is KRA. We are hoping that they will be able to collect even more taxes, so that the Government can start the programme of free secondary education and later on free university education.

On the constitution, it has always been the wish of President to give Kenyans a new Constitution. But this wish has always been sabotaged by people who do not want Kenyans to get a new Constitution. When I look at the so-called minimum reforms package, they were all contained in the rejected Draft Constitution. If, as Opposition hon. Members were saying, 80 per cent of that Draft Constitution was good, why do we not re-introduce the so-called Wako Draft, which is 80 per cent good, since all the minimum reforms being talked about are in it? If you look at what they are proposing, for example the requirement that the Presidential candidate must garner 51 per cent to win an election, this is dangerous. If we must accept this, then it must also apply to Members of Parliament and councillors. This means elections will be very expensive because we will have repeat elections. That is a dangerous concept. We have always agreed that a majority is a majority, and what is good for the President is also good for Members of Parliament and councillors.

Mr. Temporary Deputy Speaker, Sir, I am again shocked that among the minimum reforms proposed is the 24 seats for women nominated Members of Parliament. In the Wako Draft, we had proposed 70 reserved seats for women. Now, which is better, the Wako Draft or the minimum reforms?

Mr. Temporary Deputy Speaker, Sir, whenever I hear somebody talking about *majimbo*, I get scared. There is a country in South America that changed its constitution to provide for *majimbo*, which is what the ODM presidential aspirants are asking for. In that country, a person from one *jimbo* could not even marry from another *jimbo*. This is very serious. We need to educate Kenyans that *majimbo* means one cannot even work in a *majimbo* which he does not come from. He cannot even marry from that *majimbo*. We need to educate Kenyans about this system of government.

Mr. Temporary Deputy Speaker, Sir, let me now come to the issue of declaration of our assets and liabilities under the Public Officer Ethics Act. I am glad the Attorney-General is there. Any gift above Kshs10,000 must be surrendered to the Speaker. We have read in the media that there are some people who have contributed money and bought a Hummer vehicle. That Hummer

vehicle should be surrendered to the Speaker. That is what the law says. I hope the Attorney-General will take the necessary action, so that it is surrendered to the Speaker. That is the law; it is not my law.

Mr. Temporary Deputy Speaker, Sir, whenever I hear of some people calling for the so-called minimum reforms---

**Mr. Odoyo:** On a point of Order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Hon. Odoyo, I hope this time it is a genuine point of order. Otherwise, I will take action against you.

**Mr. Odoyo:** Mr. Temporary Deputy Speaker, Sir, the hon. Member has referred to the Hummer vehicle that was donated to an hon. Member who happens to be one of the presidential aspirants of the Orange Democratic Movement (ODM). Could he substantiate that, indeed, this was a gift and it was not bought by hon. Raila himself?

**The Assistant Minister for Transport** (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, I am shocked by the ignorance of my colleague.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Mr. Odoyo, that is not a point of order. It is a point of opinion. You must allow an hon. Member to express his opinion without interruption. You do not have to agree with him, but allow him free expression.

Proceed, Mr. Githae!

**The Assistant Minister for Transport** (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for advising the hon. Member. Last Tuesday, outside New Stanley Hotel, the candidate himself confirmed in public and he was captured by all the newspapers and television channels saying that it was a gift by ODM members in the United States of America (USA). So, I think hon. Odoyo needs to consult his "king" to confirm the correct position.

*(Laughter)*

Mr. Temporary Deputy Speaker, Sir, coming to the Kenya Anti-Corruption Commission (KACC), I fully agree with what Justice Ringera is doing. He has said only those people, where there is evidence to show that they are corrupt, will be taken to court. If we were to go by public domain, some of our colleagues here in this House would have been taken to court. So, we must go by evidence. If Justice Ringera were to do exactly that, then the accusations would start here that he is only picking on some hon. Members in the Opposition. So, let us follow the law.

Mr. Temporary Deputy Speaker, Sir, lastly, I would like to commend the Ministry of Energy and the Kenya Power and Lighting Company (KPLC). Everywhere I have visited in this Republic, I have seen electric posts on the roads. We need to commend the Ministry of Energy. They are doing a fantastic job.

With those few remarks, I beg to support.

**Prof. Oniang'o:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to congratulate the President for his wonderful Speech. As always, it is a good Speech because it is written but, of course, it does not really reflect the situation on the ground. I will be showing some examples on that.

Mr. Temporary Deputy Speaker, Sir, some of us were caught dozing off a bit, but you are aware that when we are a full House, this House is warm. We do not even feel the air-conditioners and we doze off. When the Speech does not excite anybody, we end up dozing off. Unfortunately, the media thrives on that because they really do not have much else to cover.

Mr. Temporary Deputy Speaker, Sir, I also want to congratulate the Harambee Stars and the cross-country runners for their splendid performance. In the recent few days, they really made us proud to be Kenyans and so we want to continue this way by recognising the performance of our

young people.

Mr. Temporary Deputy Speaker, Sir, one of the reasons why I am congratulating the President for his Speech, and I really do believe that he means what he says, is because he is a great supporter of women. Women have shown that they can bring ideas to the table in a different way to complement what men say and do. So, I would like to see more women in 2008 in this august House.

Mr. Temporary Deputy Speaker, Sir, this is my last year here. Over the last five years, I have seen the great benefits that exist, of representing people and being a voice of the so many voiceless Kenyans. It is my hope that I will be one of those who will come back here in 2008.

Mr. Temporary Deputy Speaker, Sir, I just want to thank our male colleagues because they helped us pass a number of gender-related Bills, including the Sexual Offences Bill. I would like them to really see that it was a great Bill to pass and they should not have any regrets in what they did. I would like them to also believe that when we have more women here, we can together build a better Kenya for all Kenyans and be on the international map as a nation which knows what it is doing.

Mr. Temporary Deputy Speaker, Sir, we are aware that the Women Enterprise Development Fund may be coming forward. The Youth Enterprise Development Fund has already been alluded to. We also want to believe that this is not a political ploy. Women trade in a different way. They do not take huge loans, but one thing I know about women traders is that when they take a loan they repay it 100 per cent. So, we have not given enough support to women in the past. If we had done so, I think Kenya would have moved on quite a bit.

Mr. Temporary Deputy Speaker, Sir, the President talked about justice and equity. I remember that and I know he means it. However, I wonder why we, as political leaders or civil servants go on "tribalising" this country. We operate like little tribal nations within the bigger Kenya. Many Kenyans cry foul because they are marginalised and discriminated against even by virtue of their names alone and we want politics and development of inclusiveness. All Kenyans need to feel as part of Kenya and nobody should be left out. So, I would like to see a situation where we outlaw tribalism. We need to outlaw tribalism. If we do not do so, then we shall not develop as a Kenyan nation. That needs to start right from the top because when the top says "we shall not tolerate tribalism, discrimination or marginalisation of any sort", everybody else will follow suit. However, when the top does not say so, then people take advantage. When you go to an office and by the sheer look of your name, you are excluded, that is not fair and that is not the way to build this nation. So, I am hoping that as we move forward, we shall continue to check ourselves, especially leaders and make sure that we do the right thing for the many Kenyans who depend on us.

Mr. Temporary Deputy Speaker, Sir, it is true the economy has grown. We have moved away from high level fly-away inflation. We are now talking of Kenyans who are very aware of shares and the stock market. However, the majority of Kenyans, over 60 per cent, do not even know what Kshs1 million looks like. They do not even know what Kshs1,000 looks like. They are poor. They live dejected lives and they have not benefited from the gains of this nation. We would like, in the remaining few months of this Government, to come forward and show us how the wealth that it has created is actually going to trickle down to the ordinary *wananchi*. The ordinary *wananchi* strive to survive, they do not enjoy life. Now, here I am thinking of say accessing water. Many Kenyans buy water and yet, it is a basic human right. Many Kenyans do not even eat a decent meal. Food is a basic human right. Many Kenyans live in the slums. We have the biggest slum in Africa in this country and maybe the biggest one in the world. It is a pity that we are not worrying about where these slum dwellers will live decently.

Look at the cost of public transport, for example. Some Kenyans walk for up to ten

kilometres to their places of work, because they cannot afford public transport and yet, in many countries in the West, it is heavily subsidised, so that the majority of the people can actually afford it. We need to look at the remaining months before the next General Elections and ask ourselves: "Yes, we have created wealth. But how do we begin to get it going to the majority of Kenyans, many of whom still live in abject poverty?" I would like to see us, the hon. Members, really being the voices of those Kenyans who are very upset with us because they believe the taxes they pay actually pay us, and we do not really care about them.

Mr. Temporary Deputy Speaker, Sir, I am happy to see that the Budget is actually based mostly on Kenyan-created wealth. This is because we have to move away from donor-dependency. Donor funds should come in only to help the social aspect areas which the Budget does not take care of. I want to congratulate the Minister for Finance for the Budget he came up with last year. I hope he will do the same this year. He should ensure that most of the money in the Budget will come from the taxation by Kenyans. But at the same time, we need to see what the taxes are doing for us. Effective tax collection should relieve the burden on many Kenyans. The cost of living should go down, because we pay taxes to take care of those other areas.

Mr. Temporary Deputy Speaker, Sir, I do not want to complain so much about what I did not see in the President's Speech, because at the end of the day, it is just a speech. But, as the President said, whether in the Opposition or the Government side, we are all Kenyans who want to move forward together. But that does not mean we should kill democracy. It should not mean that if I move to the Government side, I should become a sycophant. My role in the Opposition is to provide checks and balances. For example, before we appoint people to hold public positions, they should be vetted by Parliament. We should not just pick people from the streets and overseas. Even if they qualify, there are so many other Kenyans who also qualify for the positions. So, we have to vet them and ensure proper distribution, so that even the small tribes in the country can also feel that they also can provide something and bring it to the table.

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

**The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs** (Mr. ole Metito): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also contribute to the Speech delivered by His Excellency the President.

Before I do that, I would like to take this opportunity to really congratulate our athletics team that participated in the International Association of Athletics Federations (IAAF) cross country championships held in Mombasa. It really did a good job. I also want to thank the Ministry of Gender, Sports, Culture and Social Services and the committees that were in charge of the preparations.

Mr. Temporary Deputy Speaker, Sir, in supporting His Excellency the President's Speech, I would like to point out two things. The first is education. Much has been said about education by the hon. Members who have spoken before. But it is a key sector in the development of this country. I would like to really commend the Government for the introduction of free primary education. Actually, we have seen an increase in enrolment of pupils into primary schools of about 1.5 million in the last four years. But there is still a lot to be done even at the primary schools level.

Using the Constituencies Development Fund (CDF) money we have really, as Members of Parliament, initiated and completed many classrooms in primary schools. We have also started new schools where there were none, especially in the very remote areas. However, we have an acute shortage of teachers. This is brought about by one factor being used by the Ministry of Education. It is using the teacher-pupil ratio to actually staff those schools, which is, one teacher to 50 pupils. Because of the use of that ratio, some areas are very much disadvantaged. In some very remote areas, we have primary schools with about 100 pupils only. Using that ratio, they are entitled to get only two teachers. Because of the shortage of teachers they end up being given only one teacher,

not taking into account that these 100 pupils are in Class One to Class Eight. So, I would kindly ask the Ministry of Education to really check on that.

On secondary education, I would like to commend the Government for providing bursaries to the needy students. Some impact is actually being felt. But it is really paramount that we start thinking, as a Government, about providing free secondary school education. If it is not possible, I would suggest that the Ministry of Education considers funding it in phases. For example, free secondary education can be provided at Form One and Form Two levels for the time being, then, parents can take care of those in Form Three and Form Four.

Mr. Temporary Deputy Speaker, Sir, I would like to really commend the Ministry of Education also for the good reforms that we have seen in secondary schools. From this year, last year's Kenya Certificate of Secondary Education (KCSE) candidates have an opportunity to repeat only the subjects that they failed. This is very commendable and most welcome, because it will save time and money. Last year, I brought a Motion which was passed in this House. It recommended that orphans and very vulnerable children should be given free secondary school education. It will be good if the Ministry considers that.

Mr. Temporary Deputy Speaker, Sir, the initiative by the Government to introduce direct election of Mayors, Deputy Mayors and Chairmen of councils is good. I think it will go a long way in trying to curb corruption. But I think there are more challenges ahead. His Excellency the President mentioned, in his Speech, that the CDF and Local Authority Transfer Fund (LATF) were allocated Kshs10 billion and Kshs7.5 billion respectively in the last financial year. The difference is not much, but when we go to the ground, the impact of the CDF is more than that of the LATF. The Ministry of Local Government should try to address the issues affecting the LATF. First of all, 50 per cent of the LATF goes to operations and overheads of those local authorities. I think it is high time we allowed 100 per cent of the LATF money to go to projects. By doing so, we will see a lot of impact being brought by the devolved fund at the grassroots level.

Secondly, I think it is the high time we started paying councillors directly from the Consolidated Fund. Part of the LATF money is used to pay salaries and allowances to councillors in areas that are not self-sustaining. If we pay the councillors directly from the Consolidated Fund, more of the LAFT money will go to projects. I would also propose that we establish committees at the wards level, just like the CDF committees, that will be managing the design, implementation and monitoring of LATF projects. As it is now, it is upon the area councillors to decide what projects to be put up in the respective wards.

Mr. Temporary Deputy Speaker, Sir, allow me to say something about health. The Constituencies Development Fund (CDF) has done a lot of infrastructure for the health sector in terms of health facilities. But we face the danger of actually having those facilities being "white elephant" projects because the Ministry of Health has not moved in to operationalize them in terms of provision of medicine and personnel. We, as a House, should actually assist that Ministry by voting for even more funds to go towards the operationalization of those facilities.

Mr. Temporary Deputy Speaker, Sir, regarding the energy sector, we are really doing well. I wish to thank that Ministry because in the last four years, they have spent Kshs7 billion on rural electrification. Since Independence up to 2002, only Kshs6 billion was used in that sector. For 40 years, only Kshs6 billion was spent, but for four years, Kshs7 billion has been spent! That shows that our economy has recovered and that we have also had prudent management of those resources.

Mr. Temporary Deputy Speaker, Sir, on agriculture, I really welcome the initiative by the Government to actually increase our national food reserves, both on maize and dry milk. This will actually help in disaster preparedness. Being one of the sectors that have tremendously improved in terms of the economy, I would kindly ask the Ministry to look into the very basic commodities whose prices are going up day after day, for example, sugar, maize flour, fertilizer, seeds and other

farm inputs. Actually, it beats all logic when we say that the agricultural sector has really grown, but the basic commodities falling under that sector are really becoming expensive. Farmers, at the end of the day, may not see the impact of that growth.

With those few remarks, I beg to support.

**Mr. Midiwo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute on the President's Speech.

First of all, there were several omissions from that Speech. I gather that the issues of corruption, tribalism, insecurity and issues of finance and were deliberately omitted by the President because they would elicit truthful and negative debate on the performance of this Government.

Mr. Temporary Deputy Speaker, Sir, the President did not talk about some issues which, personally, I think that with a little bit of more information, it would have been very good for this country. As a Member of Parliament from the Lake Region, I was happy that the President was trying to address the issue of the fishing industry. But the President did not talk about the fact that the lake, which gives the second-highest tax to the Exchequer, has been taken over by the water hyacinth. The Government should do this, particularly for a region that voted for it 97.7 per cent. That was not there and I think that needs to come out, and the President needs to know that our votes were not for nothing, because they are not getting anything in return. The Lake Region gives the second-highest taxes to the Exchequer.

Mr. Temporary Deputy Speaker, Sir, the finance sector, which is not being addressed, is going to run down the economy. The good work being done by this Government is being negated by the plunder, theft and the cunning nature of the so-called "finance sector". The Initial Public Offerings (IPOs) which we keep on talking about-- In fact, this year, that argument has gone down. Kenyans have been hoodwinked into investing into people's personal IPOs and now that things are going bad, nobody is talking about that sector.

The Government needs to address the issue of the ownership of the banks. I was very happy, in the last couple of years, when the Government went out of its way to encourage indigenous banks. But some mischief has crept in. I was a Member and I am still a Member of the Finance, Planning and Trade Committee that was mandated to look into the issue of the Charterhouse Bank. That bank was being accused of money laundering and all kinds of bad things. The Committee visited the bank, took evidence, and scrutinized it thoroughly. There was a statutory manager and there is still a statutory manager appointed, and we spoke to everybody from every corner. Despite this, no action has been taken and that does not give much credence to the banking sector. If a bank is under statutory management and a statutory manager has been put there, they need to update the economy. So, we know the truth! The word out there is that the idea of pushing the issue of the Charterhouse Bank to the Finance, Planning and Trade Committee was stage-managed to vindicate Charterhouse Bank. But we found no evidence of money laundering in Charterhouse Bank; we found no evidence of wrong-doing other than not knowing their customers, which the Government itself found and fined the bank. Until today, that bank is still closed and the Finance, Planning and Trade Committee of this House is being accused to have colluded. In fact, foreign governments are calling the Committee to ask us to re-open that debate, even before the Government has given us evidence. That is wrong and it is not good for our finance sector.

Mr. Temporary Deputy Speaker, Sir, the issue of corruption was not mentioned in the President's Speech. In fact, the President said that there was "perception of corruption". Contrary to that, corruption has now come back in full force. We have more corruption from the police officers to the highest-ranking officers in this country. As Kenyans, we need to be abreast to the fact that we are riddled with corruption as a people; we are inherently corrupt and we are very tribalistic. Unless we accept that, we cannot cure our own ills. That issue was not adequately addressed by the



President as it should have been.

Mr. Temporary Deputy Speaker, Sir, there is the issue of tribalism, and I want to commend my good friend, Mr. Ojode, for having spoken about this issue. This country missed a perfect and an excellent opportunity for having its first woman Governor of the Central Bank of Kenya and what was her crime? She was not from a particular tribe. We must say these things! I want to commend Mr. Ojode for doing that. These issues must be brought out. If you go to the Office of the President, which is just one example, and it is even in this Parliament and in the Ministry of Education--- But let me just take the Office of the President as an example. Everybody in the Office of the President who matters comes from central Kenya region!

**Hon. Members:** Shame! Shame!

**Mr. Midiwo:** That is a big shame for this country!

**The Assistant Minister, Office of the President** (Mr. Wario): Hoja ya nidhamu, Bw. Naibu Spika wa Muda.

**Mr. Midiwo:** Mr. Temporary Deputy Speaker, Sir, can you save my time?

**The Assistant Minister, Office of the President** (Mr. Wario): Bw. Naibu Spika wa Muda, je, ni sawa kwa mzungumzaji kusema kwamba watu wote wanaotoka katika Ofisi ya Rais ni watu kutoka kabila moja, ilhali mimi natoka katika Ofisi ya Rais na sitoki Mkoa wa Kati? Je, ni sawa kupotosha Bunge hili?

*(Applause)*

**Mr. Midiwo:** Mr. Temporary Deputy Speaker, Sir, I want to---

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order, Mr. Midiwo! Indeed, we do not want to waste your time, and that is what you are doing.

**Mr. Midiwo:** Mr. Temporary Deputy Speaker, Sir, I understand and I am stating the facts. I said, those who hold positions that matter in the Office of the President come from the central Kenya region. For instance, the Minister of State for Provincial Administration and National Security, Mr. Michuki, comes from the Central Province. The Minister of State for Defence, Mr. Karume, is from the central region. The Assistant Minister, Office of the President, Mr. Munya, is from the Central Province. The Permanent Secretary in the Ministry of State for Administration and National Security, Mr. Cyrus Gituai, is from the Central Province. The Permanent Secretary in the Ministry of State for Defence, Mr. Zachary Mwaura, is from central Kenya. The Head of the Public Service and Secretary to the Cabinet, Mr. Francis Muthaura, is from the central Kenya region.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Order, Mr. Midiwo! Even I know this country very well. Although I am in the Chair, quite clearly, what you are saying is not correct. It is absolutely incorrect. Among the names you have mentioned, there are people from Eastern Province, Central Province and other areas. So, please, restrict yourself to your language.

Let us proceed.

**Mr. Midiwo:** Mr. Temporary Deputy Speaker, Sir, the list goes on and on. This scenario also applies to the appointment of District Commissioners (DCs). Out of 71 DCs, before the appointment of the new DCs, 38 DCs are from the Mount Kenya region. That is something to be ashamed of as a Government. This Government calls itself a "Government of National Unity". That is not reflective of national unity.

Mr. Temporary Deputy Speaker, Sir, we need to address these issues. Even if the economy was doing well ten fold, we also need to have tribal harmony. What has bedeviled this country since Independence is unfair distribution of jobs and resources. Nobody can say that all these people have been appointed fairly. If you wanted a good Head of Public Service and Secretary to

the Cabinet from West Pokot District, you would find a Kenyan with Mr. Mwaura's credentials. So, we must say, if we want a future, that some of the leaders perpetrating tribalism are on their way out. One leg is already in the grave and the other one is calling in the one which is out. So, we want to stay in this country for a long time.

Lastly---

**The Assistant Minister for Planning and National Development** (Mr. Serut): On a point of order, Mr. Temporary Deputy Speaker, Sir. When did Mr. Mwaura become the Head of the Public Service and Secretary to the Cabinet? Is he in order to mislead the House?

**Mr. Midiwo:** Mr. Temporary Deputy Speaker, Sir, the Assistant Minister is wasting my time. I was referring to Mr. Francis Muthaura. It is just the obvious.

**An hon. Member:** *Maliza clashes huko kwako kwanza, bwana!*

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Mr. Midiwo, I believe it was a case of a slip of the tongue?

**Mr. Midiwo:** That is correct, Mr. Temporary Deputy Speaker, Sir. So, I am speaking as a young politician who still wants to have a future in this country. I would like the next Government that will come in not to be a "Kamba" Government or a "Luo" Government. We must stop these things. Charity must begin somewhere. It must begin from this House. So, we must be true to our cause, because this is something troubling this country.

Kenyans are not saying that the Government is not doing a good job in terms of the performance of the economy. However, Kenyans are saying that corruption has increased, and that the amount of tribalism being practised by this Government has never been seen before. In fact, many people of my age have never seen this level of corruption and tribalism.

Lastly, I want to talk about the issue of the Hummer.

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Mr. Midiwo, I am sorry, your time is up.

Mr. Ndwiga!

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to also join my colleagues in congratulating His Excellency the President for delivering a wonderful Address to this House.

As you listened to different hon. Members contribute to this debate, it must have occurred to you that some of them started by congratulating the Government for a job well done, and then, very conspicuously, tried to cover up their failures with jabs against the Government on corruption and ethnicity. I wish to ask hon. Members to stop being selective. If we want to talk about ethnicity, let us do so openly. I want to challenge Mr. Midiwo. He picked on the Office of the President. He, very selectively, picked on a few names to justify his allegation. For instance, he left out the Commissioner of Police, who is also in the Office of the President. In the Armed Forces, he conveniently forgot the Chief of General Staff. So, he picked out his names very selectively. Kenyans are not stupid. Kenyans can see.

I want to challenge the hon. Member to pick another Ministry. For instance, why does he not pick the Ministry of Co-operative Development and Marketing, and start with the Minister and go all the way down? If some of us were thinking like the hon. Member, some people would suffer a great deal. Some of us have been in this House long enough. We have seen, for the first time, such a well balanced Government.

**Hon. Members:** No! No!

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr.

Temporary Deputy Speaker, Sir, the Commissioner of Co-operatives is a constituent of Archbishop Ondiek's. Who was there before him? I want to challenge the Opposition side of the House, particularly the former Ministers who left the Government and went out there, shouting "tribalism"! I would like this House to check the record when they were in the Government and see what was happening in their respective Ministries. You cannot believe what some of them were doing. We will table that evidence in good time.

**Mr. Odoyo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is misleading the House. Let me not talk about the Ministry of the Minister. Let me talk about the directors that the Minister has appointed to demonstrate the fact that there is a skewed appointment in his Ministry.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Order, Mr. Odoyo! You are interrupting another hon. Member's speech. You do not have to like what he is saying. You do not have to agree with him, but you must give him his chance. When you have your chance, you will have your say.

Continue, Mr. Ndwiga!

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Thank you, Mr. Temporary Deputy Speaker, Sir, for protecting me. You can see a demonstration of ignorance. In the Ministry of Co-operative Development and Marketing, we do not appoint directors. Directors are elected. That ignorance is being exhibited by an hon. Member of this House, four years done the road, when we are preparing for another general election. He intends to go and tell his constituents that he was representing them here, and yet he does not even know how Government systems operate.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, I want to talk---

**Mr. Odoyo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is misleading the House even more. He appoints the Directors to the Board of the Co-operative Bank of Kenya, as well as those of the Kenya Co-operative College. Those are the appointments I was referring to. He has appointed people from his own home area, who are his friends.

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, could you protect me?

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Order, Mr. Odoyo! If this goes on, I will have no option other than to ask you to leave the House, because you are, really, now becoming disorderly.

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, that is a further display of ignorance by the hon. Member. If ignorance goes beyond ignorance, I do not know what you would call it. The Directors to the Board of the Co-operative Bank of Kenya are also elected.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order! Order, Mr. Ndwiga! Address the Chair!

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, I just wanted to draw your attention to some of the people you lord over in this House.

Mr. Temporary Deputy Speaker, Sir, I want to congratulate the Government. It came out very clearly in His Excellency the President's Address that rural poverty has, indeed, been tackled. As a Minister in charge of rural development, I can categorically say that, indeed, rural poverty has been tackled. I will give you instances.

In the North Rift, for example, in the last two years, 482 dormant dairy co-operative societies, which had collapsed with the collapse of the defunct Kenya Co-operative Creameries (KCC) Limited, have been revived, yet you hear some hon. Members say that nothing is happening on the ground, and that the economic gains are not trickling down to the people! Within that period, since the revival of the KCC alone, the North Rift alone received in excess of Kshs126 million. That is money which was not there previously.

Mr. Temporary Deputy Speaker, Sir, some of my colleagues here do not even know on which party's ticket they will seek re-election, because it all depends on what their leader will tell them.

Right now, they are talking about ODM(K) but come December, if he says that they should move to another party, all of them will follow him there. We want to have consistent and independent hon. Members, who can stand here and tell us that they are independent persons and they can chart their destiny.

Mr. Temporary Deputy Speaker, Sir, I would like to agree with my colleague that the President talked about Lake Victoria. Indeed, Lake Victoria is a very important natural resource for this country. I want to challenge my friends to join hands with my Ministry and assist us to revive the fisheries co-operatives which are dormant. Let us pump in a little CDF money in those co-operatives and they will become active.

The Government has connected electricity to some of the beaches and we have installed generators in a few of them. However, we need some assistance. I would like to ask my colleagues not to just come here and shout about ethnicity and corruption when their people are wallowing in poverty. You must lead from the front.

**Mr. Midiwo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead this House, that our people are wallowing in poverty simply because we have not used CDF money on Lake Victoria, while it is the second largest Exchequer paying institution in this country and it is not getting even a quarter of that budget back?

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, I want to agree with my colleague---

**The Temporary Deputy Speaker** (Mr. M'Mukindia): That is not a point of order.

**The Minister for Co-operative Development and Marketing** (Mr. Ndwiga): Mr. Temporary Deputy Speaker, Sir, while we want the Government to do something about the water hyacinth, and I agree that something should be done, removing the water hyacinth alone is not going to improve the living standards of the people around the lake. The people need to be empowered. The Government is doing its bit and I want to challenge my colleagues that instead of hanging around a Hummer vehicle, they should go home and work for the people.

Mr. Temporary Deputy Speaker, Sir, a lot has been said here about the New Kenya Co-operative Creameries (KCC) not performing. I wish to confirm to the House that the New KCC factory in Eldoret will be fully operational by June. I am surprised that the people who are complaining here about the New KCC in Eldoret, are the same ones who cannibalised the factory. The Government has repaired the factory and it will be fully operational by June.

Mr. Temporary Deputy Speaker, Sir, again, I would have expected hon. Members from the ASAL areas and the dairy farming areas to congratulate the Government for first of all, allowing milk to be part of the food strategic reserve. About 2,000 metric tonnes of milk will be reserved every year. That is going to assist the dairy farmers and in future, all the milk that is delivered to the New KCC will be accepted and processed.

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

**The Assistant Minister, Office of the President** (Mr. Wario): Asante, Bw. Naibu Spika wa Muda. Ningetaka kuchukua fursa hii kumshukuru Mwenyezi Mungu kwa kunipatia nafasi hii.

Nikizungumza kutoka sehemu hii---

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order, hon. Members! Let me remind hon. Members not to try to muzzle other hon. Members from speaking their minds by interrupting them. They are speaking on behalf of their constituents. It is not a single hon. Member talking, but a whole constituency talking. That is not only unfair, but also disrespectful to the people who elected us as hon. Members.

So, please, give a chance to hon. Members to express their opinions freely. You should not try to muzzle them. You will have your chance to say your bit.

**The Assistant Minister, Office of the President** (Mr. Wario): Bw. Naibu Spika wa Muda, nikizungumza kutoka sehemu hii ya Bunge hili, wengi wanashangaa na wanauliza ni kwa nini ninafanya hivyo, ilhali wao hawashangai wanapotoka sehemu ya kulia na kwenda sehemu ya kushoto. Ni lazima kila Mbunge na chama kipewe haki ya kutekeleza demokrasia itakavyo. Sio kwamba, wengine wana ruhusa ya kwenda sehemu ya kushoto na wengine hawana ruhusa ya kwenda sehemu ya kulia ya Bunge hili.

Bw. Naibu Spika wa Muda, ningetaka kuchukua fursa hii kumpongeza Rais na kuunga mkono Hotuba yake, iliyotoa mwongozo wa sera na sheria, kwa sababu, siasa sio porojo bali ni sera na sheria.

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

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

Katika Hotuba yake, Rais aligusia swala la uhalifu au sheria zilizoidhinishwa, ikiwemo uhalifu wa kiuchumi, usimamizi wa mali ya umma, maadili mema ya wafanyikazi na ubinafsishaji wa mashirika yasiyo ya Serikali. Haya yameboresha hali ya maisha ya Wakenya na uchumi wa taifa hili. Hali hii imechochea uwekezaji zaidi wa rasilmali za nje katika nchi yetu.

Bw. Naibu Spika wa Muda, ama kwa hakika, huu ndio ufanisi na usawa ambao Wakenya kwa mara ya kwanza katika miaka 40 wameanza kusherehekea leo! Ninasema haya kwa sababu kuna mtiririko wa rasilmali ya taifa katika mashinani, zikiwemo pesa za CDF, pesa za barabara, pesa ya mabaraza ya wilaya, pesa ya vijana, na hivi karibuni tunatarajia pesa ya akina mama. Huu ndio usawa na ufanisi.

Vijana wetu wana sababu ya kusherehekea, kwa sababu wanapata elimu bila malipo katika shule za msingi. Hapo mbeleni, watoto wa shule za msingi walikuwa 6,100,000 na leo wamefika 7,600,000. Hili ni dhihirisho kwamba, kutoa elimu bila malipo ni faida kubwa kwa watoto wetu na tunawatayarisha ili wajiandae kwa jukumu ambalo liko mbele yao. Sikatai, kuna changa moto, yakiwemo maswala ya kuongeza walimu na karakana katika sekta ya elimu, lakini hatua iliyochukuliwa na Serikali inapaswa kuungwa mkono.

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

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

Bw. Naibu Spika wa Muda, kuna hazina ya vijana. Maeneo ya Bunge 210 yamepokea Kshs210 milioni. Hivi karibuni, zaidi ya Kshs7 milioni zitapeanwa kwa vikundi vya vijana. Pesa hizi zitawawezesha vijana wetu kujinufaisha na kujiboresha katika nyanja ya kibiashara.

Kuna vipofu na viziwi ambao hawawezi kusikia, kuona au kuzungumza juu ya haki zao. Ukizungumza juu ya sera au sheria, unaambiwa kuhusu ufasadi. Kumaliza ufasadi siyo rahisi kama kunywa kahawa ambayo itakuchemsha damu mara moja; kumaliza ufasadi kunahitaji karakana, mikakati, sera, sheria na uwiano. Tukisimama pamoja, tutafaulu kupambana na ufasadi. Tukiingojea Rais Kibaki amalize ufasadi katika nchi ya Kenya, itakuwa vigumu. Ni lazima kuwe na ushirikiano, uwiano, sera na sheria zitakazowezesha nchi kupambana na ufasadi.

Bw. Naibu Spika wa Muda, leo nazungumza kwa furaha kubwa. Nilisimama katika Bunge hili miaka minne iliyopita kuzungumza juu ya giza kutokana na ukosefu wa nguvu za umeme. Kwa mara ya kwanza, tarafa za Madogo na Garsen katika Wilaya ya Tana River zimepata nguvu za umeme. Sina budi kuipongeza Wizara inayohusika na Rais kwa kuweka mikakati hiyo, ili watu wa Tana River wanufaike kama Wakenya wengine. Lakini wasiokuwa na macho ni vigumu kuona maendeleo kama hayo.

Kutoka mwaka wa 1963 hadi 2002 - karibu miaka 40 - Serikali ilitumia Kshs6 bilioni. Lakini katika miaka minne ya utawala wa hii Serikali, kiasi cha Kshs7 bilioni kimetumiwa katika usambazaji wa nguvu za umeme mashinani. Leo, kwa vile kuna nguvu za umeme mashinani, kuna biashara ndogo ndogo na vijana wetu wamepata fursa ya kujiajiri wenyewe.

Bw. Naibu Spika wa Muda, ningependa kuzungumzia maswala ya Katiba mpya. Wakati nilizungumzia juu ya ufasadi, nilisema ni sharti tuwe na uwiyo. Vile vile, tukija kwa Katiba mpya, ni sharti tuwe na uwiyo. Ni lazima tuwe na mazungumzo. Ni lazima watu wakae, wazungumze na wakubaliane. Siyo mtu mmoja kutoa maongozi ya vile atachukua uongozi kupitia mlango wa nyuma. Sio hivyo. Sheria ya nchi ni sheria ya nchi! Siyo sheria ya chama au mtu fulani. Sheria ya nchi ni ya nchi. Ni lazima Wakenya waletwe pamoja, wakae pamoja, wazungumze na wakubaliane. Mhe. Rais alipozungumza hapa alitoa mwongozo juu ya Katiba mpya na tunamuunga mkono. Jana, tulitangaza kamati yetu. Tunangojea kamati kama hiyo ibuniwe upande huo ili tukae na tutele sheria tunazopendekeza.

Mbunge mmoja alizungumzia juu ya hali mbaya katika sehemu kame hapa nchini. Ni kweli hali ni mbaya katika sehemu kame. Ni kweli umaskini umetanda katika sehemu kame. Lakini siyo kama miaka 40 iliyopita. Leo, kuna mtiririko wa rasilimali ya kitaifa katika sehemu kame. Kwa mfano, kuna madarasa 90 mapya katika sehemu ya uwakilishi bungeni ya Bura. Kwa miaka 40 iliyopita, miradi kama hiyo ilikuwa wapi? Sehemu kame zina shida. Zimedhulumiwa kwa miaka 40. Ni vigumu kuonda dhuluma kwa muda wa miaka minne. Lakini, mikakati ya kuondoa dhuluma katika sehemu kame imeanzishwa na Serikali hii. Mbunge mmoja alikosoia na kupeana mfano wa sera za nchi za nje. Bila shika, sera zetu za ndani ni nzuri. Hata wao wamekubali. Hotuba hii ya Rais ni ya mwisho katika Bunge la tisa. Lakini siyo ya mwisho katika Bunge la Kenya. Kwa vile tuna hakika atarudi tena, ataweka sera za nje katika hotuba zake.

Kwa hayo machache, nasimama kumuunga mkono na kumpongeza Rais kwa Hotuba yake.

**Mr. Odoyo:** Thank you, Mr. Temporary Deputy Speaker, Sir. As I make my comments on the President's Speech, I wish to refer to the introductory part of it which read: "A dream of a well-governed country that is prosperous, just and equitable." I will show that, indeed, our country today is not well-governed, prosperous and very much not equitable.

With regard to prosperity, we know very well that, indeed, this country has grown, as they say. But the wealth creation they are referring to is in the services sector. It is the stock markets, the cellphones and the banking industry that are making billions. It has been shown that the poverty index in this country has risen. That has been proved by surveys by the Central Bureau of Statistics

and the United Nations Development Fund (UNDP). The question is: If we are growing, why are the people of Kenya becoming poorer? If we are growing, the people are supposed to be richer. The truth is that we are becoming poorer. Why are we becoming poorer? It is because this country is not just. This Government has failed to put in place a just Government, beginning with the law courts. Today, if you are not wealthy and do not have money in this country, you cannot get justice. If you do not have money, your file will disappear. You will be murdered and killed by a rich man, and you will never receive justice. This country is not giving justice to the poor. Time has come for us to question the issue of equitability. It has been proven and tabled in this House that, indeed, the resources of this country are not equitably being distributed. It has been shown that most of the roads funds go to a particular region. It has also been shown in this House that the bulk of the water budget goes to a particular region. The same has been shown for health and many other sectors. That is not equity. Therefore, this particular Government has, indeed, shown Kenyans the way a country should not be governed.

Mr. Temporary Speaker, Sir, today, among the 42 tribes in this country, you will find an accountant, a lawyer, an engineer, an economist and all manner of professionals. It is not as it used to be in 1963 when lawyers, engineers and accountants were only available in the two big tribes then - the Kikuyu and the Luo. Today, if you want a particular professional, you will get one in any tribe. Therefore, it cannot be that only one particular region is qualified. There is something wrong which must be addressed.

Secondly, this House has, indeed, done its job. We gave this particular Government the Anti-Corruption and Economic Crimes Act. But it has failed to implement that particular Act. Up to today, not a single person has been taken to court on the Goldenberg and Anglo leasing scandals. Those are the big crimes that affect this country. It is not those people who have stolen Kshs1,000 from a Ministry, taken a bribe of Kshs1,000 or a policeman who has taken a bribe of Kshs200. The big crimes that affect the lives of the people of this country are the white collar crimes running into billions of shillings. Those people continue to walk scot-free and propagate that they are the ones who are legally rich and yet, they acquired their wealth through illegal means.

Mr. Temporary Deputy Speaker, Sir, this House gave the Government the Financial Management Act. Yes, indeed, they have improved or increased our revenue collection. But on the same breath, the expenditure side has gone to the dogs. Today, the amount of waste, theft and corruption on the expenditure side goes unabated. Yes, the Government has raised Kshs450 billion. But you are also stealing Kshs150 billion. That is more than what the previous Governments stole in all the 40 years. There is something completely wrong with this Government's inability to respond to the various Acts that we have enacted in this particular House. It has even failed to implement the simple ones like the Public Officers Ethic Act of 2003!

Mr. Temporary Deputy Speaker, Sir, let me talk about the much talked about Women Enterprise Development Fund and the Youth Enterprise Development Fund. At the bottom of it, it is meant to create employment and regenerate our economy. But it is a wrong policy. Let us look at history. The recent history in memory may be the American the depression and the Chinese revival. When the Americans had depression, they implemented large public sector projects involving manual labour. They built big highways using manual labour from New York to Los Angeles. That is what the Chinese copied in the 1980s and 1990s. They undertook large public sector projects involving the youth, who built roads and other large public sector projects. They were paid cash, so that they could regenerate the rural economy. It is not enough to say that you are giving Kshs1 million to a fund in a constituency. In my Nyakach Constituency, I have over 100 youth organisations. What will Kshs1 million do for them? At the end of the day, they might end up getting Kshs10,000 to Kshs20,000, which is not even enough capital to buy a welding machine. So, there is a fallacy that we have not addressed the youth agenda. We must address the youth and the

women agenda using concrete measures. To throw money around and assume that we have solved a problem is deceiving this country.

Mr. Temporary Deputy Speaker, Sir, finally, on the issue of arid and semi-arid areas (ASAL), during the last Parliament, Nyanza was declared an ASAL area. This Government is yet to implement projects in Nyanza, particularly, rice schemes. Of the Kshs12 billion spent in ASAL areas, not even a single pipe of water has gone to the North Eastern Province. Where did Kshs12 billion go to? The North Eastern Province requires water; so give them water. You say you have spent Kshs12 billion, where did it go to? It is time for us to ask. Did it go into personal pockets? Yes, indeed, because if you were to give me Kshs12 billion and tell me to send pipes to every constituency in North Eastern Province, I will do so and give them water.

On the issue of rural electrification, it is true that there is this programme. However, the bulk of the money is going to a particular region. We are being fooled by a few lines but where is the bulk of the power going? If you look at that particular budget worth Kshs5 billion, Kshs3.5 billion has gone to one particular region while Kshs1.5 billion is to be spent by the rest of the country. Who is cheating who that we have provided electricity? You have provided electricity to yourselves and you are "cheating" us that you have provided it to us. Again, equity and utilisation-- - Do not look at me, Mr. Munya! Let me continue.

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Order, Mr. Odoyo! You address the Chair and I am sure you used unparliamentary language. We do not use the word "cheat" in this House.

**Mr. Odoyo:** I apologise, Mr. Temporary Deputy Speaker, Sir, and humbly withdraw it.

On the issue of the Vision 2030, I will refer to the comments by Prof. Anyang'-Nyong'o that, indeed, it has to be such that it includes all Kenyans. At the moment, the policy statements made under this particular vision are similar to those that were made, one, by the Kenyatta Government that we would have water by the year 2000, which came to pass. Another one was made by the Moi Government that we would have industrialisation by 2010 and now, another one being made by the Kibaki Government that we shall have everything by 2030.

Indeed, these are not visions but mere statements. There are no plans to back them up. These political statements and speeches are not helping us. It is time for us to request the Government to consider that the people of Kenya will be there long after this Government has gone. The people of Kenya will be around long after we, in Parliament today, have gone. Therefore, we should start to plan for Kenyans in a 100 years.

With those few years, I reluctantly, beg to support.

**The Assistant Minister for East African Community** (Dr. Khalwale): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity. I would also like to thank the President for his Speech, which I support. However, before I make any substantive contribution, I beg to differ with my colleagues who have spoken this afternoon before me in respect of the latest car in town; the Hummer. We should not condemn Mr. Raila because this is a very transparent man. We must congratulate him!

*(Applause)*

By transparently spending Kshs54 million, he has given us an insight into his mindset. He has shown us what kind of president he will be. It means that when he will be going to Bondo, he will be going there in a rocket escorted by jet fighters. He must be congratulated!

*(Applause)*



**The Temporary Deputy Speaker** (Mr. M'Mukindia): You must accept people's opinions: You do not have to agree with them. However, you must allow them their space!

Proceed, Dr. Khalwale!

**The Assistant Minister for East African Community** (Dr. Khalwale): Mr. Temporary Deputy Speaker, Sir, the gist of the President's Speech was the welcome growth in our economy. I would like to applaud the Government for the same. However, I insist that it is important that we manage the obtaining growth in the economy in the sense that this must translate into reduction in unemployment and creation of more jobs.

I was a little bit disappointed that while the President was on the economy, he had very few words about the need for us to expand the Gross Domestic Product (GDP). To me, since my calling is in East Africa, I am aware that there is a big window of growth in the East African Community because, as hon. Members know, up to 80 per cent of the trade in this country is done within the East African Community.

At the moment, we have a very important exercise that is going on in the three East African partner states. Members of the public are being asked to comment on the need or lack of it, on fast-tracking the political federation. I was expecting that by now, hon. Members would also be pronouncing themselves, in fact, leading the process for the need to fast-track the political federation in East Africa because this will automatically lead to improvement in trade and, therefore, expansion of our GDP.

Mr. Temporary Deputy Speaker, Sir, allow me to say something about the Kenyan society as it is today, with special reference to human rights, the state of security, sexual behaviour and the way we handle our dead bodies. I would like to decry the relationship between the leadership of the Kenya Human Rights Commission (KHRC) in this country and the attempt by the Government to ensure that there is security in this country. It is only last month when my Professor of Medicine - he taught me immunology at the School of Medicine at the University of Nairobi - was murdered in Kitengela. It was very saddening that when Matheri, who led the group that murdered Prof. Bwayo died, after he had been caught up by the police, the Chairman of the KHRC sent condolences, a full page in the *Daily Nation*, to the man who killed a professor of medicine. He did not have any simple kind words for Prof. Bwayo. We are very saddened by the way this man called Mr. Kiai is handling human rights.

Mr. Temporary Deputy Speaker, Sir, maybe, Mr. Kiai is taking a cue from what is happening in the Office of the Vice-President and Ministry of Home Affairs. It looks like this Ministry is bent on improving the comfort of prisons to the extent that today, petty criminals are happier to be in prison than to be at home. Some of the luxuries being passed over in prison are not welcome.

May I talk about another issue of the social fabric in this country. Might it have passed in this House without me knowing, about something called "homosexuality"? There was the World Social Forum (WSF) the other day at Kasarani and we saw our youth putting on T-shirts saying: "I am weird! I am gay! I am proud!" I was so surprised! Those characters should have been arrested because this country does not promote homosexuality. Surely, when we allow our youth to consume this kind of nonsense, are we really providing leadership to our youth?

Mr. Temporary Deputy Speaker, Sir, finally, I will talk about the issue of social matters; the way we dispose of the dead. The population of Kenya today is 34 million and with our life expectancy of around 40 years, it, therefore, means that in 40 years time, we are going to have 34 million graves. I think the Government must have a clear policy on disposal of bodies. If you go to rural areas, for example, in Western and Nyanza provinces, people are very keen on cementing graves. One of these days, the whole of the countryside will just become a graveyard. We need to have a policy in place such that if you want to cement a grave of your departed one, then you

should bury that person in the cemetery. If you want to bury the person in your homestead, then the grave should not be cemented because in the fullness of time, the same graves will be used by posterity for purposes of growing tea and so many other crops. We cannot afford to convert the entire countryside into a graveyard.

Mr. Temporary Deputy Speaker, Sir, I would like to mention something about minimum reforms. I want to congratulate hon. Members of Parliament, from both sides of the House, who have stuck out until it has finally been agreed that there is need for minimum reforms. This does not mean that, in any way, anybody is defiant to the Government or belittling the system. It is only that there is no time to do comprehensive reforms.

With regard to the issue of Nominated Members of Parliament, we would like to encourage that this clause be adopted so that we have 36 Members of Parliament being nominated and 24 of them must be women. Out of this 24 women, only three should represent the urban women. They should represent urban areas, like Kisumu, Nairobi and Mombasa. The rest of the women should come from the rural areas to stop pretenders who jump around in this city saying that they speak on behalf of women when they are even unable to put together a family.

Mr. Temporary Deputy Speaker, Sir, the second thing about minimum reforms I would like to talk about is the issue of 50 per cent. Ladies and Gentlemen, let us think about 50 per cent plus. Really, what is wrong with this? If you are a strong Presidential candidate, there is no reason why you should not get 50 per cent of all the votes cast. Besides that, the 50 per cent requirement is the only answer to a tribal Presidency in Kenya today.

*(Applause)*

It is important to let tribal Presidential candidates to run for the Presidency just like we can see it happen in the Orange Democratic Movement (ODM). They have eight tribal representatives. When none of them gets 50 per cent of the votes cast, we shall have a run-off between the best two. That way, we shall have a President who is accepted nationally. This has been done in young democracies, like the Democratic Republic of Congo (DRC) and it has worked very well. Small countries with as few as three million people, like Liberia, have also used this method. So, let us not kill this good idea.

Mr. Temporary Deputy Speaker, Sir, my time is gone, but I would like to say something about education. It looks like there are some people in this country who want to use the issue of education to get easy votes for the Presidency. Free secondary education will be a wonderful thing, especially for the people of Ikolomani, but let us think about it. Having succeeded in implementing Free Primary Education, let us not just allocate money to Free Secondary Education when we need to spend that money to employ new teachers.

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

**Mr. Gumo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance also to contribute to this Motion. Before I say anything else, I beg to support.

For the few years that we have been around, we have seen the number of districts being increased every now and then. The reason for this, we are normally told, is that administration is being brought closer to *wananchi*. However, in most cases, administration is taken away from *mwananchi*. There are many districts that have now been created, but you will find that the former districts were even closer to the people before than the new ones. You cannot say that you are bringing administration closer to people when you are asking them to go further than they are doing at the moment. In most cases, you will find that the district headquarters has been relocated to another area. For some people to get there, they have to use three or four *matatus* while before they only used one. In fact, that is one thing that should be looked into, otherwise I do not think some of

us need those new districts. If, for example, here in Nairobi, you ask the people from Westlands, who have been coming to the Provincial Commissioner's Office, to go to Kikuyu in Dagoretti, who will really go there? It is too far and some of these people are so poor that they cannot make it there. This does not only apply in Nairobi, but it affects many other places too. So, we should try to get more central places where people can access the services more easily.

Mr. Temporary Deputy Speaker, Sir, security is a very big factor in this country. There is no way you can develop a country where there is insecurity. You cannot say that guns cannot be withdrawn from *wananchi*. It is possible! If the Government is really committed to withdraw these guns from people, it can do it. If the police and the Army are mobilised and told to get all the guns in illegal hands in Kenya, they will do so. There are too many guns in illegal hands in the country. Today, I understand that some thugs hire them for as little as Kshs300. With that amount of money, you can have a gun to go and kill somebody. We must address this issue urgently. For the Government to do this, even the innocent will have to suffer. If you want to mop up guns from *wananchi*, even those who do not have them will have to suffer because their homes will have to be raided and everybody must be ready to co-operate. That is the only way we can withdraw these guns from *wananchi*. However, if we do not do that, then we are cheating ourselves.

Sometimes when the Government intends to take action, some people start complaining that their people are being victimised. Why do we cry that they are being victimised and yet they are criminals? If somebody is a criminal, then he is one. It does not matter whether he is your brother or not. Such a person should be arrested and if he is found with a gun--- That is why sometimes I support hon. Michuki when he says that if such people are found, they should be shot dead. Some people have accused the Minister for giving this order and yet we have lost so many innocent people in the hands of criminals. In fact, that is the only area I support hon. Michuki. How do you arrest somebody with a gun? Somebody is ready to kill you and you are going there to arrest him. How do you do that? Hon. Michuki is right and he should be supported. We must withdraw these guns from the hands of civilians.

Mr. Temporary Deputy Speaker, Sir, everybody has been talking about tribalism. This is a disease. We cannot blame the President for tribalism. We should blame the people who have been put into positions of authority by the President because they are the ones who are promoting tribalism. When you are given a place to manage, you employ your tribesmen and you actually forget about other people. Kenya is for all of us and the President does not employ people from one tribe in every Ministry. It is the people who are in charge of those Ministries who are employing these people. They look at their homes and decide to employ their brothers and sisters. That is the problem with this country, and people must be nationalists.

Let me give an example. If, today, you want a Turkana with a Ph.D, you will get him. You do not have to go to Central Province to get somebody with a Ph.D. Even though, people with Ph.Ds are never good administrators. They are supposed to teach and do research. The people who work only have one or two degrees. These are people who have narrowed their knowledge. So, you do not need somebody with a Ph.D to run the Central Bank of Kenya.

Mr. Temporary Deputy Speaker, Sir, the lady whom they denied the job and claimed was not qualified, has never ever worked anywhere else apart from the Central Bank of Kenya (CBK). Right from the university, she went to the CBK. She has gone through all the ranks to the deputy Governor of CBK. To make it worse, the day they brought the professor, they split the position of deputy Governor. Now, there are two deputy Governors! This was meant to frustrate her even more because she does not come from the right community. That is wrong! Those people who are doing so, should be prepared to pay for it. It may be next year. Some people will suffer for the things they are doing now. Let us be nationalists. In fact, they are destroying the chances for the President. They are given a job to do, but instead they look for their tribesmen to appoint in high positions in

the Government.

I do not think the President is a tribalist. I have worked for him as an Assistant Minister for five years. He never showed anything like that. However, the people he has put into those offices are letting him down. They will make him lose the next general elections. For them to assist the President, they need to see Kenya as Kenya. They are not the right people to occupy those positions. They are the ones to go and they must do so, very quickly.

Mr. Temporary Deputy Speaker, Sir, everybody is talking about the Hummer vehicle. The Hummer vehicle is a very cheap vehicle. They are sold at General Motors (GM). It costs about Kshs6 million, duty free. Even the car the hon. Member drives is more expensive than the Hummer vehicle we are talking about. It is only because some people have never seen it. Do not capitalise on a cheap thing like it. It is just a four-wheel drive vehicle like any other. I do not know why people say it is very expensive. Come and I will take you where you can get one. You can get it at the GM, industrial area, at Kshs6 million. In fact, hon. Members here qualify for duty free vehicles. A Landcruiser might even be more expensive.

*(Laughter)*

Unfortunately, because some people want to capitalise on that, they think it is such an expensive vehicle. Let people from slums, who have never seen a hummer vehicle, go round and see it. You guys have travelled and seen these vehicles. In the United States of America, they cost about US\$48,000.

**Mr. N. Nyagah:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Whereas I do not want to interrupt the hon. Member, is he qualified to refer to us, hon. Members, as "you guys"?

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Certainly, he is not!

**Mr. Gumo:** Mr. Temporary Deputy Speaker, Sir, I did not say they have never seen the vehicle. I said they have seen it.

**Hon. Members:** "Guys"!

**The Temporary Deputy Speaker** (Mr. M'Mukindia): Mr. Gumo, it is the language you used! These are hon. Members and not "you guys"!

**Mr. Gumo:** Mr. Temporary Deputy Speaker, Sir, I do not think it is very rough to call somebody a guy. Anyway, I apologise.

Mr. Temporary Deputy Speaker, Sir, I do not understand how the Constituencies Development Fund (CDF) money is distributed in this country. The constituency I represent contributes the highest tax in this country. All rich people, including the President himself, live in my constituency. However, I get only Kshs30 million. Some small constituencies get over Kshs40 million or Kshs50 million. How is this money distributed? Kshs30 million is not even enough to patch a single road. Mr. N. Nyagah will support me on this.

**Mr. N. Nyagah:** I agree with you!

**Mr. Gumo:** Mr. Temporary Deputy Speaker, Sir, this money should be distributed evenly. Areas that contribute a lot of money, like Westlands Constituency, should get the most. Some constituencies get more money and yet, there are no roads to be repaired. My constituency is suffering here. Please, let whoever sits in that committee consider us.

Mr. Temporary Deputy Speaker, Sir, there has been a lot of talk about improvement of people's life and that prices of coffee and maize have gone up. Maybe the price of coffee has gone up, but not for the maize.

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

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

**The Assistant Minister, Office of the President** (Mr. Tarus): Thank you, Mr. Temporary

Deputy Speaker, Sir, for this opportunity to contribute to the President's Speech.

Mr. Temporary Deputy Speaker, Sir, may I begin by thanking the President for exposing the programmes of the Government and the achievements that have been realised in the last four years.

Mr. Temporary Deputy Speaker, Sir, first of all, I would like to say the President's Speech was not a campaign speech. This is because all the statistics that are contained in the Speech are nothing but the truth and the true position of the Kenyan economy.

As hon. Members, it is important that we appreciate the fact that Kenya is not where it was four years ago. We may have our own political differences and ambitions, but we need to appreciate that Kenya has moved a step further. Today, we are talking about all the sectors of the economy participating in economic productivity.

Mr. Temporary Deputy Speaker, Sir, if you look at the agricultural sector, today, farmers have an opportunity to live a productive life. It might not be 100 per cent, but they have that opportunity. I know when the economy of Kenya improves, people who rely on hand-outs have problems. That is why they do not recognise that this economy has, indeed, improved.

Mr. Temporary Deputy Speaker, Sir, if not all, then three-quarters of districts have road projects going on. Every constituency has at least not less than three to four electricity projects going on. I thought that hon. Members would appreciate that, that is a contribution to the lives of Kenyans.

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

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

Mr. Temporary Deputy Speaker, Sir, on the issue of poverty, when the economy improves, I do not think it is true that the lives of people do not improve. First of all, Kenya no longer imports food. It is shameful for a country with a vast potential for food production to import food. That is the shame that we had for the last several years. However, for the last four years, Kenya has not imported any food. It relies on its own production to satisfy the food requirement of its people.

Mr. Temporary Deputy Speaker, Sir, on the issue of governance, I think it is the role of all of us; the leadership of Kenya, to ensure that Kenyans have the best governance. This can be done by making sure we respect the rule of law, decisions of the judiciary and support Parliament to be independent. I think Parliament has the greatest role in ensuring that the rule of law is implemented as required. I say so because since Parliament established the Kenya Anti-Corruption Commission (KACC), it would be very ironic if we cannot trust the KACC.

Mr. Temporary Deputy Speaker, Sir, for this country to enjoy, a corruption-free environment, hon. Members have the opportunity to use this House to bring Motions or Bills which will ensure that we improve where we have failed.

With regard to the youth and women, I want to say that they constitute the largest percentage of the Kenyan population. But when you look at their income levels, the endowments and the resource availability for the two groups, wealth is skewed unfavourably against them. Therefore, I want to thank the Government, first of all, for having ensured that there is allocation of funds that will provide an opportunity for the youth and women to enable them to participate in the growth of the national economy.

I know that unemployment has been a big problem. But given the fact that now the Government is investing in the innovation and expertise of the youth and women, we expect the

economy of Kenya to grow even faster.

Mr. Temporary Deputy Speaker, Sir, with regard to the Constitution review, we can talk of the minimum or the comprehensive reforms but the Ninth Parliament will stand accused if Kenyans do not receive a new Constitution. Whether you are for minimum or comprehensive reforms, we have nine months to go and this Parliament will not escape the blame as the Parliament that denied to expand opportunities for Kenyan people to participate in leadership, equal distribution of wealth and elimination of injustice. I am glad that the two sides of the House have agreed that there is need to sit down and talk together and, we are now going to discuss about the minimum reforms. However, I hope that this time round, we shall not see cunningness that is common in the political field. I hope that the leadership of this country will take the interests of the Kenyan people first and ensure that what we put forward will ensure that Kenya as a nation is united again.

Mr. Temporary Deputy Speaker, Sir, I have heard complaints about the creation of new districts. Today, the population is about 31 million people. You cannot expect Kenya to be administered under the same framework that it was 10 or 20 years ago. The challenges of administration, development and administration of justice require that more districts are created. Those who do not come from the vast regions like, for example, Turkana or the northern part of Kenya, do not know what they are talking about when they oppose the creation of new districts. I say so because people need to go there - I do not know how many hon. Members have visited those areas - to appreciate the suffering and the security challenges in those particular areas. Therefore, I want to say that the creation of new districts will, in fact, ensure better service delivery to the people.

Mr. Temporary Deputy Speaker, Sir, the proposal to bring a Bill on crime and illegal money laundering is long overdue. We need to protect this country from the hands of the corrupt and those who deal in drugs. The way I see Kenya going and the way I see people campaigning, this country risks being led by the most corrupt people if we are not careful. The faster we bring that law, the better for our country.

With those few remarks, I beg to support.

**Archbishop Ondiek:** Mr. Temporary Deputy Speaker, Sir, thank you for giving me the chance to talk about the President's Speech.

I have been here since 2.30 p.m. and I have been listening to my colleagues contribute. What surprises me is that, some hon. Members are now not behaving like hon. Members of Parliament, but horrible Members of Parliament. I am sorry to mention that. I get surprised when somebody stands up to talk about a vehicle which somebody has bought. What has that got to do with our contribution in Parliament? A vehicle like a Hummer is a very cheap vehicle that anybody can buy. It happens that some of us have never noticed that vehicle. I do not see the reason why people should make it an issue in this House. Every hon. Member who has contributed to this Motion has talked about a Hummer vehicle. So, I wonder whether this is the first time they have ever seen an expensive vehicle. To me, I feel that, that vehicle is not expensive at all.

**The Temporary Deputy Speaker** (Mr. Poghisio): Why are you dwelling on the vehicle?

**Archbishop Ondiek:** Mr. Temporary Deputy Speaker, Sir, I am sorry, because you were not in.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! The Speaker is always there. Let us get the debate back on track, on the Speech by the President.

**Archbishop Ondiek:** Mr. Temporary Deputy Speaker, Sir, leaving aside the Hummer vehicle, let me talk about education. We must now start taking our education system more seriously. I thank the Ministry of Education for the effort they have made in providing free education. However, looking at the free education, you find a teacher teaching 100 pupils in a

classroom. This does not make sense, particularly when it comes to Standard One, Two or Three and yet we expect good performance from those classes. It is high time we provided quality free education. I am urging the Minister for Education to really work on how they can provide personnel in the education sector, because the situation is terrible and pathetic.

Mr. Temporary Deputy Speaker, Sir, although as hon. Members we are making more effort to provide the physical facilities, we cannot, at the same time, provide the personnel. So, I would like to request the Ministry of Education to consider providing funds for hiring personnel in the next financial year, so that our education standards can be improved.

With regard to the Local Authorities Transfer Fund (LATF) and the Constituencies Development Fund (CDF), I think a proper mechanism should be put in place where the two funds can be managed uniformly, so that every hon. Member can know how much contribution each fund can make to a project. There is a lot of confusion when projects are being undertaken. For example, you will find that some funds are provided for a certain particular project by the CDF money and at the same time, the same project is also being funded by LATF. In so doing, you will find one Fund failing to account for its funds.

Mr. Temporary Deputy Speaker, Sir, let me talk about the issue of insecurity in this country. It is very difficult for one to be sure if he or she will sleep comfortably because everyday, people are killed, raped and beaten by thugs. We have the police, Army and the GSU who are all paid by the Government. I do not see why we should have all that security personnel earning salaries while people are being harassed on a daily basis.

Mr. Temporary Deputy Speaker, Sir, let me talk about the Women Enterprise Development Fund which His Excellency the President talked about. We have not been told where the funds will come from and when they will be disbursed to the constituencies so that we can educate women in our constituencies. It is good that we have been given the funds to assist our women, but we need to know when they will be available at the constituencies. We also do not know the rules and regulations governing the disbursement of these funds. For instance, I was surprised to hear some hon. Members say that their people are now enjoying the Youth Enterprise Development Fund. As far as my constituency and the district where I come from is concerned, people are still holding meetings and collecting application forms and nobody is telling them where the money is. Even the Kshs10,000 the hon. Member was talking about is not available. It is nowhere to be seen. We are wondering if the money is really there, or it was just a political statement to convince the youth to form groups. That money is not enough, and we should not be talking about Kshs10,000. That money is equivalent to what one would walk into a shop with and buy one suit. So, Kshs10,000 cannot help a youth group carry out any meaningful business and make reasonable profit. We should be very serious when we come up with projects. We should come up with projects that can assist our people.

Mr. Temporary Deputy Speaker, Sir, when our Government took over power, we promised Kenyans that we were going to provide them with employment opportunities. We will go into another general election in December and we have not provided any employment opportunities to anybody. I am one of those people who have not been able to provide any employment to anyone within my constituency. However, I hear that there are people who are being employed. It is very difficult to know how they are being employed. I have met people who were previously unemployed and they have told me that they are working for certain Ministries. You can never know how these people are employed. Even in this Parliament, people are also employed on a daily basis. It is difficult to know how they are employed. We meet new faces and wonder how they are employed. That is the kind of corruption we are talking about. We should stop it. What we do can also be deemed to be corruption. We should look into that issue and make our people understand how we are running the country.

Mr. Temporary Deputy Speaker, Sir, who is exercising tribalism? It is not His Excellency the President. If, for example, a Mr. Onyango holds a particular position in an organisation and he employs another officer working under him called Mr. Onyango, does that mean he is tribal? If I am a Minister for Finance or Co-operative Development and Marketing, for example, and the person I appoint in a co-operative institution or a parastatal is my tribesman, definitely that is tribalism. If I am a Minister called Mr. Onyango and all officers working under me such as the principal accountant, the chief financial controller and the accounts controller are all my tribesmen, that is tribalism. I do not know what you want us to define as tribalism. Those are the kind of practices that we should stop. If I am heading an institution, I should mix people from different tribes. There is nothing wrong if I appoint a Kikuyu, a Luo or a person of another tribe to work in an the institution.

**The Temporary Deputy Speaker** (Mr. Poghiso): Order, Archbishop Ondiek! Your time is up. Do you support or oppose the Speech?

**Archbishop Ondiek:** Mr. Temporary Deputy Speaker, Sir, I support the Speech by His Excellency the President.

**Prof. Maathai:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to join my colleagues in congratulating His Excellency the President for his Speech. There are a lot of good things that have been done by the NARC Government. We have enumerated many of those issues. Many of them were articulated in the Speech by His Excellency the President. We have many things to congratulate ourselves about.

Mr. Temporary Deputy Speaker, Sir, I want to raise an issue that is of major concern to all of us - climate change! I want to draw attention to the fact that, while we, as a Government, say that we are committed to protecting the environment, there is more of talk than action. It is extremely important for us, as a Government, to look seriously at an issue that is now occupying the minds of many people in the world. Many of our people are already experiencing drought. Some areas, such as the North Eastern parts of our country, experienced a prolonged drought recently. We saw our people, livestock and wildlife dying. Shortly after that, we had rains. We saw people perishing in the floods. There is something very serious about a country that cannot control drought and floods. We keep on saying, especially through the Ministry of Water and Irrigation, that we need to harvest rain water. However, I do not see enough direct effort of working with our farmers, our Provincial Administration - especially chiefs and DOs - and the army who have very heavy equipment to dig trenches, furrows and dams, so that we can control flash floods. We should not only harvest rain water, but also protect our people from perishing in the floods.

Mr. Temporary Deputy Speaker, Sir, the people living around mountains, for example Mount Kenya, have noticed that many rivers are drying up, and that former big rivers are now small streams. This is partly because the glaciers, the snow and ice on our mountains is melting away. Records show that within the last 40 to 50 years, much of the snow on Mount Kenya has melted. This is probably partly due to climate change, but it is also due to the fact that we continue to harvest trees in our forests. We continue to treat forests as if they were resources which we must exploit. We put back very little in terms of re-forestation and protecting them. This is a very serious issue. When these rivers finally stop flowing, and the rainfall pattern in these mountainous regions around Mount Kenya, Mount Elgon, Mau complex and the Aberdares changes, millions of our people will be in danger. That may not be very far in the future. We need to take these matters very seriously.

Mr. Temporary Deputy Speaker, Sir, I want to commend Members of Parliament because I have noticed, through the Greenbelt Movement offices, that many of them have approached that office to be assisted with the campaign to plant trees in their areas. I am hoping that this is not as a result of the fact that this is an election year. I have a feeling that this is mainly because of the



concern that many hon. Members have about the environment in their constituencies. I am very happy that many hon. Members are taking this matter seriously and are encouraging their constituents to plant trees.

Mr. Temporary Deputy Speaker, Sir, as you may know, we recently launched The Billion Tree Campaign. We are trying to encourage people all over the world to plant trees. We are trying to say that climate change will affect everybody in the world. But it is also true that scientists are saying that Africa, in particular, will be very negatively impacted on by the climate change. Rivers will dry, rainfall patterns will change causing droughts, desertification, crop failure and starvation. These are some of the issues that are going to hit Africa in particular. So, we, as Africans, and especially in our country, ought to be in the forefront of re-afforestation programmes, water harvesting programmes and other programmes that stop desertification such as removal of vegetation. But so often, you find us doing just the opposite. I just wish that there was a way in which we could reverse this.

Kenya has promised to plant about 11 million trees in this Billion Tree Campaign. I think Kenya should be planting many more trees than that. We have so much land which we can cover with trees. I remember when we were at Bomas, we had calculated that if this country passed a law to say that everybody who has a piece of land should devote a part of it to tree planting, and planted at least 25 trees per acre, then we would be able to succeed in having 10 per cent of our country covered with vegetation. Now, there are a lot of people who have land in this country but they do not plant trees. I do not know why it has to take so long before the Ministry of Environment and Natural Resources or the Ministry of Lands can say - I think it is possible for the Minister to say it - that everybody who has a piece of land is required to put 10 per cent of their land under tree cover.

But the trees do not have to occupy a small piece of land. They can be planted all over an acre and calculation done to see it is 25 trees per acre. That is achievable, and these are some of the doable things we Kenyans can do, and very quickly we can save our country from desertification.

Mr. Temporary Deputy Speaker, Sir, I also want to say that in the process of taking care of our environment, we would also take care of our wildlife. A lot of our wildlife is disappearing because we use the resources that are brought by tourists to do other things. We invest very little of those resources in our conservation efforts of some of the most valuable national parks such as the Maasai Mara Game Reserve. If we valued our wildlife, we would be very serious about protecting the Mau Complex. We would also invest some of the dollars that come into our country through tourism back in the national parks to make sure that our animals are protected.

Mr. Temporary Deputy Speaker, Sir, we celebrate when the influx of tourists in our country increases, but I know that no tourist comes to Kenya to see Kenyans. Tourists come to see wildlife. They come to see the exotic elephants, lions, rhinos and other animals. Therefore, we should appreciate the fact that our wildlife is very unique. This unique type of wildlife we have in this part of the world gives us an advantage. Tourists will not come here to see architecture such as that of Rome, Spain or India, but they will come here to see our beautiful and very exotic wildlife. I wish every Kenyan would see wildlife and desire to protect it because it is a national resource that God gave us. However, it is now disappearing because we are more interested in destroying the environment. We are tilling the land to plant beans and maize. We are also cutting trees to burn charcoal rather than protect the land for our wildlife. Again, I would like the Ministry to issue an order that some parts of this country should not be cultivated. They should be protected for wildlife conservation. This is because wildlife is a major source of income for this country.

With those few remarks, I beg to support.

**Prof. Olweny:** Thank you Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute towards the Speech by His Excellency the President.

Mr. Temporary Deputy Speaker, Sir, the last paragraph on page 19 of this booklet says:

"The provision of quality physical infrastructure is critical in increasing the economic growth rate from 6 to 10 per cent per year within the next five years."

First of all, my problem is with this issue of economic growth rate. Secondly, I have a problem with the physical infrastructure, particularly the roads. Now, we are being told the country recorded 6 per cent economic growth rate. However, when I visit my Muhoroni Constituency, and probably the neighbouring constituencies, I do not see or feel this growth. We started well in the year 2003, but I think somewhere along the line, things changed. If you look, for example, at the agricultural sector, things are not doing well at all. This is because economic growth is normally assessed in form of agricultural growth, which I do not see in my constituency. We mainly grow sugar cane, but farmers still experience problems.

I will talk about maize which is mostly grown in the Rift Valley. The maize farmers in that province are still experiencing problems. Do we need to be told pyrethrum farmers are also experiencing problems in this country?

Mr. Temporary Deputy Speaker, Sir, one of the parameters of assessing economic performance is growth in the agricultural sector. I think we still have many problems in this sector, which should have been addressed by this Government. It is now over four years since the NARC Government came into power. However, it has spent more time squabbling than addressing important issues in this country. The extension services have not been revived by President Kibaki's Government since they collapsed during the former President Moi's regime. We thought he would do so when he was elected President. We are almost completing our five-year term without effective extension services for our farmers. So, to me, effective economic growth is not really being realised. We cannot talk of economic growth if roads are in a terrible state. I heard some colleagues on the other side say that there are good roads. Maybe good roads have been constructed in their constituencies.

I think my constituency has some of the worst roads in this country. Take the road going towards hon. Nyachae's home, passing through Narok, for example. Before he reaches Kisii---

**The Minister for Roads and Public Works** (Mr. Nyachae): On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the hon. Member is misleading this House. If he were to drive on that particular road he is talking about, he will find a contractor there working on it. What else does he want?

**Prof. Olweny:** Mr. Temporary Deputy Speaker, Sir, maybe because of the bad condition of that particular road, something is being done. But take the road to Kisumu from Nairobi, for example.

Mr. Temporary Deputy Speaker, Sir, the road to Gilgil is okay. But after Gilgil all the way to Busia, the road is in a deplorable condition. Most of the roads in Western, Nyanza and Rift Valley provinces are not very good. That would be one of the parameters of assessing economic growth in this country.

The President talked of members or leaders of Maendeleo ya Wanawake being incorporated in the Constituencies Development Fund (CDF) committees. The CDF is controlled by an act of Parliament. We all know how the Parliamentary Select Committee, national, district and constituencies committees are formed. I do not see in that Act how we can incorporate the Maendeleo ya Wanawake, unless we amend it.

**The Minister for Justice and Constitutional Affairs** (Ms. Karua): On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to inform my colleague, the good professor, that we can actually just co-opt the Maendeleo ya Wanawake chairperson. That is what I have done.

**Prof. Olweny:** We can co-opt them, but they will be "illegal" members, who are not entitled to vote. In fact, other members of the committee may decide not to allow them to make a

contribution. Let us amend the Act, so that we can incorporate those ladies. Some of them are very brilliant. They can make very good contributions in the committees. But we should not make a political statement; that the Maendeleo ya Wanawake leaders should be incorporated in the committees. We reconstituted Committees last year. How do we again include those leaders midstream, because the committees last for two years?

Mr. Temporary Deputy Speaker, Sir, if we are genuine about the Constituencies Development Fund (CDF); if the President is genuine about the CDF, let him allow us to increase the percentage of CDF from 2.5 per cent to 7.5 per cent, because we know that it is the Government which is against that amendment that we wanted to bring to the House last year.

Mr. Temporary Deputy Speaker, Sir, the Government has done very well as regards free primary education in this country. That is a major contribution towards education. I am pleased to hear political statements being made to the effect that secondary education is also going to be made free. That will be very good if implemented. But one problem that we have in schools is that, we have too many pupils in schools and just a few teachers. The teachers are overworked and the conditions of teaching in classrooms are just impossible for the teachers. This is because we have too few teachers. Staffing is one thing that the Government needs to address properly because the teachers are too few for the pupils we have in primary schools.

One thing which I have been concerned about when it comes to education is special education. I wish the Assistant Minister or Minister for Education was here to listen to me. We have children with disabilities, and special education in this country is the most expensive; it is horribly expensive! You take children to special schools where the deaf and those living with physical disabilities are taught and those kind of special schools are terribly expensive. Why should we tax our children who are living with disabilities to pay exorbitantly while others who are normal are enjoying free primary education? This is an issue which the Government needs to address when handling education sector matters. It is a major failure for the Government. I also wish to suggest to the Government that we need to have, at least in every district, a special school, both primary and secondary. I think there are only six secondary schools that deal with disabled children in this country. We need one at least, for every district.

With those few remarks, I beg to support.

Thank you.

**Mr. Waithaka:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute and have my thanks recorded on the Presidential Speech during the official opening of Parliament. Most sincerely, I would like to thank His Excellency, the President, for giving us the policy guidelines as to what we are going to do in this last Session of the Ninth Parliament.

Mr. Temporary Deputy Speaker, Sir, I have listened to my colleagues in the Opposition, especially my learned Professor, and what he has actually done is exactly what he is supposed to do as a Member of the Opposition. Actually, the meaning of the word "opposition" is to oppose, and you are doing your job very well. But you must know that, what you have seen being done successfully, for example, the free primary education, has been down by some people in the Government---

**The Temporary Deputy Speaker** (Mr. Poghio): Why are you addressing him?

**Mr. Waithaka:** I am just thanking him for doing his job well. But what I am saying is that it is important that the Opposition has appreciated what has actually been done and they are saying that some work has been done and it is important. We must all live as if we live in this world or country, because we were here during the last regime. We know what was happening, our children used to go without schools but now every primary school-going child is actually accessing free primary education.

Mr. Temporary Deputy Speaker, Sir, there must be some teething problems, which we must appreciate. What I am saying is that we want it perfected. We cannot deny the fact that when free primary education was introduced, there was more enrolment than usual and, therefore, there was shortage of teachers in certain areas. However, even as His Excellency the President said in his Address to this House, the Government is addressing itself to this issue by employing more teachers to cater for areas with shortages.

As we all know, it is the business of the Government to collect taxes, and use them to provide services to its citizens. One of the criticisms that have been levelled against governments all over the world is the manner in which tax money is used. It is asked whether money collected is utilised to the satisfaction of the citizens who pay taxes. Taxation should be uniform, and not discriminative. In this respect, I have an issue to raise with the Minister for Finance and the Minister for Local Government. We have received a lot of complaints from councillors to the effect that in certain local authorities, councillors' salaries are deducted Pay-As-You-Earn (PAYE), but in others it is not deducted. We would want this anomaly rectified. Taxation should cover all local authorities, and not only some of them.

Mr. Temporary Deputy Speaker, Sir, I will give the example of Nyandarua County Council, where councillors' salaries are being deducted PAYE. However, councillors' salaries in Naivasha and Ol Kalou County Councils are not being deducted PAYE. Councillors at Nyandarua County Council wonder whether the taxation law applies only to them, and not to councillors in other local authorities. This is an anomaly that needs to be rectified, so that we do not have people raising issues that are not necessary. If it is actually the law that councillors should pay PAYE, that law should apply to all councillors. If that is not the law, the Government should not make deductions from salaries of councillors of certain local authorities and leave out others. I will leave that point at that.

In his Address, His Excellency the President emphasised the need for dialogue, because hon. Members from both the Opposition and the Government sides represent Kenyans, and we are all in Kenya. The issue of who are in the Opposition and in the Government today, and who will be in the Opposition and in the Government tomorrow, does not matter. This is a situation which keeps changing. In the last Parliament, we, on the Government side now, were arguing from the other side of the House as the Opposition. If the hon. Members in the Opposition were in the Government, they would argue differently. So, it all depends on which side of the House you are arguing from.

Mr. Temporary Deputy Speaker, Sir, dialogue is a two-way traffic. In dialogue, you must be prepared to give and take. You cannot have a fixed position and ask for dialogue. If you do so, you will be joking and confirming that you do not know the meaning of the word "dialogue". The word "dialogue" means "give and take". Two parties engaging in dialogue walk two steps forward each, so that they can meet in the middle. If you say: "We are going to dialogue, but I am not going to accept this or that", you will be fooling others because, that cannot be said to be dialogue.

Since we are going to engage in dialogue in respect of the minimum constitutional review process, people should desist from giving conditions to be fulfilled even before we start the process. In one of his books, a Nigerian writer called Chinua Achebe, said that when you are called to a meeting, you should, first, attend and listen to what you will be told before you raise any objections. When people reject something they have not even heard about or known, you just wonder what is happening with them. So, let us engage in dialogue in the interests of one nation called Kenya. We are all Kenyans regardless of whether one is in the Government or the Opposition. That is what we are going to do and we must be prepared to give and take. You cannot always be waiting to take and not give. So, that is what I want to emphasise.

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Mr. Poghisio): Hon. Members, it is time to interrupt our business. This House, therefore, stands adjourned until tomorrow, Wednesday, 28th March, 2007, at 9.00 a.m.

The House rose at 6.30 p.m.