

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 30th March, 2006

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of South Nyanza Sugar Company Ltd. for the year ended 30th June, 2003 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Sugar Development Fund for the year ended 30th June, 2003 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Sugar Development Fund for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Chemelil Sugar Company Ltd. for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for Trade
and Industry (Mr. Miriti) on behalf
of the Minister for Agriculture)*

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

*(By the Assistant Minister for Trade
and Industry (Mr. Miriti) on behalf of
the Minister for Gender, Sports
Culture and Social Services)*

Annual Report and Accounts of Capital Markets Authority for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Investment Promotion Centre for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of East African Portland Cement Company Ltd. for the year ended 30th June, 2005 and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for Trade
and Industry (Mr. Miriti) on behalf
of the Minister for Trade and Industry)*

Annual Report and Accounts of Catering and Tourism Development Levy Trustees for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

(By the Assistant Minister for Trade and Industry (Mr. Miriti) on behalf of the Minister for Tourism and Wildlife)

Annual Report and Accounts of Coast Development Authority for the year ended 30th June, 2004, and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Ewaso Ng'iro North Development Authority for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

(By the Assistant Minister for Trade and Industry (Mr. Miriti) on behalf of the Minister for Regional Development Authorities)

Annual Report and Accounts of Egerton University for the year ended 30th June, 2003 and the Certificate thereon by the Controller and Auditor-General.

Annual Reports and Accounts of Egerton University for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Jomo Kenyatta University of Agriculture and Technology for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

(By the Assistant Minister for Trade and Industry (Mr. Miriti) on behalf of the Minister for Education)

Annual Report and Accounts of Gilgil Telecommunications Industries Limited for the year ended 30th June, 2004 and the Certificate thereon by the Controller and Auditor-General.

(By the Assistant Minister for Trade and Industry (Mr. Miriti) on behalf of the Minister for Information and Communications)

The Kenya Law Reform Commission, the Commission's 22nd Annual Report for the 2004.

(i) First Quarterly Report of KACC from January to March, 2006.

(ii) Second Quarterly Report of KACC from April to June, 2005.

(iii) Third Quarterly Report of KACC from July to September, 2005.

(iv) Fourth Quarterly Report for October to December, 2005.

The Report of the Attorney-General, in Respect of Prosecution of the Anti-Corruption and Economic Crimes related cases for the period 1st January, 2005 to 31st December, 2005.

(By the Attorney-General (Mr. Wako))

Report of the Departmental Committee on Administration of Justice and Legal Affairs on the Deliberations on the Nomination of the Kenya Anti-Corruption Advisory Board.

*(By the Chairman of the
Departmental Committee on
Administration of Justice and
Legal Affairs (Mr. Muite))*

NOTICE OF MOTION

ADOPTION OF REPORT ON NOMINATION OF KENYA ANTI-CORRUPTION ADVISORY BOARD

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

THAT, this House adopts the Report of the Departmental Committee on Administration of Justice and Legal Affairs, on the Law Society of Kenya (LSK) and FIDA nominations to the Kenya Anti-Corruption Advisory Board laid on the Table on Thursday, March 30th, 2006.

Mr. Speaker, Sir, under the Act, the House is to make a decision within 14 days.

Mr. Speaker: Very well. I think notice of that has been taken by the Leader of Government Business; that we have to deal with the Report within 14 days, as it is provided for under the law.

Thank you, next Order!

QUESTIONS BY PRIVATE NOTICE

RELEASE OF TASK FORCE REPORT ON PVOC PROCUREMENT BY KEBS

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

(a) Could the Minister table the Report of the Task Force that investigated the procurement of pre-shipment verification of conformity (PVoc) to standards service by Kenya Bureau of Standards (KBS), of 13th February, 2006?

(b) What is the Minister doing to implement the Task Force Report?

Mr. Speaker: Mr. Salat, yesterday, I deferred this Question so as to allow the Assistant Minister to bring the pleadings, although I have not had time to look at them. Could I defer it to Tuesday? Mr. Assistant Minister, do you have the pleadings?

The Assistant Minister for Trade and Industry (Mr. Miriti): Yes, Mr. Speaker, Sir. I brought the document.

Mr. Speaker: Could you pass it over to the Clerk-at-the-Table?

*(Mr. Miriti handed over the document
to the Clerk-at-the-Table, who
handed it over to the Speaker)*

I will find time to look at it and give you a Communication by Tuesday.

Mr. Salat: Mr. Speaker, Sir, I hope we will have the Communication by Tuesday, because this is a Question you have deferred since Tuesday. So, it is almost one week since the Question was brought to this House. I hope, on Tuesday, the Assistant Minister will have the answer and lay the document on the Table.

Mr. Speaker: Very well! The Question is deferred to Tuesday.

(Question deferred)

PAYMENT OF LOAN OWED BY KMC TO NBK

Mr. Wario: Mr. Speaker, Sir, I beg to ask the Minister for Livestock and Fisheries Development the following Question by Private Notice.

(a) Could the Minister confirm whether the Kenya Meat Commission (KMC) loan owed to the National Bank of Kenya (NBK) of Kshs2,719,332,670 has been paid?

(b) If the answer to "a" above is in the affirmative, could he table documents to support the same and justify the payment?

(c) If not, could he explain why the funds had been allocated in the Budget of Financial Year 2004/2005 under Vote D19, Head 640, Item 318?

The Minister for Livestock and Fisheries Development (Mr. Munyao): Mr. Speaker, Sir, I beg to apologize that this Question came out yesterday and we were not able to answer it because the answer was not ready, but I will answer it now.

Mr. Speaker, Sir, I beg to reply.

(a) Out of Kshs2,719,332,670 claimed by the NBK, the Government has paid Kshs600 million to the NBK. The verified balance will be paid by the Government under the arrangements which have been agreed upon between the Government and the NBK.

(b) The Kshs600 million paid to the NBK was to facilitate lifting of the receivership imposed on the KMC by the bank. I will lay on the Table the document showing the approval to pay that money.

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

(c) In the Financial Year 2004/2005, the same money, Kshs2,719,332,670, was factored into the Budget under the Ministry of Livestock and Fisheries Development Printed Estimates under Vote D19, Head 640, Item 318. However, the amount was removed during the Revised Estimates to allow authentication and payment of the claim by the Treasury.

Mr. Wario: Thank you, Mr. Speaker, Sir. I did not ask the Minister about the amount he paid. My core Question was whether he could lay on the Table the documents to justify the payment of that loan. There has to be a loan application, a loan offer, a loan agreement and the board's approval. Could the Minister lay those documents on the Table to justify that payment?

Mr. Munyao: Mr. Speaker, Sir, if the Shadow Minister for Livestock and Fisheries Development listened properly, and I am sure he did, I said that the Ministry is verifying all the claims and whatever will be found to be due and genuine will be paid.

Mr. Billow: Mr. Speaker, Sir, the issue of the KMC being re-opened has been there for the last few years. This House voted Kshs2.7 billion because that was the debt which was outstanding and that is the figure which he informed this House about. That is why the Government voted that money. Now, he is telling us that only Kshs600 million has been paid and the balance will be paid through an arrangement they have agreed upon with the NBK. So, in effect, what he is saying is

that, and my question will follow on that, there is an outstanding amount of Kshs2.1 billion which the NBK can recall or demand any time. What will happen if the KMC, a new company which is just starting, is unable to pay the balance of Kshs2.1 billion under the arrangement?

Mr. Munyao: Mr. Speaker, Sir, the hon. Member made a comment that the opening of the KMC now has become a problem. I can now assure him that he will not wait for more than two months.

Mr. Speaker, Sir, this was a provision by the Treasury because we had said that we must verify the claims and because we did not want any delays, a provision had to be made following which, if there was verification, then we could pay. But after agreements, the Treasury has been negotiating with the NBK and ourselves. There is a committee to verify every other document and we are still continuing with the verification. This is the same Government with money coming from the right hand to the left hand.

Mr. Billow: Mr. Speaker, Sir, last year, this Minister said that there was a problem with that money and it needed to be verified. He hired a lawyer who walked all the way to the KMC--- That lawyer alone was paid over Kshs40 million and, to date, he is telling us that, that amount is yet to be verified.

Mr. Speaker: Order! Order! First of all, that is not a point of order! Are you suggesting that the Minister should pay money being claimed without verification? Are you saying that we should pay without verification?

Mr. Billow: Mr. Speaker, Sir, for the last two years, the Minister has been telling us in this House that there is a process to verify the Kshs2.7 billion. When is he going to verify?

Mr. Speaker: Order! Who gave you the microphone? You rose on what you purported to be a point of order which was not!

Proceed, hon. Muiruri!

Mr. Muiruri: Thank you, Mr. Speaker, Sir. It is a very well known fact that the KMC has not been operational for more than 25 years. The Minister has told this House that taxpayers' money amounting to Kshs600 million has been paid to NBK as a debt incurred by the KMC, which has been dead for many years. It is on record that the same Minister assured this House that the KMC will be re-opened. Despite pumping taxpayers' money into a debt, when will the KMC be re-opened? It seems as if taxpayers' money is being used for nothing!

Mr. Speaker: Did you answer that question, Mr. Minister?

Mr. Munyao: Mr. Speaker, Sir, I do not know what to say because I am on record assuring my good friend here that he has waited for long but now he will wait for only two months.

Mr. Muturi: Thank you, Mr. Speaker, Sir. The issue that arose from the supplementary question raised by hon. Wario is that there is doubt as to whether the KMC ever borrowed any money from the NBK. The Minister was required by the hon. Member to lay on the Table the loan application forms, the offer from the NBK, if any, which is doubted; the loan agreement and the Board approval by the Board of the KMC. As long as we continue skirting around the issue of when the KMC is going to be opened, we lose the point that, actually, this debt of Kshs2.7 billion may be public resources being expended for a non-existent loan!

(Applause)

Mr. Munyao: Mr. Speaker, Sir, I did not go round the Question when answering. I think I was very specific and I have been involved in this issue for a long time. Even during the last Session, I used to chair the Departmental Committee on Agriculture, Lands and Natural Resources, and I followed this matter personally all through.

Mr. Speaker, Sir, in 1993, when the Government recommended that the money should be

borrowed from the NBK, the money was borrowed. That is the money which gave birth to all this super-interest. This is what we are verifying. Immediately we finish verifying, we will confirm to you. At least, we have now got a Board which is operating in the KMC and all these things will come out.

Mr. Wario: Mr. Speaker, Sir, I fear that the Minister is going round part (b) of the Question. I am fearing that this might be another scandal. Could the Minister lay the documents on the Table to justify the payments he made because these are public funds? Could the Minister table the loan application forms, the loan offer, a loan agreement and the Board's approval? Could the Minister lay those documents on the Table for us to come to terms with what the principal amount was and why it is Kshs2.7 billion today?

Mr. Munyao: Mr. Speaker, Sir, I was asked, and it is very clear in the Order Paper: "If the answer to (a) above is in the affirmative, could he table documents to support the same and justify the payment?"

I have already laid on the Table documents to show that we have paid the money.

Mr. Bahari: On a point of order, Mr. Speaker, Sir. Is the Minister in order to avoid answering the question hon. Wario has just asked? Can the Minister lay on the Table basic documents from the bank with regard to the loan offer and agreement and its approval thereof?

Mr. Speaker: Order, Mr. Bahari! There is really no reason to worry about this matter.

(Loud consultations)

Order, Members! Order! If you want an answer, please, ask an explicit question. Read that question again. There is nothing in that Question demanding that the Minister bring into this House the loan agreement and a loan offer.

(Loud consultations)

Order, Members! It gets irritating when hon. Members cannot even listen to the Chair! If you cannot listen to the Chair, what Minister will you listen to? So, please, if you want to ask a question, be explicit. I am convinced that this is vague enough. If you want the document--- Mr. Minister, I think you will also be interested to find out that fact.

Mr. Munyao: Mr. Speaker, Sir, I have records showing the interest that accrued on the loans granted to KMC. This is one of the subjects I would like to brief this House and the entire Kenya on. So, if there are any further questions anyone would like to ask, I am ready at all times to answer them.

Mr. Speaker: Now that it is clear what the hon. Members had in mind, would you be able to request the National Bank of Kenya to release these documents, or their copies, so that you can lay them on the Table of this House?

Mr. Munyao: Mr. Speaker, Sir, if you give me two weeks, I will bring the documents.

Mr. Speaker: You want to weeks? Okay, I will give you a chance to do that on Thursday, a fortnight hence.

LOSS OF LIVESTOCK FROM
DROUGHT IN KAJIADO DISTRICT

(Maj-Gen. Nkaisserry) to ask the Minister for Livestock and Fisheries Development:-

(a) Is the Minister aware that the residents of Kajiado District have lost most of

their cattle, goats and sheep due to the current drought and famine?

(b) What is the actual loss of the livestock?

(c) What is the Government doing to re-stock the affected people so that the poverty prevalence is kept at manageable levels?

Mr. Speaker: Hon. Members, with regard to Question No.3 by Private Notice by hon. Maj-Gen. Nkaisserry, the hon. Member has left for some official function outside the country. I do not know whether he talked to you, Mr. Munyao.

The Minister for Livestock and Fisheries Development (Mr. Munyao): No, Mr. Speaker, Sir.

Mr. Speaker: He has requested me to defer this Question. I will, therefore, defer it for two weeks.

(Question deferred)

Next Question!

Mr. Kamotho: Mr. Speaker, Sir, before I ask my Question, I would like the Minister, who is going to answer it, to tell this House how this Question ended up in his docket. When I first asked the Question, I directed it to the Minister for Foreign Affairs who told us that he was discussing it with a Minister of State, Office of the President.

Mr. Speaker: Order, Mr. Kamotho! Let us do first things, first. Ask your Question, first of all!

GOVERNMENT LINKS TO
ARMENIAN "MERCENARIES"

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

(a) Is the Minister aware of any official linkage between the alleged "mercenaries" marauding in the country and the Government of Armenia?

(b) If it is true that the two "businessmen" are really investors, why are they accorded high security profile by the State?

(c) What kind of business are these mysterious people doing in Kenya?

(d) Is the Minister aware that this kind of secretive business dealings will discourage direct foreign investors?

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

This Question revolves around matters of security and, as far as we are concerned, it should be directed to the relevant Ministry. Our Ministry has written the necessary correspondence and we believe that an answer will be forthcoming.

(Loud consultations)

Mr. Speaker: Order, Members! What is it Mr. Sungu?

Mr. Sungu: On a point of order, Mr. Speaker, Sir. It is now becoming pertinently clear that these Ministers do not want to answer Questions put to them by Members of Parliament. That is absolute disrespect of this House! I remember very well, yesterday, that a Minister stood up on the Floor of this House and said that his Ministry was going to consult the Office of the President. Today, another Minister stands up to tell us another story. Are they really being serious? Are they

not taking this House for granted?

Dr. Ali: Mr. Speaker, Sir, this Government is taking Parliament for a ride. They promised us that this Question would be handled by the Minister of State for Administration and National Security. Why was the Question diverted to the Minister of State for Immigration and Registration of Persons? Why, again, do they want to refer the Question back to the Minister of State for Administration and National Security? Are you satisfied with this kind of a joke?

Mr. Speaker: Order, Members! There are some things that amaze me and this is one of them.

(Laughter)

I may be wrong, but if I recollect well, this Question was addressed to the Minister for Foreign Affairs who subsequently wrote to the Clerk of the National Assembly asking that it should be redirected to the Minister of State for Administration and National Security. That was done by the Clerk of the National Assembly. However, I am now being informed that the Office of the President redirected the Question to the Minister of State for Immigration and Registration of Persons. Now, that same Ministry has written back to the Clerk of the National Assembly saying that they are not the competent Ministry to answer the Question since it falls under the docket of the Minister of State for Administration and National Security. I am amazed! Why is it that no Minister wants to handle this Question?

Mr. Muite: Mr. Speaker, Sir, is this not the sort of situation that calls for the Leader of Government Business in this House and his Deputy to precisely assist the House in clarifying the facts of this matter?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, we agree that there has been this confusion over who should answer this Question. It does appear to be a Question for the Minister of State for Immigration and Registration of Persons. However, whatever the case, may we undertake that, with your permission, it will be answered on Tuesday, next week?

Hon. Members: By whom?

The Minister for Justice and Constitutional Affairs (Ms. Karua): It does not matter by whom! There is collective responsibility in the Government. We will take responsibility and the Leader of Government Business, or myself, will answer this Question!

(Applause)

Mr. Mwandawiro: On a point of order, Mr. Speaker, Sir. You have heard the hon. Minister say that there appears to be "confusion". Is this Government confused?

(Laughter)

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, even that will be answered along with the Question!

(Laughter)

Mr. Speaker: Very well. Mr. Kamotho, can I defer this Question until Tuesday, next week?

Mr. Kamotho: Mr. Speaker, Sir, if you can recall when this matter was reported in the

media, the Minister in charge of immigration spoke in Kisumu and then in Eldoret about the same issue. So, this confusion is brought about by the Government itself. No Minister knows what he is in charge of! We need some direction and the people of Kenya need to be told the truth.

Mr. Speaker: Hon. Members, the Minister for Justice and Constitutional Affairs has undertaken to handle this Question. So, let us deal with it on Tuesday, next week.

(Question deferred)

SALE OF KENYAN WILDLIFE TO THAILAND

Mr. Ndolo: Mr. Speaker, Sir, I beg to ask the Minister for Tourism and Wildlife the following Question by Private Notice.

(a) What are the terms of the agreement between the Governments of Kenya and Thailand over the sale of elephants, lions and giraffes to Thailand?

(b) What are the long-term benefits for Kenya in the deal?

(c) Could the Minister confirm that the necessary procedures were followed before the agreement was signed?

The Assistant Minister for Tourism and Wildlife (Mr. Ndile): Bw. Spika, kesi kuhusu Swali hili ambalo Bw. Ndolo ameuliza imo kortini. Kwa hivyo siwezi kulijibu.

Mr. Weya: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to answer a Question which has been asked in English, in Kiswahili?

Mr. Speaker: Mr. Weya, have you ever read the provisions in the Constitution about the languages to be used in Parliament? There are two languages that are supposed to be used in Parliament, and that is English and Kiswahili. An hon. Member can opt to speak in either of the two languages. When you choose one option then you are stuck with it. I think he has made the option of Kiswahili and, therefore, he is stuck with Kiswahili.

Mr. Raila: Jambo la nidhamu, Bw. Spika. Waziri Msaidizi amesema kwamba kuna kesi kuhusu Swali ambalo limeulizwa hapa bungeni. Sijui ni jambo gani hapa ambalo limo kortini kwa sababu hili Swali ambalo limeulizwa ni wazi kabisa. Kuna mkataba gani baina ya Serikali ya Kenya na Serikali ya Thailand kuhusu kuuzwa kwa hawa wanyama kwa Serikali ya Thailand? Jambo hilo haliko kortini!

Swali la pili ni kwamba, Wakenya watapata manufaa gani kulingana na jambo hili la kuwauza wanyama wa Kenya kule Thailand? Pia hili jambo haliko kortini. Jambo la tatu ambalo ameulizwa ni ikiwa utaratibu wa kisheria ulifuatwa kabla ya kuweka mkataba baina ya Serikali ya Kenya na Serikali ya Thailand. Mambo haya yote hayamo kortini. Inaonekana kuwa Serikali hii inataka kujificha nyuma ya korti kila mara ili kuepuka kuyajibu Maswali ya Wabunge. Waziri Msaidizi anafaa kujibu Swali hili!

Mr. Speaker: Ni mambo gani yaliyomo kortini?

Mr. Ndile: Bw. Spika, kwanza ningependa kumkosoa Bw. Raila, kwamba, hakuna nchi inayoitwa "Thighland", bali ni Thailand. Wabunge hawa walikuwa wanafikiria kuwa nikiteuliwa kuwa Waziri Msaidizi nitaacha kuwafunza Kiswahili Bungeni. Kesi kuhusu hili Swali imo katika maagizo ya korti ambayo niko nayo hapa. Kulingana na wasomi, itakuwa *sub judice* kuzungumza juu ya Swali hili. Kwa hivyo, haturuhusiwi kulizungumzia hapa.

(Laughter)

Mr. Speaker: Bw. Ndile unasema kuwa mambo haya yamo kortini. Wasomi wamekueleza ni jambo lipi lililoko kortini?

(Laughter)

Mr. Ndile: Ni kweli, Bw. Spika. Nimeangalia maswali yote ambayo Mbunge huyu ameuliza na yana uhusiano na hayo maagizo ya korti.

Mr. Ndolo: Bw. Spika, ninamshukuru Waziri Msaidizi kwa kazi anayofanya. Ningependa kumuonya asijirabu kufanya mchezo kama huu, kwa sababu Wabunge katika upande wa Serikali wanamdanganya na ataharibu kazi yake. Ningemuomba Waziri Msaidizi afanye kazi ambayo anatakiwa kufanya. Anafaa kufanya kazi ambayo amepewa na wananchi wa Kenya.

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

Mr. Speaker: Hon. Members, a document has been passed over to me by the Assistant Minister. Apparently, it is a court order. I do not know the full implication of it. I do not know whether it actually raises the issues that the hon. Member is asking. I think I need time to look at the order and compare it with the Question raised by the hon. Member. If the issues raised by the hon. Member are not the contested issues in the law suit, then I will order the Assistant Minister to answer the Question. For now, I do not think I can reasonably and realistically help the House. Mr. Ndolo, could I defer the Question to Thursday next week?

Mr. Ndolo: Yes, Mr. Speaker, Sir.

Mr. Speaker: Bw. Ndile, chukua Swali hili na amri hii ya korti na uvisome vizuri. Kisha utaniarifu Alhamisi ikiwa mambo haya yanaambatana.

(Question deferred)

Mr. Ndile: Bw. Spika, ninakushukuru, lakini Bw. Ndolo amesema kwamba kuna mchezo hapa Bungeni. Ningependa kumhakikishia kwamba sisi hatuchezi; tunafanya kazi. Asifikirie huu ni ule mchezo wa ndondi! Hakuna mchezo Bungeni!

Dr. Ali: On a point of order, Mr. Speaker, Sir. It looks like this Government wants to hide under court orders. Could the Chair please make sure that whenever such issues arise, the Chair makes sure that Ministers do their job? If they have to hide under court orders, this Parliament will not perform its role.

Mr. Speaker: Hon. Members, the Chair wants to give an assurance that the only matter that will not be attended to by this House is that which is actually *sub judice*. It is not every peripheral issue concerning a matter in court that cannot be discussed. It must be the central issues in a dispute, not peripheral issues. If the matter is peripheral it must be answered. If it is central, then it will not be answered.

Next Question!

IRREGULAR ACQUISITION OF ETRS BY THE KRA

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

(a) Why has the Kenya Revenue Authority, despite a court order stopping the introduction of Electronic Tax Registers (ETRs), gone ahead to procure the same without following the laid

down procurement procedures?

(b) Could the Minister inform the House how many tax registers are being bought and at what price per unit?

(c) Who are the suppliers of these items and could the Minister give the traders a grace period of six months to acquire these registers?

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

(a) The Kenya Revenue Authority has not violated any court order regarding the use of electronic tax registers. Out of the six cases that have been filed in court, one case was dismissed in favour of the KRA whereas for the other cases no order of stay has been granted. The Authority is acting under the law as enacted in the Finance Act, 2004. The Act does not require the acquisition of ETRs to be subjected to procurement regulations.

(b) At the moment, 10,000 ETRs have been bought so far. The cost of the ETRs vary. The cheapest one retails at Kshs30,000 while the most expensive one on the market retails for Kshs150,000.

(c) Any trader is allowed to import Electronic Tax Registers (ETRs) either for own use or for sale to other traders, so long as the respective gadgets are approved by the Kenya Revenue Authority (KRA). At the moment, there are 14 suppliers of ETRs whose devices have been approved.

Mr. Speaker, Sir, as I answer this Question, there was an order by the Speaker yesterday that we issue a Ministerial Statement today. I have taken the initiative to answer this Question hoping that I could pre-empt the Ministerial Statement because it addresses the same issues.

Mr. Speaker: Very well, Mr. Kenneth! If the Question comes, the Ministerial Statement is out! So, you are doing well. So, where is the hon. Member who asked the Question?

Mr. Gumo!

Mr. Gumo: Mr. Speaker, Sir, there were three court orders; one in Bungoma, another one in Nakuru and another one in Kisumu. This country has only one court. If there is a court order in Kisumu, it applies to the whole country and not Kisumu only. So, those court orders still stand. I do not see why KRA should go around harassing the traders. Could the Assistant Minister tell us why KRA has been harassing traders when there is a court order?

Mr. Kenneth: Mr. Speaker, Sir, the court orders have been specific to those particular traders in those three towns. They are not to the general Value Added Tax (VAT) traders.

Mr. Speaker: I think what the hon. Member is asking is this: If a court has made a pronouncement on a certain specific issue on a particular matter, it is a statement of the law until it is reversed. Why has KRA not taken notice of a decision of the court on that particular issue and respect it?

Mr. Kenneth: Mr. Speaker, Sir, I appreciate what you are asking. But when the traders appealed for a stay, it was not allowed by the court. Indeed, that matter will be ruled by the Court of Appeal sitting in Kisumu tomorrow.

Mr. Speaker: Can we then wait for the decision of the court?

An hon. Member: Yes!

Mr. Speaker: No! No! We cannot have it both ways. Sometimes, you accuse the Government of hiding under the *sub judice* rule and the courts. On the other hand, you also want the courts to be respected by the Government. It must be straight. There must be respect by all those who are concerned.

Mr. Balala: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to tell this House that the issue is in court, when they are still harassing the traders? Can they suspend the whole operation until the judgement is made in court?

Mr. Kenneth: Mr. Speaker, Sir, we discussed it even if it was in court. We wanted to be

very clear about this matter. This matter is about tax compliance and how much time we can give those traders. If I heard you correctly, you have said that we wait until tomorrow to hear the results of that case. I am willing to wait until tomorrow. I spoke with Mr. Gumo who not only asked this Question, but led those demonstrators to my office this morning. I said that we are willing to consider a few more weeks to ensure compliance. But the key word should be "compliance".

Mr. Speaker: Very well, I will defer this Question until Tuesday.

Mr. Balala: On a point of order, Mr. Speaker, Sir. Does it mean that the Assistant Minister is suspending the operation until Tuesday or after the ruling?

Mr. Kenneth: Mr. Speaker, Sir, as I said, I am willing, at the request of Mr. Gumo, to allow the traders a few more weeks for compliance. So, Tuesday is covered within that period.

(Question deferred)

NON-REGISTRATION OF KCSE
CANDIDATES IN MAKUENI DISTRICT

(Mr. J.M. Mutiso) to ask the Minister for Education:-

(a) Is the Minister aware that students in Makueni District have been denied registration for the 2006 KCSE examinations due to school fees arrears?

(b) Could the Minister issue a directive to have the students registered for the KCSE examinations as parents arrange to clear fees arrears?

Mr. Speaker: Very well. Regarding this Question, Mr. J.M. Mutiso informed me that he had talked to the Minister and requested that the Question be deferred until Tuesday. Is that so, Madam Minister?

The Assistant Minister for Education (Mrs. Mugo): Yes, Mr. Speaker, Sir.

(Question deferred)

Mr. Speaker: Last Question by the hon. Member for Mumias, Mr. Osundwa!

REHABILITATION OF MUMIAS
WATER SUPPLY SYSTEM

(Mr. Osundwa) to ask the Minister for Water and Irrigation:-

(a) Is the Minister aware that Mumias Town is currently undergoing an acute water shortage?

(b) Is he further aware that the supply system, which was constructed in 1972 to supply water to 15,000 people, is unable to service the demand of the current 97,370 residents of the municipality?

(c) What budgetary provisions has he made to rehabilitate the entire system?

Is Mr. Osundwa not here? Question dropped!

(Question dropped)

CONSIDERED RULING

PAC REPORT ON SPECIAL AUDIT
ON PASSPORT ISSUING EQUIPMENT

SHOULD BE ADMITTED BY THE HOUSE

Mr. Speaker: Order, hon. Members! You will recall that I undertook to make a ruling today on the matter of the Report of the Public Accounts Committee (PAC). You will also remember that on Tuesday 28th, March, 2006, pursuant to the provisions of Standing Order No.31(a)(iv), the Chairman of PAC rose to lay a Paper on the Table entitled "The Report of the Public Account Committee on the Special Audit on the Procurement of Passport Issuing Equipment by the Department of Immigration, Office of the Vice-President and Ministry of Home Affairs." This is ordinarily a routine legal manner of bringing to the attention of the House matters that the House ought to be either aware of, or for its consideration. Immediately thereafter, an Assistant Minister in the Office of the President, Mr. M. Kariuki, rose on a point of order to challenge the admissibility of the Paper intended to be laid on the Table. His grounds of objection, as far as I could get from the HANSARD were:-

(a) According to him, the House had, on previous a occasion, in the last Session, on 3rd November, 2004, rejected a Report of PAC on the same subject and that, there has not been any new audit tabled in this House. Therefore, there was nothing to lay on the Table until the law has been complied with.

(b) His second ground of objection was that, if the said Report has to be revisited by the House, the previous House Resolution rejecting the Report has first to be rescinded.

(c) Finally, the third ground of objection from the Assistant Minister was that the Committee become *functus officio* upon the Report being rejected by the House.

Several hon. Members raised counter-arguments against the Assistant Minister's argument. I have tried to summarize them in the following manner:-

(i) That, the resolution was made by the House in the last Session.

(ii) That, the new facts came to the attention of the Committee after the matter had been dealt with.

(iii) That, audit queries do not die with either the rejection of the report or the prorogation of the House.

These were among the salient issues raised on the Floor of the House as regards the issue at hand. I requested that any other Member interested could submit to me a written presentation which may assist me in making my decision, which they thought may not have been presented on the Floor of the House. Only the hon. Member for Gwasi, Mr. Syongo, made such a representation, and I am truly grateful to him.

(Applause)

I now wish to address the matters raised, and in doing so, I wish to make a few observations first.

1. The recommendations of the Special Audit Report by the Public Accounts Committee were rejected by the House during the Third Session, on 3rd November, 2004, and not during the Fourth Session.

2. The rejection of the PAC Report on the Special Audit in its totality during the Third Session was, as far as I can establish, the first time this has ever happened in the history of this House. Ordinarily, such reports have been adopted either in whole or as amended.

3. This is the first time that the tabling of a Paper containing the report of PAC has ever been challenged in this House.

4. Because of the unprecedented action on the part of the House, this is also the first time

the PAC has, on its own Motion, and in conjunction with the Controller and Auditor-General, revisited an issue on receipt of new evidence. This new evidence was not presented to the Committee when it was still on the issue. I may hasten to add here that the new evidence came to the attention of the Committee in a very public manner in the form of what has since been dubbed "The Githongo Dossier."

Hon. Members, the dossier has since exercised the minds of Kenyans and I very much doubt that it has not also exercised the minds of the Membership of this House. I will first attempt to deal with matters which relate to the procedure and practices of the House in respect of the matters at hand.

The issue of a matter decided upon by the House is contained in Standing Order No.42, and it reads:

"No Motion may be moved which is the same in substance as any question which has been resolved (in the affirmative or in the negative) during the preceding six months in the same Session:

Provided that a Motion to rescind the decision of such a question may be moved with the permission of Mr. Speaker."

The Report of the Special Audit was resolved in the negative on 3rd November, 2004 and not during the Fifth Session. The Fifth Session is now. This is a new Session. Clearly, the hon. Assistant Minister did not consider the provisions of Standing Order No.42 when he raised his objection. In light of the provisions of Standing Order No.42, that argument fails.

The next issue that needs to be addressed is whether or not the audit queries raised in the said Special Report died upon the Committee's Report being rejected by the House. It is clear in my mind that they do not die. They are just postponed to another occasion. They remain alive until they have been conclusively resolved. There is a difference between the Report and the audit query. Sometimes, the difference between the two may not be appreciated. Audit queries exist until they are resolved.

May I emphasise that audit queries are never amended, by the Committee or the House. The House amends or rejects recommendations of the Committee. In ordinary circumstances, Committee reports are adopted with or without amendments. As I said earlier, we have never witnessed a rejection of the PAC Report in its entirety. We are, therefore, dealing with extraordinary circumstances, and extraordinary circumstances require, in my view, extraordinary solutions.

Hon. Members, was the PAC entitled to revisit the unresolved audit queries? In my view, it should and must do so. The question now is, how and when? Ordinarily, and in accordance with the law, through the next Report of the Controller and Auditor-General. But this was a Special Report. There must have been special circumstances that necessitated the production of the Special Report. The special circumstances were a request for such an audit and the Report thereof was rejected in its entirety.

Meanwhile, as I had stated earlier, new evidence emerged in public domain in the said "Githongo Dossier" and the Committee somehow seized the opportunity and sought to receive and did receive the new evidence. Records of the proceedings of the Committee indicate that the Controller and Auditor-General was present in the very first meeting and continued to be represented in all subsequent meetings. During this period, the House was on prorogation. Was this the right way for the Committee to proceed? If it was not, which was the right way? Maybe at the request of the Committee, the Controller and Auditor-General could have re-issued the Special Report to the Minister or to Mr. Speaker as provided for under Section 11 of the Public Audit Act and Section 19 of the Exchequer and Audit Act. This was not done.

I am persuaded to take the view that auditing is a continuous process that moves forward

and backwards. Its aim is to establish whether public funds have been utilised in the intended way, economically, efficiently and within the legal framework. It is also meant to establish whether there has been impropriety in the utilisation of public funds, and if there has been, to seek redress, close the gaps and stop further impropriety. In short, to stop waste and misappropriation of public funds. It is a continuing process.

In the same breath, the PAC, being the first Committee ever to be created in the history of the House of Commons of the United Kingdom, from where we derive our own procedures, is a Select Committee as distinct from an *ad hoc*, Sessional or Departmental Committee. It is alive all the time. It watches over the application of taxes collected from the people by the Executive. It is for this reason that it is referred to as the "Watchdog Committee." The "dog" must watch. The "dog" in the Committee is not allowed to sleep on its watch, and so must the Committee. It must be vigilant and watchful on behalf of the House at all times. It is dynamic and not static in its very nature.

(Applause)

It is for this greater public interest, inspite of my misgivings on the procedure used in compiling this Report, that I am inclined to admit this Report for consideration by this House. However, may I strongly advise the Committee that, in future, where Special Reports are necessitated by special circumstances, such Reports should be submitted to the Minister for Finance or Mr. Speaker, as provided for under Section 19(4) and (5) of the Exchequer and Audit Act, Cap. 412 of the Laws of Kenya, and they will in turn, submit the same to the Committee for their declaration. We should endeavour at all times to follow the law.

Finally, hon. Members, I, therefore, order that the Public Accounts Committee (PAC) Special Report laid on the Table of the House on Tuesday, 28th March, 2006, be admitted.

(Applause)

Next Order!

Mr. Muturi: On a point of order, Mr. Speaker, Sir. While thanking you for your---

Mr. Speaker: This is not open for debate!

Mr. Muturi: Mr. Speaker, Sir, while thanking you for your ruling, I seek your guidance on what the procedure will be. This is because, upon the Report being laid, and before Notice of Motion was given, the objection was raised. What procedure should follow now?

Mr. Speaker: Order, Mr. Muturi! You know Standing Order No.31. We have already passed the stage of Notice of Motion. So, you will have to wait for next time when it is available.

Next Order!

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 21st March, 2006.

*(The Vice-President and Minister
for Home Affairs on 23.3.2006)*

*(Resumption of Debate
interrupted on 29.3.2006)*

Mr. Speaker: Eng. Toro was on the Floor. Please, proceed!

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Speaker, Sir, I spoke for a few minutes yesterday and I do not want to repeat what I said. The President dwelt very much on the issue of corruption. He said that those people who are misappropriating public funds will be dealt with ruthlessly. However, we have double standards in this House.

*(Several hon. Members withdrew
from the Chamber)*

Mr. Speaker: Order! Those hon. Members not interested in the debate before the House, please, withdraw quietly.

Proceed, Eng. Toro!

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Speaker, Sir, we should avoid double standards in this House. The Opposition side is calling for the sacking of Ministers mentioned in corrupt deals. However, when the Governor of the Central Bank of Kenya (CBK) was mentioned as being involved in corruption and was taken to court, the same people who are calling for Ministers to resign are on his side. They do not want to see him sacked. This double-standards approach will not help us in the fight against corruption.

It is a pity that Mr. Musyoka said that the Governor is being sacked because the Government wants to employ another Governor who will print money to fund the next general election. That is not a statement of a leader, especially someone who aspires to be a President of this Republic. Whereas the Law Society of Kenya (LSK) wants people who are involved in corruption taken to court, it is sad that its members represent them. They argue their cases and sometimes, those cases are dismissed.

Mr. Muite: On a point of order, Mr. Speaker, Sir. Did you hear Eng. Toro say that the same members of the LSK who want corruption fought are also the same ones who go to court to defend corrupt people? Is it in order for the hon. Assistant Minister to forget the provisions of the Constitution; that every person is presumed innocent until proven guilty in a court of law through due process? Is he in order to suggest that one is corrupt before a court makes the finding?

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Speaker, Sir, my point is that Members of Parliament should not condemn those Ministers before they are taken to court. If what Mr. Muite says is true, then there should be no Members of Parliament calling for the dismissal of Ministers before they are taken to court and proven guilty. Apologies to Mr. Muite and the learned friends.

Mr. Speaker, Sir, as the Leader of the Official Opposition said, dialogue cannot be effected when people are employing double standards. His Excellency the President said that we need to dialogue. Indeed, dialogue was displayed in the House when we were electing the Members of the House Business Committee. Whereas the Government side conceded one membership slot to the KANU, it refused to take it up in the House Business Committee. That is not a sign of dialogue. The dispute was between the KANU and the Government side. The KANU should have taken its position in the House Business Committee as a goodwill gesture.

Mr. Speaker, Sir, when you addressed this House during the State Opening, you requested hon. Members to be patriotic. Patriotism can be viewed in very many different ways. The display of

patriotism should be guided by Members of Parliament. Patriotism also means that hon. Members of Parliament should endeavour to ensure that the Government collects the necessary revenue. In the United States of America (USA) and the United Kingdom (UK) tax evasion is a very serious offence. In Kenya it should also be taken as a very serious offence. Hon. Members should be able to help the Commissioner of Tax to collect revenue. This House passed the Finance Bill stipulating the way the Kenya Revenue Authority (KRA) will collect tax and the introduction of Electronic Tax Registers (ETRs). It is a pity that today hon. Members of Parliament from the Orange Democratic Movement (ODM) side went to demonstrate with those traders who do not want to pay tax to the Kenya Government. This is not patriotism because the same Members of Parliament want the Constituency Development Fund (CDF) to be increased from 2.5 per cent to 7.5 per cent. Revenue must be collected by the Government for the CDF money to be increased. The introduction of ETR will help the KRA maximise on the collection of taxes, so that the Government increases the CDF money as we want. When Members of Parliament fight a system that will enhance the collection of taxes, is that patriotism? It is not! It is not patriotic for the ODM to go and demonstrate with people who have never paid tax in this country and hence, conned it billions of shillings in way of tax evasion. The ETRs should be encouraged by Members of Parliament, so that we can have money in our disposal which, in turn, can be used as bursary funds, to fund free education, CDF and the purchase of graders.

Mr. Speaker, Sir, the issue of the disintegration of political parties is not the responsibility of the Government. Yesterday, the Leader of the Official Opposition said that the Government is to blame for the disintegration of the NARC. If so, who is to blame for the disintegration of KANU? The KANU now has four groupings. We cannot blame the Government for the disintegration of political parties because it does not supervise them.

Mr. Speaker, Sir, I would like to say that I support the enhancement of funding to the Constituency Development Fund (CDF), because it is the one which will remove us from the yoke of neocolonialism. Donors and the western powers have been channelling a lot of money to this country through NGOs but nothing can be seen on the ground. Whereas, the CDF has been in place for only two years and Kenyans can see what has been happening. Proper utilisation of the CDF funds will remove us from the yoke of neocolonialism, so that we can be able to decide our destiny as Kenyans.

I beg to support.

Mr. Speaker: Have we heard any lady speaking? Dr. Shaaban!

Dr. Shaban: Ahsante sana, Bw. Spika. Ningependa kuongeza sauti yangu kwenye mazungumzo yaliyotolewa na Rais siku ya kufungua Kipindi cha Tano cha Bunge hili.

Kilichonisikitisha kwenye Taarifa yake ni kwamba hakuzungumzia sana kuhusu barabara mbovu nchini. Barabara ni mbovu na wafanyibiashara wa kimataifa, ambao Rais aliwazungumzia, hawawezi kuvutiwa na nchi ambayo haina barabara ambazo zitaweza kuwasaidia katika shughuli zao za biashara.

[Mr. Speaker left the Chair]

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

Bw. Naibu Spika wa Muda, kwa miaka kadhaa iliyopita, tumekuwa tukiambiwa hadithi; kwamba, wafanyibiashara wa kigeni wameongezeka licha ya kwamba hiyo siyo hali halisi. Muda mfupi uliopita, tumekuwa tukiwaona mabwana wawili "mamluki" wakipita barabarani wakisema wao ni wafanyibiashara. Hiyo siyo kuwa Serikali imetuletea wafanyibiashara.

Vile vile, katika Hotuba yake, Rais hakuzungumzia kinaga ubaga kuhusu ajira ya vijana. Ingawaje ni kweli ameunda Wizara ya Vijana. Ilimbidi Rais aanzishe Wizara hiyo baada ya kasheshe iliyotokea katika siasa za chungwa na ndizi wakati wa kura ya maoni juu ya Katiba Kielelezo. Ikambidi Rais akumbuke kuwa nchi hii ina vijana, na siyo tu vibabu na vinyanya wengi.

Vile vile nilitarajia Rais azungumzie maswala ya vijana kwa kirefu. Serikali yake ilipochukua uongozi wa nchi hii, ilisema kwamba ingebuni kazi 500,000 kila mwaka kwa manufaa ya vijana. Rais hakulitaja hilo swala kwa sababu Serikali yake imeshindwa kuwapatia vijana wetu kazi.

Bw. Naibu Spika wa Muda, katika Hotuba yake, Rais alizungumzia kwa kirefu sana sekta ya kilimo. Jambo la kusikitisha ni kwamba hakutaja uovu wa wanyama pori, na haswa ndovu, ambao huharibu mimea mashambani na kuwaua wananchi. Hakusema jinsi Bajeti ijayo itakavyotusaidia kupunguza uharibifu unaofanywa na wanyama pori.

Ningependa kumuunga mkono Rais katika yale maswala aliyoyataja, lakini zaidi ya hayo, angezungumzia matatizo hayo. Janga la njaa, ambalo amelizungumzia, ni kweli limetukabili nchini. Hata hivyo, nilitarajia Rais atuambie mipango ambayo Serikali yake iliyonayo ya kupambana na janga la njaa.

Bw. Naibu Spika wa Muda, katika nchi hii, njaa ni tukio la kila mwaka. Lakini, kila mwaka, Serikali hungojea hadi sehemu fulani ziathiriwe ndiyo iingilie kati.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, hon. Members! Hon. Members, if you wish to withdraw from the Chamber, do so quietly. Do not flock the bar.

Proceed, Dr. Shaaban!

Dr. Shaban: Bw. Naibu Spika wa Muda, njaa ni janga ambalo Serikali inapaswa kulishughulikia kikamilifu. Serikali inapaswa kupanga jinsi wananchi watakvoyofikishiwa maji ya kunyunyizia mashamba yao, na kuwashauri wakulima jinsi ya kuhifadhi mazao yao katika maghala. Pia, Shirika la Mazao na Nafaka nchini (NCPB), linafaa kununua nafaka na kuzihifadhi.

Tunajua kwamba wafanyibiashara kutoka Tanzania na Uganda wamekuwa wakienda hadi Kitale kununua mahindi kwa bei ya juu mno wakati Serikali imeshindwa kununua nafaka hiyo kutoka kwa wakulima. Kwa sababu ya matatizo ya kifedha yanayowakabili wakulima hao, inawabidi wawauzie nafaka wafanyibiashara hao kutoka nchi jirani. Nilidhani kwamba Rais angelizungumzia jambo hilo kwa kirefu.

Bw. Naibu Spika wa Muda, ningependa kuregelea swala la ndovu, na haswa kuhusiana na watu ambao ni majirani wa Mbuga ya Wanyama Pori ya Tsavo. Mbuga hiyo inapatikana katika sehemu yangu ya Taveta. Wakazi wa Taveta wana shida kubwa sana. Hivi sasa wanalilia chakula cha msaada ambacho Serikali inawapelekea watu walioathiriwa na janga la njaa, kwa sababu ndovu wametuharibia mimea mashambani mwetu.

Kila wakati, tukizungumza na Shirika la Wanyama Pori nchini (KWS), wao hutuambia kwamba hawana hela za kutosha. Jambo la kushangaza ni kwamba Serikali haijawahi kufikiria kuitengea shirika la KWS fedha za kutosha katika Bajeti ya kila mwaka, ili kuliwezesha shirika hilo kujenga seng'enge ya stima ili kuitenga mbuga hiyo kutoka kwa makazi ya binadamu.

Kwa ufupi, ningependa kusema kwamba, vijana ambao hawana kazi wanaweza kupatiwa kazi katika maeneo hayo ili waweze kuwazuia hao wanyama kwenda katika makao ya binadamu. Watu ambao hawaishi karibu na maeneo yaliyo na wanyama pori, maisha kwao ni rahisi. Wengi wao huwaona wanyama pori kama kivutio cha watalii peke yake. Ijapokuwa tunaendelea kuukuza utalii, inatubidi tuangalie uovu unaofanywa na wanyama pori. Kusema kweli, hasara tunayoipata kutokana na uharibifu unaofanywa na ndovu katika mashamba yetu, ni kubwa sana ikifaninishwa

na jinsi Serikali inavyofikiria kuipatia kipao mbele sekta ya utalii.

Bw. Naibu Spika wa Muda, ninatamatisha mchango wangu nikitumai kwamba yale aliyoyasema katika Hotuba yake Rais yatatekelezwa.

Ahsante.

The Assistant Minister for Immigration and Registration of Persons (Mr. Mwaboza): Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii.

Kwanza, ningependa kuiunga mkono Hotuba ya Rais kwa Bunge hili katika ufunguzi wa Kikao cha Tano. Haswa, ninaiunga mkono Hotuba hiyo kwa yale mambo ya kimsingi yaliyojadiliwa, ambayo ninaimani kwamba yatatekelezwa. Hiyo ni juhudi ya Wabunge wanaoionga mkono Serikali na wale wa Upinzani. Huduma kwa taifa haziangalii mrengo wa Serikali wala wanaoipanga Serikali. Huduma ni haki ya wananchi wa Kenya, ambao wanalipa ushuru.

Bw. Naibu Spika wa Muda, kuna maswala kadhaa muhimu ambayo tumekuwa tukiyazingatia kutoka wakati nchi hii ilipojinyakulia Uhuru kutoka kwa mbeberu: Umiliki ardhi, kupambana na kutojua kusoma na kuandika, kupambana na maradhi, na upashaji maji safi kwa wakenya wote. Jambo la kushangaza ni kwamba, nchi hii ilipokuwa huru, tuliyasahau maazimio hayo. Hivi sasa, Wakenya wanalia kwa sababu hawana ardhi, umaskini umeenea kote nchini, na tiba bora haipatikani.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order! Hon. Members, you are consulting too loudly, especially the hon. Members seating directly behind the hon. Member speaking. So, consult in low tones or, maybe, you could move a little further from Mr. Mwaboza so that we can follow what he is saying.

The Assistant Minister for Immigration and Registration of Persons (Mr. Mwaboza): Ahsante, Bw. Naibu Spika wa Muda. Nilikuwa ninasema kwamba yale maazimio tuliyokuwa nayo tulipokuwa tukipigania Uhuru yalisahaulika tuliponyakua Uhuru. Kuna swala la ardhi iliyonyakuliwa

na watu binafsi walipokuwa mamlakani. Kuanzia miaka iliyopita, kumekuwepo na ripoti kadhaa juu ya unyakuzi wa ardhi nchini. Kwanza, kulikuwepo na Ripoti ya mwaka wa 1976 kuhusu swala hilo. Ripoti

hiyo ikafuatwa na Ripoti ya Njonjo, na sasa kuna Ripoti ya Ndung'u. Nina imani kwamba maswala yaliyozingatiwa na tume hizo, pamoja na mapendekezo katika Ripoti zao, yatafuatiliwa; na kwamba, watuhumiwa watatiwa nguvuni kupitia sheria mustahiki zilizo wazi pasi na kubagua watu kwa misingi ya kisiasa.

Bw. Naibu Spika wa Muda, kuhusu maswala ya ardhi, watu wanalipa ridhaa kila mwezi na hakuna sheria yoyote ambayo inazingatia malipo hayo, hasa, katika Mkoa wa Pwani. Kwa Kiingereza, hawa wanaitwa "absentee landlords". Katika 1956, aliyekuwa Mhe. Mbunge wa Kisauni, Prof. Rashid Mzee, alileta Hoja kuhusu swala hili Bungeni na ikapita lakini utekelezaji wake ulifanywa kwa kupendelea. Kule Mvita, swala hili lilitatuliwa lakini katika Changamwe ambako kulikuwa na Upinzani maswala haya hayakutatuliwa. Hii inaonyesha wazi kuwa Serikali ambayo ilikuwa mamlakani haikuwa inazingatia sheria kwa umoja kusudi iambatane na wananchi wote. Baadhi ya Hoja ambazo zilipitishwa zinafaa kuzingatiwa na Serikali yetu. Mhe. Rais amezungumza wazi kwamba Wizara ya Ardhi ina haki ya kumaliza maswala kama haya na taratibu kama zile zifuatiliwe kusudi wananchi wasiendelee kudharirika.

Tunajua vyema kwamba kuna pesa za maendeleo katika uwakilishi Bungeni. Wengine wetu hatuwezi kutumia pesa za CDF katika sehemu zetu kwa sababu ardhi za umma zote zimenyakuliwa, na baadhi ya watu ambao wamezinyakua bado wanatembea wakiwa walalahai na

wananchi wanakuwa walalahoi kwa sababu hatuwezi kufanya maendeleo. Haya ni mambo ambayo tunapaswa kuzingatia kwa kina sisi ambao tumepewe jukumu la kuongoza katika nchi hii.

Kuhusu maswala ya afya ama tiba kwa wananchi wa Kenya, tunakuta ya kwamba baadhi ya zahanati ndogo ndogo zinahudumiwa na mabaraza, na baadhi ya zahanati hizi hazina madawa ijapokuwa kila mwaka kuna pesa ambazo zinatengwa kutekeleza wajibu kama huu. Ningetaka kumshukuru Waziri anayehusika kwa sababu ametilia mkazo kulingana na ripoti ambazo zinapelekwa kusudi ule uzembe ambao unafanyika na baadhi ya wafanyikazi ama madiwani upigwe darubini. Wafanyikazi wazembe wanafaa kunyoroshwa ili pesa za Local Authorities Transfer Fund (LATF) ziweze kusaidia mwanachi wa kawaida. Ningetaka kuliomba Bunge hili liunge mkono Hoja kuhusu maswala ya tiba itakapoletwa hapa na Waziri ambaye anahusika. Bila hivyo, itakuwa ni kuendelea mbele lakini kwa hakika fikira zetu zitakuwa zinarudi nyuma.

Bw. Naibu Spika wa Muda, katika kilimo, wakati nchi hii ilipopata Uhuru, Kenya haikuweka kibao mbele ukulima. Historia inatambia kuwa wakati wa Uhuru Wakenya walikuwa kama milioni saba peke yake na walidhani pengine hakutafika siku ambayo kutakuwa na ukame katika nchi hii. Kwa vile tuko na Wizara ya Kilimo na Kenya iko na mito mingi na mabwawa, ni muhimu kwa watu kutoka sehemu ambazo zinaweza kuzalisha chakula wazalishe chakula wakitumia tekinologia mpya za kilimo ambazo ziko katika ulimwengu huu. Katika Bajeti iliyopita, Kenya iliondoa ushuru kwa vifaa ama zana za ukulima kama vile matingatina. Ni wajibu wetu kama viongozi kutoa taarifa hizi kwa wakulima kwa sababu kwa wengi wao kupata ufahamu wa maswala haya si rahisi. Ni kupitia pengine vyombo vya habari kama vile kituo cha matangazo cha Kenya Broadcasting Corporation. Televisheni ni haba! Kwa hivyo, ni wajibu wetu pia kuzingatia kuwa maafisa wa kilimo wanazidi kuingia mashambani ili kuwaelimisha wakulima.

Ningetaka kuongea kuhusu swala la uvuvi. Hili linafaa kuzingatiwa. Kuna nchi ambazo hazina ukingo wa bahari na wao wanakariri kuwa uchumi wao mkubwa ni uvuvi. Katika Kenya, tuko na ukingo wa bahari mkubwa lakini hatujatilia mkazo uvuvi. Ni wajibu wetu sisi, kulingana na sera za Serikali zilizopo na pesa ambazo zimewekwa kando, kuweka motisha na kuwaambia wananchi wetu hizi habari aidha kupitia kwa mabaraza au kwenye mikutano yetu ya siasa. Ni vyema waelewe kuwa siasa nzuri ni maisha mazuri na siasa mbaya ni maisha mabaya.

Pia, kuna swala la ubaharia. Ni pendekezo letu kwamba Wizara inayohusika ilete ile Maritime and Merchants Bill ambayo itafungua kazi ya ubaharia. Katika 1960s na 1970s, kulikuwa na watu waliokuwa wakisafiri na vyombo vya habari baharini. Jambo hili lilikuwa likileta pesa nyingi. Aliyekuwa Mbunge wa Kisauni wakati ule, Marehemu Mwaruwa alikuwa Katibu Mkuu wa chama cha mabaharia. Aliweza kutembea mbali kusudi kufungua idara hii. Kufuatana na sheria mpya za kimataifa za maswala ya ubaharia, imekuwa ni vigumu kusafiri baharini mpaka Wakenya waende Tanzania ili wapate hati ya kufanya kazi katika vyombo vya meli ama ubaharia. Ikiwa Hoja hii italetwa Bungeni, basi kuna uwezekano ya kwamba Kenya kutakuwa na uzalishaji wa nafasi za kazi kama 100,000 katika muda wa mwezi miwili na hatimaye ile ahadi ya kuzalisha kazi 500,000 kwa mwaka, inaweza kutimia na pia kuleta pesa za kigeni katika nchi hii. Nikitoa mfano wa Thailand, pesa zao za kigeni nyingi zinatokana na ubaharia ambao Serikali yake imetilia mkazo.

Bw. Naibu Spika wa Muda, swala lingine muhimu ambalo ningependa kulizungumzia ni kuhusu kiwanda za mnazi. Swala hili lingefaa kuwa katika Taarifa ya Rais. Hivi tunavyozungumza, kuna zaidi ya miti milioni 24 ya mnazi katika Pwani na sehemu hii iko na watu zaidi ya 1.2 milion. Utakuta ya kwamba hakuna sheria ambayo inaongea kuhusu kiwanda hiki isipokuwa the Coconut Act ambayo haina kina cha kueneza hiki kiwanda. Kiwanda hiki kikienezwa, wakulima wataweza kutengeneza mafuta ya mnazi na mvinyo wa mnazi. Katika sehemu inayojulikana kama Goa, kuna mvinyo unaoitwa coconut veny ambao unaburudisha wengi. Pia kuna ushuru ambao Serikali ingepata kutokana na taratibu hii. Hivi sasa, pombe ya kienyeji

inauzwa bila sheria yoyote na chupa moja inauzwa Kshs70. Hakuna ushuru wowote ambao watu hawa wanalipa. Ikiwa taratibu hii itafuatwa, itafufua uchumi wa watu wa ukanda wa Pwani ambao ni jumuiya ya nchi hii.

Bw. Naibu Spika wa Muda, ningependa pia kuzungumza kuhusu usafiri wa safari fupi katika bahari . Kulikuwa na tetezi katika nchi nzima wakati feri ilipozama kule kivuko cha Mtongwe na Wakenya zaidi ya 250 wakapoteza maisha yao. Swala hili ni nyeti na ni lazima lizingatiwe. Feri ambazo tuko nazo ni za 1963. Hizi feri ziko na zaidi ya miaka 40 na zinahatarisha maisha ya wananchi, ijapokuwa kuna kampuni ambazo zimeshindana kwa zabuni na maswala haya yako kortini. Hivyo basi kufanya the Kenya Ferry Services kutokuwa na njia nyingine ilhali wananchi wa Kenya wanadharirika na maisha yao kuwekwa hatarini.

Kwa hayo machache, ninaunga mkono.

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I wish to add my voice to the good sentiments expressed by hon. Members to the effect that His Excellency the President's Speech had several shortcomings. Among them was the shirking of responsibility by attempting to derail the three main issues, namely; the youth, corruption and the Constitution by the Government definitely refusing to take responsibility where due. I, therefore, wish to speak on these three issues.

I will begin with the issue of the youth. The NARC Manifesto talks about creating 500,000 jobs annually It emphasises on the youth. The President himself said that the youth make up 70 per cent of our population, whereas the amount of resources that are going to the youth development projects today are less than 10 per cent. A time has come when this Government must take responsibility. It must come forward with concrete policies. It should not shirk responsibility by saying that they shall bring a Bill to this House. That may, for one reason or another, get stuck in technicalities. The Government will then find the excuse of saying that: "*Ni Bunge limekataa!* We would have helped you young people but Parliament has refused to pass the Bill."

Mr. Temporary Deputy Speaker, Sir, we are saying that time is ripe for the Government to bring proper policies. For instance, why can the Government not say that all roads in this country will be done through manual labour except for the ones that require machines? I see this happening in China. I have seen it in several parts of the world where the youth are given the opportunity to use their energy. A time has come for this Government to take responsibility over their manifesto and the youth.

The second point is on corruption. Once again, the Government is paying lip-service. The number of platitudes, nice high sounding words, that are being put in this House and made part of policy of Government statements; that have been said by the Government spokesman, sound to the effect that "we shall spare nobody". It is a continuing theme yet today as we speak, there are a number of corruption cases that have not been brought to book. The Anglo Leasing is but just one. There is also a number of corruption cases going on. I, therefore, wish to bring to this House that there were four containers of cocaine. They were not two. Now they are talking about two containers. Where are the other two containers of the cocaine? Today the Government must tell us where the other two containers went. At the beginning, we were talking about four containers that were found in that house at the Coast. Where are the other two containers? Those of us who have been following the burning of the so-called cocaine are aware that when the GSU helicopter took off, it landed at another Port point in this town and collected additional cocaine packets. We are saying that there are further two containers of cocaine that the Government is yet to account for. It is time that the Government came out of this continuing corruption. It continues to steal from the wealth of the *wananchi*.

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

Mr. Temporary Deputy Speaker, Sir, please, protect me so that I can continue? Their time will come!

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Odoyo!

The Assistant Minister for Transport (Mr. Githae): On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard what the hon. Member on the Floor has said that there were four containers of cocaine and now they are two. I would like him to substantiate and tell us whether he was there and counted them? Did he bring them so that he knows the number?

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I would like to inform the Assistant Minister that he and his former Minister were removed from the Ministry of Justice and Constitutional Affairs for reasons that are yet to be explained. I dare say, they were connected with incompetence.

Part of the substantiation would be from the statements that were released by the Government at the beginning. The statements showed that there were four containers and not two. I request the hon. Member to go back and revisit those statements that were issued by the Government when these drugs were found. He will find that they were talking about four containers. However, they are now two containers of cocaine. Where are the other two containers. Or are the two foreigners linked to the other two containers?

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Odoyo! The hon. Member is asking you to substantiate because you have kept on emphasising on four containers of cocaine. Why are you not responding to his request?

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I have simply referred him to the Government statements. When the containers were found, he will find that the Government statements were referring to four containers. This was in the media and it was being said everywhere. The reason why I say that the Government is shirking responsibility on matters of corruption is because once again, it is not taking proper action against corruption. The Government is not taking anybody to court.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Odoyo! There is nobody who is talking about the containers or the amounts. You are the only one who brought up the issue of four containers. The hon. Member has, therefore, rightly challenged you to substantiate your statement. The fact that you are able to say where the information is available, that is the information that the hon. Member wants. Are you able to substantiate it?

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I think the best way to substantiate that is to bring copies of the relevant statements even the ones that were quoted in the Press. I will do that this week.

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

May I continue, Mr. Temporary Deputy Speaker, Sir?

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Odoyo! There are some issues that you brought upon yourself. I did not hear anybody talking about two or four containers. You are the only one, who is talking about these containers. You have kept saying there were four containers. The hon. Member is right and he is asking, on behalf of other people, for you to substantiate your claim. You are responsible for the accuracy of information given to this House. We do not need that other information that is not accurate. If you are sure that you are responsible for that accuracy of the information, bring it to the House as is proper. If you are not, keep it to yourself. Do not bring newspapers here.

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, may I humbly seek your indulgence in allowing me to bring more information to this House in the immediate near future? May I also bring to the attention of the House that many of these issues are already in the public domain. However, I will, as you have rightly challenged me, table additional information.

With your indulgence, may I continue on the issue of the Constitution?

The Assistant Minister for Finance (Mr. Kenneth): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for Mr. Odoyo to say that he will produce the necessary substantiation in the near future? I think it will be important for you to make a ruling that at the next sitting, he should produce the substantiation. This is a very critical issue.

The Temporary Deputy Speaker (Mr. Poghismo): I should not even be doing that. I expect hon. Members to know the rules by which they play. If you want to make a statement, come prepared to make it. If not, withdraw the statement and come back.

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

Mr. Odoyo: Thank you, Mr. Temporary Deputy Speaker, Sir. May I continue on the matter of the Constitution? It appears that the matter of cocaine is quite an issue to several of our colleagues here and the potential of discovering the loss of two additional containers is really an issue that needs to be substantiated.

May I kindly seek your indulgence to allow me to bring the evidence on Tuesday?

The Temporary Deputy Speaker (Mr. Poghismo): Order, Mr. Odoyo! You can avoid all these things by being careful.

The Assistant Minister for Transport (Mr. Githae): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has yet to substantiate. He has said that he is going to refer to newspapers. Newspapers are not authorities acceptable in this House. I, therefore, demand that he either substantiates or he withdraws and apologises.

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I have requested for time to bring it on Tuesday at the next sitting of the House. What more can I do?

The Temporary Deputy Speaker (Mr. Poghismo): Order, hon. Members! I think we better get this right and straight from the beginning. We are responsible for statements we make in this House. You will be probably quoted as having said something in this House for which you are not responsible. That is why your own rules make it very clear that for everything that you claim, you must be able to stand by it and substantiate. Some of these claims that we make just make big stories for nothing. They make us look like we thrive on things that are not substantiated.

(Applause)

I would, therefore, like you to take that responsibility. This is really a cue for all of us. For the statements that you make in this House, if you are not ready to substantiate, withdraw it so that it is not associated with you or this House. When you are ready, just come and table it and make it credible.

Mr. Bahari: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard the hon. Member say that what he is talking about is a Government statement. The Assistant Minister who rose on a point of order to ask for substantiation is a member of the Government. By extension, he is expected to be in possession of that information. Is the hon. Member, therefore, in order to rise on a point of order when he has everything in his possession?

The Temporary Deputy Speaker (Mr. Poghismo): Both statements are unsubstantiated!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, there has been a precedence in this House where an hon. Member has been given ample opportunity to lay on the Table the---

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Odoyo! I would like you to be a good Member of Parliament. A good Member of Parliament stands by his words and substantiates his or her claims. That is all I am asking of you. It may be now or in future. If you make claims, be ready to substantiate them. So, are you ready or not? I asked you the same question, so that we do not prolong this issue and interrupt our time. Will you withdraw your claims? When you are ready with your documents, you can always come and--- We do not want this House to go away saying: "This is what we agreed in the House".

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, may I request---

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

The Temporary Deputy Speaker (Mr. Poghisio): I am not taking any more points of order! I am only dealing with Mr. Odoyo and then we move on!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, may I request that your ruling takes into consideration a precedence in this House where you can direct an hon. Member to table evidence on a particular day. If you can direct me to table the same on Tuesday I---

The Temporary Deputy Speaker (Mr. Poghisio): I have directed something else!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, it is not proper for me to appear to challenge your ruling. However, it is also in my proper---

The Temporary Deputy Speaker (Mr. Poghisio): Order now! Mr. Odoyo, if you continue along those lines, you may face the consequences! I have asked you to withdraw your statement and come ready to substantiate another time. I am waiting for you to do that.

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir,---

The Temporary Deputy Speaker (Mr. Poghisio): I am waiting!

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

The Temporary Deputy Speaker (Mr. Poghisio): I am not going to allow another point of order! I am waiting for Mr. Odoyo!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I am keeping with the highest level of respect and commitment that we have in this House. I was sent by the people of Nyakach to stick to the truth. However, the etiquette of this House demands that, at this juncture, I do the right and proper thing by reflecting the mood that has been passed to me by you, and the feeling that I should respond to various instances where unsubstantiated reports have been subjected to withdrawal for reasons which may include *sub judice*. I, therefore, at this moment, affirm that, in view of the wider and proper issues involved in this; the statement relating to loss, theft and hiding of four containers---

(Laughter)

I hereby withdraw, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): What have you withdrawn?

The Minister for Justice and Constitutional Affairs (Ms. Karua): On a point of order, Mr. Temporary Deputy Speaker, Sir. This is a very serious issue. The Chair has ruled that, if the hon. Member cannot substantiate, he should withdraw and apologise to the House. His insinuation is deliberately maligning not only the Government, but also the image of the people of Kenya. I seek your direction as to whether what he has done is a proper withdrawal! He should withdraw unconditionally and apologise.

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir--

The Temporary Deputy Speaker (Mr. Poghisio): Those are very few words, Mr. Odoyo. If you rise again and do not withdraw and apologise, you are basically going to draw from the experience of not listening to the Chair!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I wish to bow to the ruling by the Chair that I will have ample opportunity to table the evidence in the very near future. I did not carry the relevant papers with me now. I, therefore, on this temporary occasion, withdraw!

(Laughter)

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Odoyo, apologise to the House!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir---

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Odoyo, I do not want any statements!

Hon. Members: Apologise! Apologise!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, could you protect me from those---

The Temporary Deputy Speaker (Mr. Poghisio): Yes. But I do not want any more statements! Let us finish with this matter, so that we can move on to other things!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I repeat that I do not have the documents. I, hereby, as required by the rules of the House humbly, immediately and substantially withdraw.

The Temporary Deputy Speaker (Mr. Poghisio): Okay! I do not have more approaches to that. Mr. Odoyo, what you have done is bring out the best of your attempt not to listen to the Chair.

On issues like these, I only wanted you to sustain the culture that we have had for many years, I was simply asking you to say: "I withdraw and apologise". I did not need any more verbosity on the issue. It will not help you to go round it in any other way. I have only heard you withdraw! I have not heard you apologise to the House! Why do you want to take a lot of time? Next time, you will require the same time. Why are you taking us round in circles?

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, I withdraw and apologise!

(Laughter)

The Minister for Justice and Constitutional Affairs (Ms. Karua): On a point of order, Mr. Temporary Deputy Speaker, Sir. In view of the manner in which the hon. Member is treating the House and your ruling, I, hereby, request, under Standing Order No.88(3), that the hon. Member be named for gross misconduct in this House.

(Applause)

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

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Odoyo, you are the one being discussed!

Mr. Odoyo: Mr. Temporary Deputy Speaker, Sir, you have already made a ruling. You have requested me to withdraw and apologise, and I have done so! I see no reason why---

The Temporary Deputy Speaker (Mr. Poghisio): You know, there is no need for points of order at this point. An hon. Member has stood to demand that an hon. Member be named. That decision is left with the Chair. At this point, do you want to influence the Chair in any way or---

Mr. Raila: On a point of order, Mr. Temporary Deputy Speaker, Sir. You ruled that the hon. Member withdraws and apologises to the House. He has done the same and fully complied

with the ruling of the Chair. Therefore, there is no need to apply the Standing Order against the hon. Member.

The Temporary Deputy Speaker (Mr. Poghio): That is exactly what I am saying. You want to influence the Chair. The decision to accept or reject the naming of an hon. Member rests with the Chair. It is the Chair which is going to agree or not agree to follow that route. I am just about to decide on that matter.

I know that Mr. Oduo has stretched my patience to the limit! He has also taken the house round and round. I do not know whether he felt it! Ordinarily, the demand to name an hon. Member would be unacceptable to me. I am obliged to rest that matter. I had originally ruled that he withdraws and apologises! I would suggest that there is no need to follow up with the naming at this point.

However, Mr. Oduo, I would like to caution you that you will not have all the opportunities to do that kind of thing in future. You took so much of our time. I caution you, Mr. Oduo.

I would like to suggest that hon. Members must be very careful with their utterances. They should take the business of this House seriously. We are not here to waste time.

I would like to hear from the hon. Member for Mwingi South Constituency!

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, thank you for giving me an opportunity to also contribute to the Motion on the President's Speech. I want to confine myself to a few areas which were extensively covered in the President's Speech and which are of extreme concern to me and Kenyans.

Mr. Temporary Deputy Speaker, Sir, one of these areas include food shortages. The President acknowledged that currently at least 5 million Kenyans throughout the country are experiencing food shortages as a result of failed rains. However, unfortunately the Government appears to be doing very little about addressing the plight of Kenyans who are suffering from hunger or even dying as we have recently seen on our television screens. The President said and I quote:

"It is estimated that an additional Kshs6.3 billion is required up to the end of June to meet the increasing need of the growing numbers of those affected by the famine".

Mr. Temporary Deputy Speaker, Sir, it appears like there are two Governments dealing with the issue of famine in this country. There is the Government of President Mwai Kibaki which has declared famine a national disaster. The same Government has acknowledged that there is a problem, at least by the President's Speech. There appears to be another government and God knows who leads it which appears not to know that a problem exists. The latter government has gone ahead and reduced the number of food rations that are to be supplied to the hungry people. How do you reconcile the fact that the President says here that more food is needed and more people need food? For example, during the month of March which is now ending, not a single grain of food was issued to Mwingi District and I am sure it is true with many other districts. Why do we have the President talking about people needing food and in the field the Government is not giving people food? I would like to appeal to the President to look into the plight of the famine stricken citizens of this country because at the end of the day the President is accountable for the welfare of the people because they elected him but it is not the World Food Programme (WFP) or some NGOs which the Government appears to have abdicated its responsibility to.

Mr. Temporary Deputy Speaker, Sir, on the same issue of drought, I want to talk about water. Water is still a major problem affecting many communities in this country particularly from ASAL districts. I want at this juncture to thank the Government through the Ministry of Water and Irrigation for at least this time round distributing water to schools. However, that is a very temporary solution. We must find a lasting solution to the problem of lack of water. Every time I

stand here and think this is my eighth year, I have always talked about water. Why must we continue to subject our people to so much suffering by travelling as many as 20 kilometres particularly women looking for water? We must look for a lasting solution.

His Excellency the President talked about 162 boreholes and 221 pans having been constructed during the recent past. He also talked about the proposed 200 boreholes and 260 pans. These are very interesting figures but I would like to know where these boreholes were sunk because we have seen in the past budgetary allocations on water being given to districts which do not require water. So, I would like to appeal again to the Government to direct its water resources to the ASAL areas and not just to give us figures here and yet on the ground those things do not exist.

Mr. Temporary Deputy Speaker, Sir, still on the effects of drought, I want to talk about education. Drought has impacted negatively on education in ASAL districts. My good friend, the former Minister for Education, Science and Technology, hon. Prof. Saitoti, promised this House last year that he was going to issue instructions to heads of secondary schools not to expel students from famine-stricken districts who had failed to pay school fees. These instructions have not been followed to date and as I stand here thousands of secondary school students from ASAL districts are out of schools today because their parents cannot afford fees as they look for food to eat.

Worse still, some school heads have gone ahead and refused to register students for the forthcoming Kenya Certificate of Secondary Examination (KCSE) because some students have school fees balances. How can a nation that boasts to have achieved an economic growth of 5 per cent *per annum* treat its children like this? How can a Government that has so much money to waste through corruption and other unnecessary items exclude children from schools for no fault of their own but simply because their parents cannot afford school fees? As we approach the deadline for registering students for national examinations, I appeal to the Minister for Education to issue fresh instructions so that all students across the country who have been denied registration for KCSE on account of school fees balances, can be allowed to register immediately because if that does not happen, we will have lost a whole generation of students. I cannot even understand why we are also priding ourselves of creating a Ministry for Youth Affairs. What is it for if it cannot look after the youth who are already in school? For whom is this Ministry being created if it cannot look after the welfare of our children who are in school simply because they have not paid some little money here and there?

Mr. Temporary Deputy Speaker, Sir, finally, I want to talk about security and particularly as far as it affects the police. Since the new Commissioner of Police took over, people started having some confidence and faith in the police. However, I am sorry to say that, that confidence has seriously been eroded by the last actions of the police. We know our people are no longer secure. So many murders and rapes are occurring and yet most of these cases are never successfully prosecuted and so the same criminals continue to roam our streets because they know that nothing will happen to them.

Above all, complaints against the police have never been attended to. Whenever Members of Parliament ask questions about the police, they are told these cases are under investigation. Who investigates the police? It is the police themselves? When people were killed in Kisumu City and in Likoni we were told the police were investigating both incidents. When women in Wajir District were beaten up by police officers, we were also given the same story, that the police were conducting investigations. Recently, when the issue of the Armenians was in the limelight, we were told the police were conducting investigations. These investigations never seem to end. It is high time that we had a police complaints commission that will be investigating the police.

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

Mr. Bahari: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this

opportunity to add my voice to the Presidential Address that was given to this House on 28th March, 2006.

I want to start by making my contribution on one of the issues that is very important to this country because of the way it is affecting our people. This is none other than the famine situation that has devastated citizens in various parts of this country.

While appreciating the attempted interventions to handle this issue by the Government, I must point out like my colleague has just done, that food for famine relief that has been transported to these areas is in very small quantities. It is inadequate. In addition, it is also not the right mix. I will give an example of my district where from time to time, we receive small quantities of maize. We also receive on paper, beans. However, I have never seen beans being distributed in my district. This is very unfortunate because I do not see how people, who have been acknowledged to be incapable of providing food for themselves, are expected to live on maize rations through and through. When we come here, we boast in this House and in the Press that we are responding to the famine situation. This response is grossly inadequate.

It is high time the Government did something better. People on the ground are wondering why food was easily available in the past. I am not necessarily praising the previous regime, but this is what people are saying, that famine relief was easily available a few years back. I understand that this is a more extensive drought than we have ever experienced. However, it is incumbent upon this Government, which is boasting of a high growth rate, to do its best to ensure that our people are given relief food. It is not the wish of these people not to provide food for themselves.

We hope and pray that this country experiences the long rains. It is quite unfortunate that we have not received these rains to date. In the event the rains fail, what measures is the Government putting in place to ensure that a potential human catastrophe does not happen at all? If there is anything the Government is doing, we must be told. This programme should not be secret; it must be rolled out, so that we do not ask things which are considered to be obvious. If at the beginning, having received a lot of information from the Arid Lands Management Project about the impending drought, the Government was very late in taking any action, we are bound to be suspicious that, perhaps, nothing is being done to ensure that in the event the long rains fail, then the Government is well prepared. We have not been told how inadequate the food stocks are in this country.

Mr. Temporary Deputy Speaker, Sir, this is a very touching issue because we have lost many lives, yet, we are boasting of a 5 per cent growth in our economy. I want to address, by extension, the issue of drought versus famine. The underlying issue is quite clear. It is simply the question of misallocation of resources. The resources are grossly mismatched with the needs of this country, or they are so skewed towards certain areas; those that are referred to as high potential areas. That is why we are unable to mitigate against the effects of drought. I say this by, perhaps, bringing to light to the fact that development in these areas has been grossly ignored. The infrastructure does not even exist. We should have promoted trade in these areas, which we did not, by putting the right infrastructure in place. What we are forced to allocate through the Budget, we are now being forced to allocate through the disaster funds. So, we cannot avoid these issues. I want this Government to understand that these mistakes were done by past governments. These issues continue because there is nothing special that this Government has put in place as far as addressing the issues of the ASAL areas is concerned. So, even if the Government failed, including the previous one, to allocate resources through the Budget, they have now been forced by the forces of nature to act.

Mr. Temporary Deputy Speaker, Sir, we have been told about the 5 per cent economic growth. Growth and development are two different issues. I know hon. Members understand this. We should not get comfortable when we are told there is growth in the economy. Growth is like

swelling; it is not like the body developing. We cannot mistake the swelling of the body for its development. So, no government should take comfort in growth. Hon. Members have said here that in as much as the Government says we have a 5 per cent growth, which we doubt, because these figures are being provided by the same Government, this growth is not being felt at the grassroots level. Many governments, which have allowed these kind of results, have failed to be re-elected because the people on the ground complain they are not experiencing the benefits of this growth---

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghiso): Order, hon. Members! I can hear the conversations of hon. Members right from the back. I would like to ask hon. Members of the Front Bench to, please, listen.

Proceed, Mr. Bahari!

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, many governments have failed because they keep announcing that there is economic growth. When the benefits of the growth do not trickle down to the grassroots, people are left in doubt. It is important that this Government listens because Kenyans are now more keen than ever before.

Mr. Temporary Deputy Speaker, Sir, I want to touch on the issue of livestock because that is what the economy of the ASAL areas is based on. Animals are dying in large numbers as a result of lack of fodder and recurring diseases. We raised this issue many times in this House and got very unsatisfactory answers because not a single shilling is allocated for disease control. We have only been told about some allocation for the vaccines, which are also purchased by the pastoralists.

Mr. Temporary Deputy Speaker, Sir, on the issue of legislation and output, the output of this House is a function of time. This is very basic production knowledge. The House cannot produce what it is required to if for the last five months, it has been on recess doing nothing. When the Government brought the 25 pieces of legislation, they were not produced against any set time.

Mr. Temporary Deputy Speaker, Sir, on the recently formed Ministry of Youth Affairs, I would like to say that it is a good thing. It is not a new thing because the youth have been agitating for its formation. We are yet to see what it will do for the youth. My advice is that the youth require appropriate skills. So whatever the Government will do must address the issue of skills development for the youth. They also require to be organised. This Government must be able to tell us how it is going to organise our youth to be productive. If it has not handled this issue, it should do so in the Sessional Paper it will bring to the House.

Mr. Temporary Deputy Speaker, within the larger economy, there is need for a right development policy.

With those few remarks, I beg to support.

The Assistant Minister for Finance (Mr. Kenneth): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the debate on His Excellency the President's Address at the official opening of Parliament.

One of the matters that he raised in his Address was legislation, and the need for us to work together towards enacting legislation that can help this nation. Some legislative agenda was mentioned in the Address. I want to appeal to the House that certain legislation is good for all of us, and we will need to adopt a non-partisan approach to facilitate that kind of legislation. I have in mind some legislation on the SACCOs, which is very important to guarantee protection of funds of people who continue day in, day out, depositing their money in SACCOs in our rural areas. When we consider that most banks are actually located in major commercial areas, then we see the need to have legislation that guarantees savers in small urban areas protection of their money in

SACCOs.

Mr. Temporary Deputy Speaker, Sir, there will be a Bill on micro-finance organisations that will assist our small traders to be able to trade with money provided by donors, or created through bonds by the Government. It is important that we fully look at the micro-finance Bill and pass it when it comes to the House.

I cannot also over-emphasize the need to have a National Health Insurance Bill, because any nation that is not healthy, despite its growth or infrastructure development, will not be able to move forward. Of course, we have been told that there will be the introduction of the Political Parties Bill. I hope that this Bill will not only stipulate principles for our political parties, but will also ensure a sound foundation for political parties.

A lot has been said about our growth. In particular, the Government has said that our economy has grown by 5 per cent. I think one has to look at where we are coming from. It is not a point to be complacent about, because 5 per cent growth rate cannot make our nation to be called a developed country. We have to attain between 9 and 12 per cent growth rate. Today, we are waking up to the reality that the People's Republic of China requires a 10 per cent annual growth rate to sustain its current level of growth. So, although we are at 5 per cent annual growth rate, we can only talk about it because a few years back we were at negative one growth rate. We need to look at what we have gained and the pitfalls on our way. We need to look at the pitfalls that have made us not grow beyond 5 per cent, and they are many. If you look at our tourism sector, you will see that the growth rate is 16 per cent. This continues to be the case despite the high rate of insecurity in this country. How long do we have to be rattled by rapists? How long do we have to be rattled by gangsters? How long do we have to be rattled by murders before we take a decisive action? Do we act decisively even when we are told there is subversion? We need to think and act, because unless there is enough security for Kenyans, no matter how high the growth rate and how much we invest in infrastructure, we will be doing that for a dying nation.

Mr. Temporary Deputy Speaker, we need to improve our infrastructure. I do not believe that we should have so many years of bad infrastructure. We probably need a short-term therapy to see some of our roads come back to what they used to be. The amount of money we waste on maintenance of vehicles because of poor infrastructure is a drain on our economy. It could have helped to have a higher growth rate if we had a better infrastructure. We would have paid less because we would not have had traffic jams, and would not have needed to import spare parts.

For us to attain better growth, we need to take advantage of the treaties we have signed. We need to take advantage of the COMESA Treaty. We have not encouraged our traders to get out of this country. We now have the East African Community. We need to take advantage of it to be able to free our traders. When I saw our journalists, who went to cover a very small court matter in Arusha, being arrested, I concluded that there are problems in our East African Community Treaty. We need to harmonise integration of our Community member states to be able to work together and realise benefits from it.

Mr. Temporary Deputy Speaker, Sir, I am glad that the Minister for Justice and Constitutional Affairs is here. We have said that we will look at both new and all corruption. But at this point we must make sure that there is no new corruption, so that we can concentrate on old corruption and deter Kenyans from trying to be corrupt from now henceforth. One of the big problems is that we are trying to untie the old corruption and there is new corruption going on. We have to put a stop to it at some point.

There are two basic problems that Kenyans are facing. We have been feeding Kenyans affected by famine. I would like to applaud the Government for trying its best. For the sake of the hon. Member for Isiolo South, Mr. Bahari, I would like to confirm that this week, the Treasury released money towards immunization of livestock. We do realise that there is a problem. The

basic problem for communities that rely on livestock is that it is dying. Even if you give them food and you do not replenish their depleted livestock, they will remain dependent on relief food, and will never be able to go to their core business, which is livestock rearing. We must go that extra step to see that we not only replenish depleted livestock, but also make the people dependent on themselves.

Having talked about feeding a nation, we must also look at ways in which we can harness our rain water. When rains come, and MPs are praying for them to come, all their water ends up in the Indian Ocean. We must think of building dams in this country. We must put more land under irrigation, and this will result in more food for our people. If we want to grow, we must be dependent on ourselves when it comes to food production.

On unemployment, we must make deliberate moves to ensure that our youth are able to get employment. It will not require a rocket scientist to convert our Industrial Area to a work-at-night-shifts zone. This will create more employment so that our youth can be employed. If we are to employ 300 people daily in the Industrial Area today, we have to create security at night, infrastructure and also provide adequate water and electricity. If that is done our factories will create jobs at night. We will then have more people to tax, and be able to pay for the services we provide.

Finally, we have spoken a lot about a new constitution. The fact remains that we have polarised this nation to which ever side we went. This nation now requires healing. This nation is more important than all of us. We must look for ways in which we can make Kenyans proud of being Kenyans. That can only happen if there are deliberate moves to heal this nation. Nobody should ever be seen through his community, if we are proud of being Kenyans. Nobody should ever be referred to the background from which he or she comes, if we are to be proud of this nation. I want to appeal to all hon. Members on both sides of the House, that it is important for us, as leaders, that we show maturity, and work towards achieving a better Kenya by being true to ourselves and patriotic to this country.

With those few remarks, I beg to support.

Mr. Salat: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion on the President's Address, when he officially opened this Parliament's Fifth Session.

First, I would like to say that this House had been prorogued for five months immediately after the referendum. I would like to thank Kenyans for the way they conducted themselves during that period. During that period, when we were campaigning for or against it, many things were said; some were accusations. Some people had predicted that if the "Orange" side would win, Kenya would be doomed. However, with the maturity of Kenyans, we still have our country intact. We hope that, that kind of maturity will continue. Kenyans have now learnt how to detect who is telling the truth during campaigns. The document we rejected was not good for this country. Kenyans came out in large numbers to reject it by voting against it because they wanted this country to remain united. They said that they did not want a country that seemed to favour a certain period, but a country for prosperity. The document we were discussing could not have given this country prosperity, and put it under democracy which it needs to function. We are at a point where we want to know the way forward.

His Excellency the President, again without any consultations, decided to form a commission, the Ambassador Kiplagat-led-Commission. According to me, he failed to learn from the referendum outcome; that, Kenyans wanted a document which is all-inclusive. This time round, a decision has been made to tackle the issues pertinent to the Constitution, with the exclusion of the people who were on the "Orange" side. That to me is causing trouble because a decision will have to be made. The Commission that the President formed will have to consult with hon. Members of

this House who were against the draft Constitution. According to me, I thought the President would call all the parties concerned, to decide on what we should do and the way forward, in regard to changing the Constitution.

The President touched on the issue of the legislative performance of this House. He said that during the last Session, we had 25 Bills brought to this House, but only seven managed to go through. Yes, according to the President, we performed below par. However, we have to find out the cause of that. The division was not exactly on the Opposition side, but within the Government side. Therefore, the President should first address the divisions among hon. Members in the Government, before saying we performed below expectation. That is a point that the President should address before he says that we performed below par.

I thank the President for saying that he will increase the number of Judges of the High Court from 50 to 70. That to me, is a pledge long overdue. We want to see the Judiciary functioning. However, owing to the number of Judges there, it is slow. He also pledged to increase the number of Judges at the Court of Appeal from 11 to 15. My party is awaiting a certain ruling, and that is why he should act on his pledge. There are a number of hon. Members from my party who were appointed to Ministerial positions. We went to court and challenged that it was unconstitutional for the President to poach hon. Members from the Opposition without our consent. I hope that with the increase of Judges of the High Court and those of the Court of Appeal, a ruling will be given soon.

Mr. Temporary Deputy Speaker, Sir, I have to talk about an issue which has touched every hon. Member who has stood up to contribute to this Motion. That is the issue of security. We are afraid because there are parallel decision-making bodies within our security forces. Recently, the Police Commissioner was out of the country, only for a raid to be conducted at one of the media houses. When he came back, he said that he had not sanctioned the raid. That is very bad for any country.

Since the year 2003, there have been many cases of strange murders and burglaries in this country. If you remember well, on Sunday, September 14th, 2003, one of the delegates at the Bomas of Kenya Constitution making conference, Dr. Odhiambo Mbai was murdered. To date, nothing has been done about it. I want to bring to your attention that, that did not happen only to Dr. Odhiambo Mbai. On September, 2004, unknown persons raided the Office of the Controller and Auditor-General, and stole vital documents. To date, we have not been told which vital documents were stolen, yet the suspects are out there. In 2005, a Mr. Erastus Chemwor was killed under mysterious circumstances and to date, nothing has been done about the case. An investigation by an independent body was conducted and it was alleged that the man was killed in a very bad execution. I want to say that Dr. Murungaru, a Minister then, had his office raided at Transcom House, here in Nairobi. We do not know what was stolen to date.

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

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, on 9th October, 2005, retired President Moi's former security Chief, Mr. Charles Murgor was murdered. To date, no action has been taken. The incident occurred after the former President, Mr. Moi, alleged that there were people following him. Immediately after that, Murgor was gone. I will go on to say that two months after that, a Mr. Daniel Koech, in November 2005, a person working for the Ministry of Trade and Industry, was murdered in cold blood. To date, we do not know the position of the murder case.

Mr. Deputy Speaker, Sir, as if that is not enough, on Christmas Day last year, everybody

read in the newspapers that police officers who were enjoying themselves during the Christmas season; a Mr. Philip and Mr. Michael Cheptot, a police officer at Kapsabet, Corporal Francis Boiyo, Jane Cheptotich, Francis Omito, his brother, Olum Omito and Stephen Chebus were all gunned down and to date, we do not know anything about that incident. There is a long list and I have to say, through you, we need to find out exactly who is responsible for these murders.

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

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. Hon. Salat has read out a long list of people who have possibly been murdered, some of them by the police. This is a very serious matter. Could it be in order for me to ask that he lays that list on the Table?

Mr. Salat: Mr. Deputy Speaker, Sir, these are murders that need to be looked into and I am sure the Minister of State, Office of the President in charge of internal security will take action. Every time we lose a hon. Member, we always observe a minute of silence for that particular hon. Member. I would wish that the Minister will also look into these cases. May I lay the list on the Table?

Mr. Deputy Speaker: Mr. Salat, who is the author of that list?

Mr. Salat: I authored it.

Mr. Deputy Speaker: So, those are your talking notes and, of course, it is on record in the HANSARD. I do not think it would serve the House any good for us to have your notes. In any case, it has been captured on the HANSARD.

The Minister for Justice and Constitutional Affairs (Ms. Karua): On a point of order, Mr. Deputy Speaker, Sir. I am just wondering because my colleague, who has just finished contributing, read a long list of people I suppose he knows. I am aware that there are other cases of murder in other places in the country. We regret all of them and we know that the police are doing their best. Is it in order to ask the hon. Member not only to follow up with the police and with the institutions concerned, but also to encourage the people around the victims to also give information to the police, because without participation of all of us, the police alone cannot solve these murders? Is it in order for me to request that hon. Salat forwards that information and also makes a follow-up with the police?

Mr. Deputy Speaker: I repeat that this is a grave matter, but, indeed, as the Minister has said, there are many other victims of violence and I think this is a matter of great concern not only to the House but to the whole country. I am pleased to see that the Minister for Justice and Constitutional Affairs has taken note of that and I hope that, certainly, there would be follow ups of that very eloquent speech by hon. Salat.

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. On the issue of substantiation, I actually want to refer you to the ruling by the late Speaker, Mr. Humphrey Slade. In fact, according to Slade, I am sorry I do not have his ruling here, that document is practically admissible. Even a newspaper is quite admissible for purposes of substantiation.

Mr. Deputy Speaker: But, Mr. Raila, you know that the hon. Member was not asked to substantiate. He was simply asked to avail the list and lay it on the Table. There was no question of substantiation because I do not think there is any doubt that what the hon. Member is saying is true, and that fact has not been denied. So, I think we are not seeking any substantiation. We are only saying that the hon. Member has done a good job. He has done good homework and he has been able to provide and draw a long list of victims of violence. This is a matter that should be followed up along with many others. I can say that the Minister, in conjunction with the police has, indeed, offered to take action.

The Minister of State for Defence (Mr. Karume): Asante sana, Bw. Naibu Spika, kwa kunipa nafasi hii ili niseme machache kuhusu Hotuba ya Rais. Hii ilikuwa Hotuba ya maana sana na ilionyesha vile anavyoifikiria nchi hii na vile anavyopenda kuona kuwa maslahi ya kila Mkenya

yanashughulikiwa.

Bw. Naibu Spika, ni miaka mitatu peke yake tangu Rais Kibaki achukue hatamu za uongozi wa nchi hii, na Serikali ya NARC imefanya mambo mengi sana ya maana. Imewasaidia wananchi katika kila sehemu ya nchi yetu. Hii ndio mara ya kwanza tulipoweza kuona pesa za Serikali zikiweza kuwafikia wananchi huko mashinani kupitia Hazina ya Maeneo ya Uwakilishi Bungeni. Pesa hizi zimesaidia kuimarisha usalama, kusambaza maji, kujenga shule na mambo mengine mengi sana. Hii ni thibitisho kwamba Serikali hii inafikiria maslahi ya watu wake kama vile Rais aliapa kwamba atawachunga Wakenya.

Bw. Naibu Spika, vile vile, hakuna mtu ambaye angekubali kuwa Serikali ingeweza kuwapa wanafunzi katika shule za msingi masomo ya bure. Hivi sasa, hakuna mwanafunzi yeyote anayelipa karo au kununua vitabu au kalamu. Maendeleo haya yamepatikana kwa muda huu mfupi ambao Serikali imekuwa mamlakani. Hii ni kuonyesha kuwa Serikali ya NARC, inayoongozwa na Rais Kibaki, ni ya maana kwa sababu inafikiria juu ya maslahi ya Wakenya.

Bw. Naibu Spika, mimi huenda Mombasa kila mara. Mwaka huu tumeweza kuona mambo ya ajabu katika sekta ya utalii. Kwa kawaida, msimu huu wa likizo hatupati watalii wengi lakini mwaka huu, hoteli nyingi huko Mombasa zinaendelea kupokea watalii wengi kutoka Ujerumani, Italia, Uingereza, Uhispania na kwingeneko. Kawaida, huu sio wakati watalii wengi wanakuja humu nchini. Lakini kwa sababu ya amani na uongozi wa maana wa Serikali yetu, msimu huu tumepokea watalii wengi. Jambo hili litatuwezesha kupata pesa za kigeni ambazo zitatusaidia sana. Hii ni kuonyesha kwamba Serikali yetu inafanya mambo ya maana sana kwa sababu kabla Serikali ya NARC kuchukua hatamu za uongozi, sekta ya utalii ilikuwa imezorota sana na hoteli nyingi zilikuwa zimefungwa na wafanyikazi wengi kufutwa kazi. Lakini zile hoteli kubwa ambazo zilikuwa zimefungwa sasa zimefunguliwa na tayari zinawaandika kazi wananchi waliokuwa wamefutwa kazi. Hii ni ishara kwamba Serikali yetu inafanya kazi kubwa ya kuwasaidia wananchi.

Upande wa ukulima, iwe ni kule Kitale, Kaskazini mwa Bonde la Ufa ama Mkoa wa Magharibi, wakulima wanaokua mahindi wanayauza kwa bei nzuri sasa. Ni kweli kwamba wao wangependa kuuzia Serikali mahindi kwa bei ya juu kuliko wanavyofanya sasa. Hata hivyo, bei ya gunia moja la mahindi ni Kshs1,300 na wanalipwa hizo pesa mara moja. Awali gunia moja la mahindi lilikuwa linanunuliwa kwa Kshs400 na ilikuwa vigumu kuwalipa wakulima. Hii ni kuonyesha kuwa Serikali hii inawafikiria wananchi sana.

Bw. Naibu Spika, bado tunakumbuka masaibu yaliyolipata Shirika la Maziwa la Kenya (KCC) katika miaka iliyopita. Wakulima walilazimika kuuza ng'ombe wao ama kuwachinja kwa sababu shirika la KCC lilikuwa limefia na halikuweza kununua hata maziwa machache. Shirika hilo lilikuwa hata limenunuliwa na watu wengine. Ingawa hivyo, Serikali yetu ililichukua tena shirika la KCC na kuliimarisha. Sasa maziwa yananunuliwa kwa bei nzuri sana, na wakulima wanalipwa vizuri vile vile. Kama ukulima utaendelezwa vizuri, kwa kweli sote tutafaidika.

Tunajua ni kweli kwamba sehemu kadhaa za nchi hii zimekumbwa na njaa. Hii ni kwa sababu tumekuwa na kiangazi kwa muda wa miaka mitatu sasa. Imekuwa shida kubwa sana kwetu. Mimi najua kwamba watu wengi wamekosa chakula na wengine mifugo yao imekufa kutokana na janga hili la ukame. Hata hivyo, shida hii haijasababishwa na Serikali. Ukame si tukio linalosababishwa na binadamu kwa sababu mvua huletwa na Mwenyezi Mungu. Ikiwa hakuna mvua, hakuna anachoweza kufanya binadamu. Lakini Serikali hii, kwa miaka mitatu ambayo imekuwa uongozini, imejaribu sana kuwapa watu walioathirika chakula. Imetumia pesa nyingi na imesaidiwa na marafiki wengi. Ni bahati mbaya tu kwamba watu wachache wamekosa chakula kiasi cha kuwa wagonjwa. Lakini Serikali yetu imejaribu.

Mimi nikiwa Waziri anayesimamia ulinzi wa nchi yetu, naweza kusema kwamba kwa miaka 40 ambayo tumejitawala sisi wenyewe, sijaona--- Sio mara ya kwanza nchi yetu kukumbwa na ukame. Janga hili lilikuweko hata mbeleni, lakini mimi sijaona jeshi la nchi likisaidia katika

uchukuzi wa chakula na kuwapelekea wale waliokabiliwa na njaa. Mara nyingine imetubidi, katika hali za dharura, kutumia ndege za majeshi yetu kusafirisha chakula katika sehemu zilizoathiriwa na ukame. Ikiwa Serikali inaweza kuruhusu magari ya jeshi letu la taifa kusafirisha chakula katika sehemu zilizokabiliwa na njaa, hiyo ni ishara kwamba Serikali inajali maslahi ya watu wake.

Bw. Naibu Spika, ningependa kumshukuru Rais wetu kwa kuunda Wizara ya Maswala ya Vijana. Hii Wizara ni ya maana sana. Ningependa kumwomba Waziri wa Fedha kwamba watakapokuwa wakitengeneza bajeti ya mwaka huu, hiyo Wizara ipewe pesa nyingi sana kwa sababu vijana humu nchini ni wengi sana na tena wengi wao hawana kazi na wanasumbuka sana. Wanahitaji kusaidiwa kifedha ili wengine wao waanzishe biashara hata ikiwa ni kazi za *Jua kali*. Kwa hivyo ni muhimu tuwape kipaumbele vijana wetu ambao wamekaa nyumbani kwa ajili ya kukosa kazi.

Sisi tumechaguliwa na wananchi kuja Bunge hili kuwawakilisha. Kwa hivyo haijalishi umekaa upande gani katika Bunge hili. Wananchi wametupigia kura ili tuje hapa kuwafanyia kazi. Inatupasa sisi Wabunge kutokuwa maadui wala tusitukanane. Ningependa sana tuwe tukizungumza pamoja ili tuweze kurekebisha makosa yoyote ambayo yanajitokeza. Sisi sote tumechaguliwa kuja hapa kusaidia wananchi wa nchi hii. Leo mimi niko upande huu na kesho huenda nikawa upande ule wa Upinzani. Tufikirie jinsi tunaweza kuzungumza pamoja. Ikiwa kuna Mswada umeletwa na Mbunge wa Upinzani na uwe Mswada wa kusaidia wananchi, hainifai kuupinga Mswada huo eti kwa sababu Mbunge aliyeuleta Mswada huo si rafiki yangu. Tulifikirie jambo hilo sana. Ni muhimu kuyaweka maslahi ya wananchi wa Kenya mbele ya tofauti zetu za kisiasa.

Bw. Naibu Spika, nimetilia maanani sana swala hilo la vijana wetu. Wengine wao wamehitimu kutoka vyuo vikuu mbali mbali na maarufu kama vile Chuo Kikuu cha Cambridge, lakini hawana kazi. Najua Serikali hii ingependa sana vijana wapate kazi za kufanya.

Bw. Naibu Spika, tunajua kwamba mambo ya usalama hayajakuwa kamilifu humu nchini, lakini tukubali kwamba hali ya usalama imeimarika nchini. Ukitembea kote nchini na kuwauliza wananchi, watakuambia kwamba ingawa hali ya usalama haijakuwa kamilifu, Serikali imejaribu sana kuimarisha mambo hayo ya usalama.

Bw. Naibu Spika, kwa hayo machache, naunga mkono Hoja hii.

Mr. Midiwo: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute on the Speech of the President.

First and foremost, I would like to say that the Speech was not good as has been alleged by some hon. Members in this House. The Speech was full of the same promises that were made last year and during the NARC campaigns in 2002. It was a Speech full of rhetoric, lies, empty promises and---

Mr. Deputy Speaker: Order, Mr. Midiwo! No lies!

Mr. Midiwo: Mr. Deputy Speaker, Sir, I wish to apologise. The Speech was full of untruths. When you talk about job creation and youth affairs, the President admitted that the youth comprise 72 per cent of the total population in this country. The President bragged for having created the Ministry of Youth Affairs. I beg to disagree that that is a good move. It is an empty Ministry because I do not think that what the youth of this country need is a new Ministry of Youth Affairs. What the youth need are the 500,000 jobs per year that were in the NARC manifesto and which were the basis of the election of the Kibaki Government in 2002.

The youth of this country will not, and I speak as a youthful representative of Gem Constituency in this House, be hoodwinked into supporting a Government which is heartless and cares less about their plight. The creation of the Ministry of Youth Affairs by this Government is meant to hoodwink the youth into voting for it in the coming general elections. We hope the elections will come sooner because we, the youth, are ready to show you that we are the people.

The youth will not further be hoodwinked into the creation of tribal political parties and

giving them national names. We want to tell the Government that we can see through their machinations and we know that they are running scared. We can see through any tactics that this Government might use to try to further its overdue stay in power. They have been at the helm for too long because they are not doing anything to help us as a people and as a country.

Mr. Deputy Speaker, Sir, if the President was serious enough, the amount of money he is using in the creation of new Ministries and appointing 89 Ministers ought to have been used to liberate our people from the yoke of heavy school fees, poverty, drought and hunger. You do not need ninety Ministers in a Government that is only experiencing 5 per cent growth rate. The job cut should begin from the Cabinet.

Mr. Deputy Speaker, Sir, the President also needs to know that the reason why this country went through a referendum last year was because of the ineptitude and lack of dialogue from the Government side and the leadership in this country. This country did not deserve the heavy task of a referendum. When we left Bomas we had agreed to go by the rules decided by this country. When the President was taking his oath of presidency he said that he would abide by the promises he made during the election campaign. One of these promises was that the new Constitution would be delivered in 100 days. That did not happen, therefore, we went on to a referendum.

We will not accept the so-called Committee of Eminent Persons after all, all Kenyans should be eminent if the Government strives to give them a little dignity. But the Government is not doing that. We do not know who these eminent people are or how he chose them. We reject them in totality. We shall not accept that committee.

Mr. Deputy Speaker, Sir, there is talk of economic growth. There is no economic growth in this country. There is no way you can claim that there is economic growth if the poor farmer or citizen does not feel it. It is not being felt where I come from, or where I pass through in this country because the Government is not doing enough.

Mr. Karume has just said that farmers are now enjoying their benefits. I come from a cotton and sugar-cane growing area. It so happens that the only thing that can grow in my constituency is cotton. Three-and-a-half years later, the Government has not invested a single cent towards reviving the cotton industry despite the free offers we have in the AGOA. The reason for this is that the people who live in that fertile area are not from their region. Everything being done in this Government targets one region in this country. Right now, as I speak, Kenyans who do not come from that region are being---

An hon. Member: Which region?

Mr. Midiwo: Mt. Kenya region, if you care to know.

Mr. Deputy Speaker, Sir, recently, the Managing Director of the Kenya Power and Lighting Company was whisked out of office and no particular reason was given for this action.

The Assistant Minister for Energy (Mr. Kiunjuri): On a point of order, Mr. Deputy Speaker, Sir. Is Mr. Midiwo in order to say that the managing director was eased out of office---

Mr. Deputy Speaker: He has not even finished his statement. I would have liked to hear what he has to say. Could you let him finish that statement?

Mr. Midiwo: Mr. Deputy Speaker, Sir, the list is very long. The Government has refused to explain under what circumstances Dr. Orege is no longer the head of the National AIDS Control Council.

Mr. Deputy Speaker: Mr. Midiwo, the hon. Member was standing on a point of order on a statement you made about the KPLC. I wanted you to finish so that I can hear whether there is any justification on his point of order.

Mr. Midiwo: Mr. Deputy Speaker, Sir, for the record, Jasper Oduor was recently replaced as the managing director of the KPLC despite turning around a moribund company which was used as a cash cow in the previous regime. But because somebody knows there is money there---

The Assistant Minister for Energy (Mr. Kiunjuri): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to insinuate that the managing director, KPLC was eased out without a reason without substantiating and if necessary tabling the substantiation?

Mr. Midiwo: Mr. Deputy Speaker, Sir, he is the Assistant Minister for Energy and he knows very well that Jasper Oduor was the employee of the board of directors of the KPLC. He was removed by the Government and not the board.

(Mr. Kiunjuri stood up in his place)

Mr. Deputy Speaker: Mr. Kiunjuri, as far as that point of order is concerned, I think it should rest there. You should not go on with another one.

Proceed, Mr. Midiwo!

Mr. Midiwo: Mr. Deputy Speaker, Sir, just last week---

The Assistant Minister for Energy (Mr. Kiunjuri): On a point of order, Mr. Deputy Speaker, Sir. There is a serious allegation that the Government can fire either a civil servant or a managing director without reason. There is a reason why Jasper was fired.

Mr. Deputy Speaker: As an Assistant Minister in that Ministry, I would have expected you to ask whether Mr. Midiwo is in order to make those allegations when the reason was a, b, c, d? But you are now asking him to substantiate.

The Assistant Minister for Energy (Mr. Kiunjuri): Mr. Deputy Speaker, Sir, it might take me 10 minutes to explain why he was eased out.

Mr. Deputy Speaker: In that case, you will still have the opportunity to do that.

Mr. Midiwo: Mr. Deputy Speaker, Sir, in the case of Jasper Oduor, the board never sat to determine the fate of the managing director of the KPLC.

Mr. N. Nyagah: On a point of order, Mr. Deputy Speaker, Sir. I have been very attentive, as much as you have. Is it possible for the hon. Member to substantiate that there is new corruption in that parastatal and that is why the new managing director has been put there?

Mr. Deputy Speaker: I really find it difficult to order anything on that.

Proceed Mr. Midiwo!

Mr. Midiwo: Mr. Deputy Speaker, that is really a point of argument. Just a week ago, the Governor of the Central Bank of Kenya was sacked without a board meeting. We cannot sit in this House and regularise wrong actions of the Government. The Government is not listening to MPs or the people of Kenya.

Mr. Deputy Speaker: Order, Mr. Midiwo! Your time is up.

The Minister for East African Community (Mr. J.K. Koech): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to comment on the President's Speech. I want to request my hon. colleagues that we uphold the dignity of Parliament. We have to speak the truth. We must be fair in our criticisms.

It has been said that in Africa, the Opposition is not there to oppose but to destroy. The biggest problem that we have in this country is that we are not opposing to build; we are opposing to destroy. That is dangerous for this nation. If you look at the political developments over the years, the Opposition have fared very poorly because they believe that the opposition is supposed to destroy.

Mr. Deputy Speaker, Sir, if we look back to 1963, there was a very strong Opposition but because it could not work, the Good Lord said: "Let it be dissolved for the good of this nation." It was dissolved. In 1992, just after the elections, the Opposition was very strong! But because the Opposition wanted to oppose and destroy, God found a way in form of defections. Those on the

other side defected to the Government. In 2002, it was the same. So, there is a dangerous trend in this country. We must learn politics of multi-partyism. Even if we oppose, we must be constructive.

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member on the Floor is making very wild allegations! He, himself, is a victim of what he is saying! Is he right to insinuate that the Opposition is trying to destroy when, in fact, the Opposition here is offering very constructive criticisms? Can he substantiate the allegations that he is making?

Mr. Deputy Speaker: What did the hon. Member say?

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, I have nothing to substantiate. This is part of talking for the sake of talking. We must know when we have information. We must not say a lot of things to incite our people because they are poor. Let us stop telling them that we are going to bring heaven to Kenya. We must be honest to ourselves.

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

Mr. Deputy Speaker: What did the hon. Member say?

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member is a defector! His party is on this side. It has not agreed that he should be a Minister! Is he right to make those kind of allegations against us?

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, my colleague came to this side when he was in the Opposition! He is the best example of what he is saying! I must stick to my guns! We must oppose with responsibility. We must be responsible to this nation. We know that the Government has made some mistakes. But there are many good things that this Government has done. Why can we not point out the wrongs and rights that they have done? Why stand here and from point number one to the last, it is a litany of cries. Do we not have some litany of good things?

Mr. Deputy Speaker, Sir, I would like to challenge my Nyanza friends. In the East African Community, our President is struggling very hard to make the biggest organ in East Africa to be housed in Kisumu. This Government would like to develop the lake region by using the Lake Victoria Commission to harmonise the activities in Nyanza. That is going to be wonderful for the people of Nyanza. I would like to challenge you to come up with wonderful ideas to develop the people, instead of coming here to cry and yet, some of us have nothing in our constituencies. We must contribute in our own small ways!

Mr. Deputy Speaker: Order, Mr. Koech!

Mr. Midiwo: On a point of order, Mr. Deputy Speaker, Sir. It is true that the Minister has a right to talk. But is he in order to use un-parliamentary language? He has said: "Coming here to cry!": Is he in order to address---

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, in fact I was challenging my friend---

Mr. Deputy Speaker: Order! Mr. Koech, you must exercise some patience! An hon. Member has stood on a point of order and before he has finished, you have shot up! I was going to tell Mr. Midiwo that the word "crying" is not un-parliamentary. Let us not interrupt hon. Members for the sake of interrupting.

Mr. Syongo: On a point of order, Mr. Deputy Speaker, Sir. I think we are in danger of allowing a very dangerous precedence to take place. As you were consulting with another hon. Member, the Minister said categorically that the Opposition is only out to destroy. The Opposition of this House is part and parcel of this Parliament! It cannot be there specifically to destroy. It has a purpose! It is a design of this House!

Mr. Deputy Speaker: Order! Have you spoken? Have you made a contribution?

Mr. Syongo: Not yet, Mr. Speaker, Sir.

Mr. Deputy Speaker: Please, sit down! I will give you a chance to respond to him.

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, you must save me from unnecessary interruptions. I have said the truth. It is very painful to some people. But I believe that some people must be told the truth! They must find answers in their backyard to the problems they have, rather than come to cry here in Nairobi! We must do very many things in our own small way to help our communities. I hate corruption. You can challenge me because I have never been corrupt! I do not like corrupt people. But some people who are highly corrupt are now the best in talking about corruption. We should have a Standing Order in this Parliament to bar those who are corrupt from talking about corruption in this House.

Archbishop Ondiek: On a point of order, Mr. Deputy Speaker Sir. Could the Minister tell us who is corrupt? He was a Member of KANU and now he is on the other side. He is the one who is corrupt?

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, why do you not save me from those unnecessary interruptions? In 1997, these hon. Members moved from the Opposition to the Government side.

Mr. Deputy Speaker: Order! This has now degenerated into something that is unacceptable. If any hon. Member is going to say anything that is against the rules of the House, the Chair is going to take action. The hon. Member is completely entitled to say what he wants to say, provided he does not insult anyone or break the rules of the House. So, let him speak! I will give you your chance!

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, the Speaker said the other day that the truth has been criminalised. When I say the truth, you can see the way they are criminalising me.

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

Mr. Deputy Speaker: Overruled!

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, thank you for saving me from unnecessary interruptions. I was advising my colleagues that the Lake Victoria Commission will do a lot of things for the people of Western Kenya. It is the President, himself, who assisted us to make sure that the Lake Victoria Commission is housed in Kisumu. That will mean much more to the people of Nyanza. I want to challenge my colleagues on the other side of the House. Let us sit together and use the Lake Victoria Commission as a vehicle for eradicating poverty from those people. I have not heard anybody from that area saying that the Government has done something and yet, the President made sure that the Lake Victoria Commission is housed in Nyanza. Nobody has said: "Thank you!" You only say: "Things are done on the other side!" Nobody has made mistakes here, but I want to challenge them to be forthright!

Mr. Midiwo: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to personalise the issue as big as East African Community? If the Minister is not aware, Lake Victoria is in Nyanza and not Mt. Kenya! So, the President had no option but to take it to Nyanza and Western Kenya.

The Minister for East African Community (Mr. J.K. Koech): Mr. Deputy Speaker, Sir, I have been in this House for a long time. My records in the villages are very good. I started developing them when I was an extension officer. I am not only a Member of Parliament, but an extension officer. I am ready to remove my shoes and work with them. But if we are the type that puts on suits, shoes and enjoy life, we will never develop our people. Let us be serious. There is poverty in this country. It did not start yesterday. If we are going to improve the economy of this country--- It cannot be done in three years. Many things had gone wrong in Kenya for many years. We cannot change Kenya into a highly developed country and remove poverty and insecurity in a

short time. It is only God who has power to say that. When God created the world, he saw it was dark. He said: "Let there be light!" I do not think this Government can wake up one morning and say: "Let poverty go", and it goes overnight! We have to work together as a unit. Let us come up with ideas that are going to reduce poverty in this country. When the Government said that 500,000 people will be employed in a year, it does not mean that they will get white collar jobs. When you pump money into the economy, it has a multiplying effect. What the Constituencies Development Fund (CDF) has done in terms of multiplying effect is great for this nation. So many officers have been employed. But you do not want to say that! You want to tell our people lies.

Mr. Deputy Speaker: Order! Could you withdraw that.

The Minister for East African Community (Mr. J.K. Koech): I withdraw that, Mr. Deputy Speaker, Sir.

Mr. Weya: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to comment on the Presidential Speech.

Mr. Deputy Speaker, Sir, I was one of the Members of Parliament that were elected on a NARC ticket. I am very disappointed because the policies that we had, including the promise of creating 500,000 employment opportunities per year, accountability and zero tolerance for corruption, have dropped down the line. We, as leaders, have to be very serious on how we lead our people. You come to Parliament and you are given a vehicle. When you are appointed a Minister or Assistant Minister, you are given four vehicles. What are you doing, as a leader, with four vehicles? Each of those vehicles costs an average of Kshs9 million, and yet, you are saying you are looking after the interests of the Kenyan people!

The Assistant Minister for Transport (Mr. Githae): On a point of order, Mr. Deputy Speaker, Sir. The hon. Member has claimed that Ministers are allocated four vehicles and that is why there is poverty in this country. Could he name those Ministers because they are not there?

Mr. Weya: Mr. Deputy Speaker, Sir, the report of the Kenya National Commission on Human Rights that was released recently clearly states how Cabinet Ministers are buying expensive vehicles. The vehicles include even Range Rovers that cost about Kshs17 million. For one person to drive a vehicle worth Kshs17 million, add the Kshs3.3 million he is given by the National Assembly for the personal car, it comes to more than Kshs20 million. Is that just? And you claim to be leaders?

Moreover, whenever a new Cabinet Minister is appointed, they buy new furniture, costing taxpayers millions of shillings. They claim money all over. They fly to their constituencies and Government vehicles are waiting for them, with bodyguards. Are we leaders? That is the question most of these Ministers have to ask themselves. Some of them were here in the Opposition fighting the Government. This Government will go down on record as not having given Kenyans the new Constitution they promised, but spent billions of shillings arrogantly trying to force a bad constitution down the throats of Kenyans. We have to be accountable to the people who elected us. If I were to join the Government today, I would fly a flag and have bodyguards. Is that why I was elected? I was elected to represent and be accountable to the people of Kenya.

Mr. Deputy Speaker, Sir, recently, I was privileged to travel to the USA. I found out that their Congress is a place for discussing policy. You come to this Parliament and you hear Members talking about elephants and goats. Those are things discussed in local authorities, not the National Assembly.

Mr. Deputy Speaker, Sir, many of the Members on the other side do not represent the people on the ground. You could easily see that by the results of the referendum where 153 constituencies rejected this Government. We, as politicians should have principles. You cannot be elected on a KANU ticket and then, all of a sudden, you are in Government. This Parliament does not respect democracy. You will find that somebody who was abusing the Head of State when he

was running for President, now shouting loudest that he is supporting him! The Minister who was speaking a few minutes ago said President Kibaki would never be President of this country. Now, he is standing on the other side claiming he supports Kibaki's Government. What does he stand for; his stomach and that of his wife and children? We have to be very clear as leaders on what we stand for.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir. Could the hon. Member substantiate his allegations that there are some Members who were abusing the President and now are on the other side and enjoying the facilities of Government?

Mr. Weya: Mr. Deputy Speaker, Sir, it is very obvious. Hon. Karume was elected on a KANU ticket and during the campaigns, he was fighting us as NARC. Hon. Paul Muite, for example, said President Kibaki would never be the President of this country. It is on record. There are many others.

Mr. Deputy Speaker, Sir, the resources of this country have been distributed poorly over the years. You find that North Eastern, Nyanza and Western Provinces are left out in development programmes. At Independence, Nyanza and Western provinces were the most developed in this country. Now, they are the least. You find that in education, there has been a deliberate effort by successive governments to impoverish those people. We have to make sure that our resources are distributed equitably. The other day, the President said, in his Speech, that 200 boreholes would be sunk. But you will find that those developments are done selectively.

However, I would like to commend the Ministry of Roads and Public Works because they advertised in the media the roads they are going to construct, all over the country, plus the costs. Other Ministries should follow suit. Even at the district levels, you find that Ministries are hiding their budgets from Members. The Executive arm of Government must work with Members of Parliament to develop the constituencies. We are having problems with leadership at all levels. Out there, wananchi are praying that the leaders in this current Parliament are removed, including even the top leadership. They are praying that we have a new Parliament because we are failing the people. We talk about growth of the economy on paper, but on the ground, it is not there. In my district, cotton is the only crop that can grow, yet no money has been put in that industry. Where do you expect them to get income from? There is growth in Safaricom because people are able to buy scratch cards. There is growth in Kenya Power and Lighting Company because people are able to buy electricity. The resources of this country are in the hands of very few people. The rich are getting richer while the poor are getting poorer.

With those remarks, I beg to oppose.

(Applause)

The Assistant Minister for Transport (Mr. Githae): Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to contribute on the Presidential Speech. As I sat here, I was shocked by the utterances coming from the Opposition side. Not a single Member of the Opposition has, so far, said that this Government has done anything good at all. It has shocked me because that is not the truth. It is not possible for any Government not to do anything good or positive at all. It is important to say the truth. Where something is good, I think we need to point it out. Where something is not right, we, equally, need to point it out. Also, give a solution instead of merely criticising the Government for the sake of it.

Mr. Deputy Speaker, Sir, when I look at the achievements of this Government under the leadership of President Kibaki, I think he deserves a second term in office. Take the Constituency Development Fund (CDF), for example, which the President started. It is, therefore, important for us Kenyans to give him a second term in office, so that he can finish what he started. The poorest

constituencies are getting the largest share of the CDF. This is in an effort to alleviate poverty in those areas. It is, therefore, up to Members of Parliament in those areas, really, to make sure that the CDF money is utilised properly. This is the only way we, as Kenyans, can eradicate poverty. In Ndia Constituency, for example, we have now been able to put up a mixed day secondary school in every primary school using the CDF money. Also, we have been able to put up a dispensary and police post in every sub location. If that is not development, I wonder what development is. To me, because of the introduction of the CDF, I think the President deserves a second term in office, so that he can continue with what he started.

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. I hate to interrupt the hon. Member on the Floor. But, we all know that, the CDF was actually created by Parliament and that it was opposed by the then Minister for Finance. Is he, therefore, in order to mislead the House that this is a credit to the President, when we know that the Government actually opposed it?

The Assistant Minister for Transport (Mr. Githae): Mr. Deputy Speaker, Sir, I really sympathise with my colleague for what he has said. I am sure his turn will one day come. But for now, it is very clear that if the President had opposed the introduction of the CDF, he would not have given his consent to the Finance Bill. He gave his consent and he supports the CDF, and we must give him credit for that.

Mr. Weya: On a point of order, Mr. Deputy Speaker, Sir. The CDF was an initiative of this Parliament. I remember being thrown out of this Chamber when we were lobbying not to pass the Budget unless the Bill establishing the CDF was passed. Is he in order to say that the President---

Mr. Deputy Speaker: Order, Mr. Weya! Mr. Raila stood on a point of order on the same matter and Mr. Githae was responding. I think Mr. Raila did put it very well and Mr. Githae was responding. Now, you are making it a debate. You have just concluded your contribution to the Motion, and I defended your right to say what you wanted to say. So, let Mr. Githae also have his right.

Proceed, Mr. Githae!

The Assistant Minister for Transport (Mr. Githae): Thank you, Mr. Deputy Speaker, Sir. In fact, I had already replied to that point of order and said, if the President had refused to give his consent to the Finance Bill, the CDF would not have come into being.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, I was shocked by my colleague, Mr. Weya, while contributing, when he said that the Government has done nothing. As I speak now, we have got free primary education programme in this country. Is free primary education programme in all other areas, except Nyakach? I need to go there and find out whether there is free primary education. I think he missed it completely when he said that there is nothing good that this Government has done. I would like the hon. Member to invite me to go and see whether there is any free primary education in Nyakach.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Weya is the Member of Parliament for Alego-Usonga!

The Assistant Minister for Transport (Mr. Githae): Sorry, Mr. Temporary Deputy Speaker, Sir. I apologise for that and withdraw.

Mr. Temporary Deputy Speaker, Sir, as we fight corruption, we must fight both the old and new corruption. Corruption is corruption; whether it is perpetuated by people inside or outside

Government. Corruption must be fought because we know its bad consequences. We all know that our roads previously were not being repaired because of corruption. I am proud to say that the road from Jomo Kenyatta International Airport (JKIA) all the way to Limuru is being repaired. That, to me, is as a result of the Government fighting corruption and we need to encourage the people who are fighting it, so that we even construct more roads in this country.

Mr. Temporary Deputy Speaker, Sir, as a matter of fact, maize farmers are very happy. The Government increased the price of maize from Kshs400 per 90-kilogramme bag to Kshs1,300. Farmers in my area are selling their maize at Kshs1,300 per bag. We must commend the Government for this development. I would, therefore, like to call upon Kenyans to give the President a second term in office, so that he can, probably, increase the price of maize even to a higher level.

Our economy is growing at the rate of 5 per cent. When the President took over the leadership of this country, the economic growth was negative 1.8 per cent. The economic growth rate is now 5 per cent. I am sure that if we give the President another term, the economic growth can even reach 10 per cent. Therefore, I have no doubt that when the right time comes, the President will get another term in office, so that he can continue doing the marvellous things he is doing for this country.

Mr. Temporary Deputy Speaker, Sir, I am shocked that not a single hon. Member of this House has mentioned that we have been able to tame corruption, at least, in the area of land allocation. The President has not allocated a single plot since he took over the leadership of this country. The brokers who used to hover around Ardhi House are no longer there; they have disappeared. Does it mean that not a single hon. Member from the Opposition knows this fact? They have completely ignored this fact. I do not know what we intend to do when we ignore the reality.

It is important that we support the President so that he can have more time to concentrate on development issues. My colleagues on the opposite side dwell so much on political issues. The President is very clear in his mind. He wants Kenyans to own our parastatals and that is why KenGen Company Limited is being privatised, so that every Kenyan can have a chance to own it. The President should serve another term, so that he can identify other parastatals that can be privatised to enable Kenyans own them.

Mr. Temporary Deputy Speaker, Sir, we need to congratulate the President for the way he has handled bank interest rates. When he took over the leadership of this country, bank lending interest rates ranged between 35 per cent and 40 per cent. They have now come down to as low as 8 per cent. This means that you can now afford to take a bank loan and engage in development. We need to give the President another term, so that he can reduce the lending interest rates charged by banks to even lower levels, so that more people can borrow money. That way, development can be realised in the country.

As I speak, dairy farmers are very happy. The price of milk has gone up from Kshs8 per litre to Kshs14 per litre. We need to give the President another term, so that he can increase the price of milk to even higher figures.

Mr. Temporary Deputy Speaker, Sir, the President has created a Ministry for Youth Affairs. I propose that the President be elected unopposed in the next general election.

The Temporary Deputy Speaker (Mr. Khamasi): Order! Order! Your time is up, Mr. Githae!

Mr. C. Kilonzo!

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to say what I think of the Presidential Address.

Mr. Temporary Deputy Speaker, Sir, first, I would like to react to some of the things Mr.

Githae has just said. Whenever I see Mr. Githae, I remember famine. Currently, it is very difficult for hon. Members from famine-hit areas of this country to agree that the Government is doing everything possible to address the situation.

I believe that there is more the Government can do to alleviate the suffering of Kenyans. It is very sad to witness cases where children have just one meal in a day through the National School Feeding Programme. That child goes back to eat in the same school the following day and yet an hon. Member here is very proud that the Government is doing a lot for Kenyans.

Mr. Temporary Deputy Speaker, Sir, over 60 per cent of the people living in Eastern Province, the lower Rift Valley and the North Eastern Province are facing starvation. The Government needs to go to the ground and see exactly what is happening. For many years, famine has been taken as a very big business in this country. Every time there is famine, there are people who become millionaires. No wonder this Government is not very keen on fighting famine. One way of fighting famine would have been through the construction of many dams for irrigation. If we can put up dams such as Masinga, Kitaru and Kiambere dams for power generation, why should we not put up dams for irrigation? If we can have a pipeline running all the way from the Coast through Western Kenya to Uganda, why can we not have water flowing downhill by gravity to supply water for irrigation to the people in the affected areas?

It is shocking to hear that we are talking about reviving the Kenya Co-operative Creameries (KCC). But who are the beneficiaries of the KCC? We would have been more glad if at the same time that the Government was reviving the KCC, it revived the Kenya Meat Commission (KMC) to ensure that people from the arid areas do not lose their livestock every time there is drought. The Government promised to construct dams and boreholes in the dry areas. It is true the Government is doing something about it, but it is moving very slowly. This is really affecting our people.

The areas around Nairobi and Mombasa have become a hub for money laundering and drug trafficking. It is very dangerous for us to allow our country to be a hub for drug trafficking and money laundering. We have seen Western Governments invading countries which tolerate drug trafficking and money laundering. It is very important for the Government to vet any investor who comes to invest in this country. It is not a matter of a person saying that he has Kshs300 million in his account and wants to invest in Kenya and the Government welcomes him.

Mr. Temporary Deputy Speaker, Sir, the other day, we heard a Minister supporting the fact that the Government should harass the press. We do not want to go back where we came from. It is very wrong and in bad taste that a Minister is not even remorseful that harassing the press is wrong.

We have been told that the economy has grown by 5 per cent. But who are the beneficiaries of this growth? I believe that the people who are benefitting from the 5 per cent economic growth are the rich. The poor people in this country are yet to feel the impact of that 5 per cent economic growth. About 80 per cent of our population lives in the rural areas and most of these people live in a very poor environment. Food has become very expensive. When we say that our economy has grown, we really need to know who is benefitting from the growth.

Mr. Temporary Deputy Speaker, Sir, we have all seen the notice from the World Bank and the donor community in as far as the fight against HIV/AIDS is concerned. I am glad that the Minister for Health is here. The Government needs to take the fight against HIV/AIDS seriously. If the Government loses the funding from the World Bank and the donor community on the fight against HIV/AIDS, this will be very sad. Are we really doing something to help our people? Today, the anti-retroviral drugs (ARVs) are only for the rich people. If you go to district hospitals, you will not find any machine for treating HIV/AIDS, for example, the CD4 count machine. I appreciate the fact that the Minister for Health is doing something, but more can be done and faster. If we lose this money, we will have let our people down.

The Minister for Health (Mrs. Ngilu): On a point of order, Mr. Temporary Deputy

Speaker, Sir. Is it in order for the hon. Member to respond to what he read in the media and not to facts? Could he, first of all, find out what the actual situation is?

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, I do not think I need to respond to that. It is known and it has been there. We know very well that if the Government does not act, we are going to lose that money. It will be very wrong if we do not take action.

As far as education is concerned, I appreciate the fact that there is free primary school education. However, secondary education is only affordable by the rich people. The other day, the Ministry of Education gave only Kshs1 million to every constituency across the board. The Government should consider having free secondary school education, especially in arid and semi-arid areas.

I also want to talk about the issuance of national identity cards.

For the first time since about 40 years ago, the youth cannot get IDs. This is something very strange. If you cannot give the youth IDs, then what are we telling them? We are told that there is a Minister for Youth Affairs yet we do not know what his mandate is. He has no budget and I even doubt whether he has a Permanent Secretary. We do not want ceremonial Ministers. We need to see the Government act to help the youth. It is for that reason I feel so disappointed when I see somebody who is over 70 years and on retirement summoned to become a managing director of a Government organisation. The Government should take that into account.

Mr. Temporary Deputy Speaker, Sir, there is also the issue of evicting squatters from water catchment areas. It is true that we need our water catchment areas but the Government needs to be very sensitive. There are existing laws. There is compulsory land acquisition. If somebody has been occupying land for the last 20 or 30 years, it is very unfair to evict him, burn his house and property purely for the reason of protecting water catchment areas. We need to be sensitive to the poor. It is for that reason that I support the creation of the Constituencies Development Fund (CDF) and that credit should not go to the President. It should go to the current hon. Members. The CDF should be increased from 2.5 per cent to at least 7.5 per cent. Most Ministers are against this move because they know that if the CDF is increased, they will not have excess money to engage in corrupt deals. The only way we can fight corruption is to ensure that there is no excess money so that the Government cannot use it to get other ways to make money through individuals.

Finally, the Government needs to be seen to be doing what its doing. They need to know what they are doing. It is very shocking that one day somebody is honoured at State House. The next day he is sacked and we are told that he is corrupt. Then on the next day, the same person is made a managing director. The Government needs to really ensure that for whatever they are doing, they have the interests of Kenyans at heart.

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

The Assistant Minister, Office of the President (Mr. Kingi): Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niweze kuchangia mjadala unaoendelea kuhusu Hotuba ya Rais iliyotolewa wakati wa Ufunguzi Rasmi wa Kikao cha Tano cha Bunge.

Waswahili husema mgala umuuwe lakini haki yake mpe. Ninaanza kusema hivyo kwa sababu tangu tuwe na mabadiliko ya Serikali kwanzia Mwaka wa 2003, ni kweli kwamba kuna mabadiliko mengi sana ambayo yametokea katika Taifa letu ambayo ni mema na yanalenga kuhakikisha kwamba maisha ya wananchi yanaboreka.

Bw. Naibu Spika wa Muda, miaka michache iliyopita, sisi wananchi wa Mkoa wa Pwani tulikuwa na shida kubwa sana ya usafiri wa kutoka Mombasa kuja Nairobi kwa sababu ya hali mbaya ya barabara kuu ya kutoka Mombasa kuja mpaka hapa. Nakumbuka kwamba, wakati fulani, tulikuwa tunatumia kati ya masaa 15 na 24 kusafiri kutoka Mombasa hadi hapa Nairobi. Hali hiyo ilikuwa inatokana na hali mbaya ya barabara zetu. Nashukuru Serikali kwa kurekebisha barabara hiyo. Masaa ya usafiri sasa yamefungua. Ukiwa na gari nzuri, unaweza kutumia masaa manne

kusafiri kutoka Nairobi hadi Mombasa. Hiyo ni kazi nzuri ya Serikali yetu. Na siyo barabara hiyo peke yake! Kuna barabara nyingi katika nchi hii ambazo zimetengenezwa ama zinaendelea kufanyiwa ukarabati. Tukiendelea hivyo, usafiri katika taifa letu hautakuwa na shida.

Bw. Naibu Spika wa Muda, miaka michache iliyopita, sekta ya utalii ilikuwa imezoroteka sana. Vijana waliokuwa wakifanya kazi katika hoteli za kitalii waliregeshwa nyumbani kutokana na ukosefu wa kazi. Watalii walikuwa hawatembe katika taifa letu. Sasa, kila Mkenya anajionea mwenyewe kwamba sekta hiyo imeimarika na hoteli zote katika Jamhuri hii ya Kenya zinafanya kazi vizuri sana. Vijana wengi waliorudishwa manyumbani mwao wamerudishwa kazini. Sekta ya utalii inaendelea kuipatia nchi yetu pesa za kigeni ambazo tunazihitaji sana kwa maendeleo. Hali ya mazingira imebadilika. Ukorofi umepungua katika sehemu nyingi nchini. Kwa jumla, watalii wanafurahia taifa letu kutokana na hali ilivyo.

Bw. Naibu Spika wa Muda, miaka michache iliyopita, kuishi katika taifa hili ilikuwa ni shida kutokana na jinsi mambo yalivyokuwa. Wananchi wengi hawakuwa na uhuru wa kuzungumza vile wanataka. Hatukua na uhuru wa kutoa maoni yetu kama ilivyo sasa. Kukosoa mtu ilikuwa ni hatia kubwa. Wakenya wengi walipata shida kwa sababu ya kutoa maoni yao. Ni wazi kwamba leo hii, mambo hayo yameisha. Wakenya sasa wako huru. Tunazungumzia mambo yetu bila kuwa na wasiwasi wala hofu. Lazima tushukuru Serikali kwa jambo hilo. Serikali imetupatia uhuru wa kuzungumza na kuungana na wenzetu ili kuboresha maisha yetu.

Bw. Naibu Spika wa Muda, miaka michache iliyopita, viwanda vingi katika nchi hii viliharibiwa na kufungwa. Juhudi za Serikali hii kufufua viwanda hivyo kote nchini zinaonekana kila mahali. Viwanda kama Kenya Co-operative Creameries (KCC) na Kenya Meat Commission (KMC) vimefululiwa. Ukulima wa kahawa na korosho umeimarishwa. Mpangilio uliowekwa wa korosho unatufanya tuwe na imani ya kwamba, baada ya muda mfupi, tutaendelea na kilimo cha korosho kama zamani. Elimu ya bure au ya bila malipo imetajwa na tunaweza kutaja mambo mengi ambayo yameweza kupatikana kwa muda mchache huu ambao tumekuwa na mabadiliko ya Serikali. Waswahili wanasema Mgalla muue lakini haki yake umpatie. Ni kweli kabisa kwamba bado tuna nafasi ya kufanya maendeleo mengi zaidi kuliko yale ambayo tumeyafikiana au kuliko yale ambayo tumeshapata kufikia sasa. Kitu kinachohitajika ni kuweza kufanya kazi kwa pamoja kama Wakenya na kuwa na nchi ya Kenya katika roho zetu ili tuweze kushikana na kufanya kazi kwa pamoja na zile sehemu ambazo bado hatujazikamilisha pia tutaweza kufanya hivyo.

Bw. Naibu Spika wa Muda, sehemu moja ambayo Wakenya wengi wanapata shida ni sehemu ya maji ambayo ni muhimu katika maisha. Sehemu nyingi za taifa hili letu la Kenya bado hazijapata maji ya kutosha. Huko kwangu ni mfano mzuri wa sehemu moja ambayo haijapata maji ya kutosha. Juzi katika Hotuba ya Rais alizungumzia kuhusu mipango ya Serikali ya kuhakikisha kwamba wananchi wote wanapata maji ya kutosha. Tunavyohitaji ni kuhakikisha kwamba miradi ile iliyozungumziwa ikiwa ni kuchimba mabawa, kuongeza mabomba ya maji au kuchimba visima, kazi hii ifanyike katika sehemu zote kame na sehemu zote ambazo zinahitaji maji ili wananchi wote wa taifa hili waweze kufurahia maji. Serikali inahitaji pia kufanya mipangilio maalum ya ukuzaji wa chakula ili tuhakikishe kwamba wakati wote tuna chakula cha kutosha badala ya kuanza kununua chakula kutoka kwa majirani kuonekana kwamba sisi hatuwezi kujikuzia chakula cha kutosha. Nafikiri kuna mipango ya kufanya hivyo. Hata sisi huko kwetu tumeweza kutumia pesa hizi za pesa za maeneo Bunge, ama kwa jina maarufu, CDF kuimarisha kilimo kwa kununua vifaa vya kilimo. Sisi tumenunua matinga ambayo tutayatumia kwa kuhakikisha kwamba tunalimia wananchi kwa bei nafuu ili waweze kupata chakula iwapo mvua itanyesha.

Bw. Naibu wa Spika, hali ile nzuri inayoendelea imethibitika, hata juzi tumepata timu yetu ya riadha imefanya vizuri.

Naunga mkono.

Mr. M.A. Haji: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me

this opportunity to contribute to this Motion. I want to go straight to an important area in the Presidential Speech which affects my people and that is on the famine situation in our country, especially in Northern Kenya. His Excellency the President did very well by cutting short his holiday at the Coast and flying to North Eastern Kenya, especially Wajir and Mandera, on 27th December, 2005 to declare the current famine an emergency in this country.

Mr. Temporary Deputy Speaker, Sir, I want to say two things about the President's visit to Mandera. Firstly, the President responded to what he saw in media reports in Northern Kenya showing the deaths of people and livestock. What did that mean? We have got a Ministry of Special Programmes in which we have a department of Arid Lands Resource Management that covers about 22 districts in this country whose responsibility is to report on the famine or drought situation and update this Ministry and the country at large on daily, weekly and monthly basis. My question is: Why did the Government not take into account the reports from the ground that had been indicating that there was an imminent famine? Why did the President respond to newspaper and television reports?

Secondly, His Excellency the President also declared famine a national disaster. With that declaration, we expected to see speedy response from the Government to show that this issue was really an emergency. Unfortunately, not much has happened to date; the situation is still bad. People and animals are still dying. What the Government, the international community and the NGOs are doing is just too little.

Mr. Temporary Deputy Speaker, Sir, the President, on responding to requests by people from Mandera District, said two things. On school fees for students in secondary schools, he said that our people are very few and that this Government can take care of their needs. As a result of that Presidential directive, headmasters have been forced to enrol more students in schools. However, they have a big problem because no one has responded with regard to how the fees will be paid. In fact, school fees for many students has not been paid. Many schools are now on the verge of collapse. Head teachers are now facing problems because they implemented a Presidential directive and there is no follow-up. Nobody is doing something about it.

Secondly, the President promised us Kshs300 million for a programme called animal off-take. I heard the contribution by the Minister for Livestock Development and Fisheries when he told us that they want to re-stock the livestock that the pastoralists have lost due to the drought. What was required was the Kshs300 million or more, so that the animal off-take programme could be implemented and when the drought situation improves, those people could use their money to re-stock their animals. However, our livelihood is gone and our people are in problems. That Presidential directive has not been implemented.

Mr. Temporary Deputy Speaker, Sir, the Government has taken some steps in providing food and water to the people of North Eastern province. However, these people have been on famine relief, year in, year out. For the last three years that I have been in Parliament, there is no year that food has not been supplied to our people. Unfortunately, what is provided is maize, beans and cooking oil. The Government says that it spends billions of shillings on this food. If you are buying food, why do you not buy variety, so that those people who have suffered effects of drought and cannot get milk or protein foods can also be catered for? Why do we not look at the needs of the old and the vulnerable? When only one type of food is distributed across the board, this is quite disturbing. I want to ask the Government, since they are not getting this food for free and they are using billions of shillings to buy it, they should diversify and give us what is appropriate.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the issue of water. The President said that there are many boreholes and water pans that have been drilled in response to this drought. I represent a constituency that does not have the potentiality for ground water. We depend on water pans. It has not rained for the last two seasons and the water pans are dry. Now, if

five or 20 more water pans are dug for the people of Mandera West Constituency, supposing it does not rain, what will we do? We would have wished the Government to think about a more innovative way of helping the people of Mandera West Constituency. In fact, it is not only in Mandera West Constituency where there is water crisis, I know there are people who are trekking hundreds of kilometres in search of this precious commodity. We should think of ways of saving these people.

Mr. Temporary Deputy Speaker, Sir, the President also mentioned the issue of corruption. I want to wish him luck in the fight against corruption because this is something that is deep-rooted in this country. I want to take you back to the run up to multipartyism in 1992. Many Kenyans were interviewed on whom they would elect because there were many Presidential candidates from different regions of this country. When the Kambas, Luos, Kikuyus and other tribes were asked why they want their son or daughter to be the President of this country, what came out clearly was, that they want to be at the helm, so that their people can "eat". Mr. Temporary Deputy Speaker, Sir, unless the culture of eating is changed we cannot stop corruption. Probably, it is time for the people at the helm to eat, and they will eat.

Mr. Temporary Deputy Speaker, Sir, the other thing His Excellency the President talked about in his Address is that despite our diversity we must remain proud to be Kenyans. I am taken aback a bit on this matter, because I cannot be a proud Kenyan. I feel that the people of North Eastern Province are a burden to this country. This is because, year in, year out, they are affected by famine. If you look at the development indices on HIV/AIDS prevalence, infant mortality and illiteracy this country, you will see that it is developing. But the indices that come from North Eastern Province are pulling it down. Therefore, we cannot claim to be a developing country. I feel that we are a burden to this country. Everybody asks us whether it has rained or not. In fact, all hon. Members, the staff and Kenyans at large contributed towards those affected by famine. But the situation has not changed. People and their animals are still dying. I want to suggest the way forward on this matter. I would like to know whether in history there was anywhere in the world, where a country has made concessioning of a region, because it is ungovernable. I am talking of concessioning of roads so that it can pay back itself. I want to ask this Government, because it cannot run North Eastern Province, to concession it to anybody who is willing. That way we will be out of this problem and cannot be a burden to this country. Secondly, it can be sold off. There is a Kenyan who suggested that North Eastern Province should be sold to offset its big burden on the Government. If there is any precedence in the world where a country felt that a region cannot be governed because it is always experiencing

war or famine and sold it off; that precedence should be followed. North Eastern Province should be sold off.

Mr. Temporary Deputy Speaker, Sir, if that is not the case, then the Government needs to come up with a Marshall plan to help this region. I would want to say that famine is not caused by this Government or anybody. It is a natural phenomenon, but what we expect is the mitigating factors to be put in place. We want the Government to be prepared for it. Let it borrow a leaf from other countries in the world. If you go to Somaliland, which is a break-away country, you will see that it is doing well. It has similar terrains and features and has livestock as the backbone of its economy. It is not recognized by the world States but it is running an executive economy. Why does the Government not borrow a leaf from Somaliland and do something about North Eastern Province? If you go to Botswana; a country with livestock as its backbone, you will see that it is able to run and is one of the richest countries in Africa. Why is North Eastern Kenya not able to sustain itself and instead suffers, famine every time?

With those few remarks, I beg to support.

The Minister for Health (Mrs. Ngilu): Mr. Temporary Deputy Speaker, Sir, I thank you for giving me this opportunity. I wish to say that His Excellency the Presidents' Address was a great one. He gave direction to what we should do. I wish to say that we as hon. Members of Parliament need to stop politicking and get down to development.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mrs. Ngilu!. It is time up. You will have nine minutes left for you when the debate on this Motion resumes next week.

Hon. Members, it is now time for interruption of business. The House is, therefore, adjourned until Tuesday, 4th April, 2006 at 2.30 p.m

The House rose at 6.30 p.m