

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 15th April, 1997

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

NOTICES OF MOTION

REVIEW OF THE GUARANTEES OF LOANS ACT

Mr. Mulusya: Mr. Speaker, Sir, I beg to give notice of the following Motion:- THAT, noting that the Government has embarked on a serious liberalisation of the economy involving a calculated divestiture from the non-strategic parastatals and further noting that, recently, many parastatals which had borrowed from foreign financiers defaulted in loan repayment, thus making the foreign financiers to invoke the Government guarantees for those loans, this House urges the Government to urgently bring a Bill to review Section 5 of the Guarantees of Loan Act Cap 461.

Mr. Orengo: Mr. Speaker, Sir, I beg leave to give notice of the following Motions:-

INTRODUCTION OF WAR CRIMES TRIBUNAL BILL

THAT, this House do grant leave to introduce a Bill entitled, "International War Crimes Tribunal" for an Act of Parliament to provide for Kenya to assist the International War Crimes Tribunal perform their functions, and for matters connected therewith and related thereto.

INTRODUCTION OF LAW REPEAL AND AMENDMENTS BILL

THAT, this House do grant leave to introduce a Bill entitled, "Statute Law Repeal and Miscellaneous Amendments" for an Act of Parliament to repeal certain written laws which have become obsolete or superfluous, to provide for amendments to the law in consequence of the changes in the Constitution and status of Kenya, and to repeal and make other amendments to the Statute Law.

QUESTIONS BY PRIVATE NOTICE

ILLEGAL COLLECTION OF FUNDS

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

(a) Is the Minister aware that KANU Youth Wingers in Eldoret and Nakuru municipalities are collecting Kshs40 and Kshs60 respectively from every *matatu* and bus that leaves the bus parks in these two towns?

(b) Could the Minister stop this illegal collection, arrest these youths and charge them with collecting funds illegally?

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

(a) I am not aware.

(b) Arising from my answer in part (a), part (b) does not arise.

Mr. Sifuna: Mr. Speaker, Sir, it seems as if this is a habit. I have a receipt here in the name of KANU Youth Project, Uasin Gishu Branch. The receipt number is 16897, Bus Park Fee. It is not only in Eldoret, but also in Nakuru. Could the Assistant Minister tell us why these people, particularly KANU, can loot this money from

wananchi from time to time?

Mr. Awori: Mr. Speaker, Sir, I would request the hon. Member to table the receipt he has just read here, then, I will investigate the matter.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, it is true that money is being charged even up to now. Many buses have refused to go into the bus parks and they are off-loading people on the roads. To start with, this Question has been asked before and the Minister for Local Government said that it was only the municipalities which were supposed to charge parking fees.

Could the Assistant Minister, therefore, having known that, take steps so that these people are immediately arrested and prosecuted for looting money from the wananchi?

Mr. Awori: Mr. Speaker, Sir, I said that I will investigate the matter. I am not prepared to be the prosecutor and the jailer at the same time.

Mr. Anyona: Mr. Speaker, Sir, this issue has arisen in other municipalities in the country. In "Machakos Airport" here in Nairobi, the same practice is taking place. In Lang'ata, during the by-election, there was an outcry from wananchi over this kind of practice, but now, the Assistant Minister is saying that he is not aware.

Can he state publicly what the government policy on this matter is so that all and sundry will hear it and follow the law?

Mr. Awori: Mr. Speaker, Sir, when I talked of not being aware, it was in reference to KANU Youth Wingers. If you bring the question of *manambas*, then is different.

Mr. Sifuna: Mr. Speaker, Sir, since we have documentary evidence to prove that KANU Youth Wingers in Eldoret and Nakuru are robbing wananchi of a lot of money illegally, could the Assistant Minister tell this House the steps he is going to take? This is because there is no more investigation he is going to carry out. We have everything, including the box number, the telephone number and the receipt. What action is he going to take?

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. The hon. Member has been asked to table the receipt so that we can know whether it is bearing a KANU name or just an ordinary receipt which cannot be a KANU receipt. Can he do so?

(Mr. Sifuna laid the receipt on the Table)

Mr. Awori: Mr. Speaker, Sir, it is so difficult to read it. It has been laid on the Table and I am going to study it and then I will come back with the answer.

Mr. Mulusya: On a point of order Mr. Speaker, Sir. Is it in order for the hon. Assistant Minister to take this House for a ride by saying that he is going to find time to read a receipt? What is it that he is going to read in a receipt? Could he not respond now that he has the receipt?

Mr. Speaker: Mr. Mulusya, he said that he is going to "study" it.

(Mr. Mulusya stood up in his place)

Order! Order Mr. Mulusya! There is a world of difference between "reading" and "studying". Next Question!

ILLEGAL PLOT ALLOCATION IN DANDORA

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

(a) Is the Minister aware that Plot No.1200 in Dandora Phase 1 comprising five (5) acres set aside for the construction of a police station is in the process of being illegally allocated?

(b) If the answer to (a) above is in the affirmative, could the Minister assure this House that he will protect this public utility land from illegal allocation by ensuring that it is fenced off?

(c) When will this police station be built to serve the sprawling Dandora Estate and the surrounding areas?

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

(a) Yes, I am aware that there was an attempt to hive off one acre from Plot No.1200 in Dandora Phase 1 and allocate it to Dandora Disabled Group.

(b) The proposal for funds for the construction of a permanent perimeter fence around the plot will be included in the 1997/98 Budget.

(c) Construction of a police station on the plot in Dandora will be considered after similar on going projects have been completed.

Mr. Ruhiu: Mr. Speaker, Sir, I wish to ask the Assistant Minister, now that he is aware that there is a possibility of this land, which is earmarked for construction of a police station being grabbed, whether he could give an assurance before this House that he is going to protect this land for the construction of a police station in Dandora because the problem of insecurity in this area is becoming worse every day?

Mr. Awori: Mr. Speaker, Sir, yes, I can give assurance to this august House that no portion of this plot will be hived off. It will remain intact, as it is, for the purpose of construction of a police station.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. The Assistant Minister is aware that these land grabbers seem to be even more powerful than the Government. Could he start dealing with the matter immediately and report after two weeks so that he really blocks it before harm is done?

Mr. Awori: Mr. Speaker, Sir, provided within two weeks money has been allocated, I will do that. But from the practice in the Government, I do not think we will be able to have money allocated for fencing within two weeks. But I want to give this assurance that this plot will remain intact, specifically for the police station because as the hon. Ruhiu says, there is a high crime rate in the area and they need protection.

Mr. Ndicho: Mr. Speaker, Sir, what policy does the Government have today to guard against grabbing of public utility plots which include police stations? In Thika, the Officer Commanding Station (OCS) house has been allocated to a private individual who came with an allotment letter. While driving along Thika Road, you will find that at Kasarani Police Station, there are Asians who are building structures which are encroaching the entire police station land including the roundabout. The same is happening to Thika Police Station. What is the policy of the Government against the grabbing of police stations?

Mr. Awori: Mr. Speaker, Sir, the Government's policy is definitely against any kind of grabbing, particularly land specified for public utility.

Mr. Ruhiu: Mr. Speaker, Sir, are you sure that the Assistant Minister in his reply to (c), is telling the truth when he says that the construction of the police station on the plot in Dandora will be considered after similar on going projects have been completed? May I know from the Assistant Minister the number of projects that are under construction, and how long that is going to take? Is it going to take the whole of 1997, 1998 and 1999? How long will it take?

Mr. Awori: Mr. Speaker, Sir, I regret that I am unable to answer that question without going through such projects for the whole Republic. All I know is that we will not be able to undertake this work until what is on going is completed.

Mr. Ruhiu: Mr. Speaker, Sir, is it in order for the Assistant Minister to say that he cannot answer that question? Could he give me a date as to when he thinks that police station will be constructed on this plot in Dandora?

Mr. Awori: Mr. Speaker, Sir, I did not say that I cannot answer that question. I said that I am unable to answer that question. "I cannot" means that I refused to answer the question but I did not refuse to answer it. I am just unable to answer because I have not got the information, but I am prepared to go and look for the information and pass it on to the august House.

Mr. Speaker: Question No.3 by hon. Kiraitu Murungi is deferred to next week.

MEASURES TO COMBAT FAMINE

(**Mr. Murungi**) to ask the Minister of State, Office of the President:-

- (a) What measures has the Government taken to combat the prevailing famine under provisions of the Preservation of Public Security Act (Cap.57)?
- (b) Is the Government satisfied that it is necessary to resort to this oppressive and intimidating piece of legislation to contain the famine in some parts of Kenya?

(Question deferred)

IMPLEMENTATION OF SCHEME OF SERVICE FOR PLASTER TECHNICIANS

Mr. Anyona: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.
(a) If and when the scheme of service for plaster technicians dated 4th May, 1995, was implemented by the Ministry of Health?

(b) Whether all serving plaster technicians in Kisii, Nyamira and other district hospitals have been promoted as stipulated in the scheme of service?

(c) Why there was a delay in the implementation of the Scheme of Service?

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

(a) The scheme of service for plaster technicians was implemented with effect from 1st July 1996.

(b) All serving Plaster Technicians in all Government hospitals in the country, including Kisii, Nyamira and other district hospitals, are covered in the process of implementation. However, some of the serving officers have not yet been promoted due to the delay in the forwarding of recommendations by the respective heads of departments in the district hospitals.

(c) The delay in the implementation of the scheme of service was due to some technicality on implementation that required consultation with the Directorate of Personnel Management in the Office of the President.

Mr. Anyona: Mr. Speaker, Sir, whereas I am grateful for that forthright answer, I would like to know why these departmental heads are taking so long to process the implementation of a Government scheme? These people have suffered for many years when there was no scheme. Now that scheme is in place and for one year departmental heads are doing nothing, and instead they are defying a Government scheme and a Government directive, why is that so and what is the Assistant Minister doing to make sure that these Plaster Technicians are paid their dues?

Mr. Criticos: Mr. Speaker, Sir, the hon. Member is absolutely correct about what he is saying. It did take a long time but, obviously, Government policy does take time to implement in order to make sure that all the angles are covered. The consultation with the Directorate of Personnel Management was with regard to the training period involved for plaster technicians. That is why there was a delay.

Mr. Obure: Mr. Speaker, Sir, the Assistant Minister admits that there has been a delay and that some technicians have not been promoted. Now, could the Assistant Minister tell this House how many plaster technicians in Kisii and Nyamira Districts have been promoted and how many have not because of the delay?

Mr. Criticos: Mr. Speaker, Sir, I think the hon. Member did not understand what I was replying to. I was explaining why there was a delay in the implementation of the scheme of service for plaster technicians. However, that was the information I had. That is what I was asked to bring. If you bring another Question to the House, then I can provide you with the information on the breakdown of how many plaster technicians were employed in Nyamira, Taita Taveta and other areas.

Mr. Omino: Mr. Speaker, Sir, the hon. Assistant Minister has said that promotions have been delayed because reports from the districts have not been submitted, but reports on these people are submitted on annual basis. So, if it is the question of compiling reports on their promotions, there is no need for any more reports to be called in from the districts. Can the Assistant Minister tell us, on the basis of the annual reports which have been compiled on these officers, that he will now instruct his Permanent Secretary to compile a report for the purpose of promoting these officers?

Mr. Criticos: Mr. Speaker, Sir, I will not give an undertaking to instruct my Permanent Secretary because we have laid-down procedures to be followed after receiving application forms from the district level on this particular case.

Mr. Omino: Mr. Speaker, Sir, could he base his answer on the annual reports which have been submitted from the district level?

Mr. Criticos: Mr. Speaker, Sir, we are not talking about annual reports, but promotions of the members and their applications.

Mr. Speaker: Very well! Next Question, Mr. Ojode.

SALARIES FOR HOMA BAY HOTEL EMPLOYEES

Mr. Ojode: Mr. Speaker, Sir, I beg to ask the Minister for Labour and Manpower Development the following Question by Private Notice.

(a) Is the Minister aware that over 23 employees of Homa Bay Tourist Hotel which is managed by Kenya Tourist Development Corporation have not been paid their salaries since November, 1996?

(b) If the answer to "a" above is in the affirmative, could the Minister order immediate payment of salaries to these people?

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that 23 employees of Homa Bay Tourist Hotel have not been paid their salaries since December 1996.

(b) The salaries for the month of November, 1996, amounting to Kshs118,432, were paid on 31st December, 1996. The management of the hotel is making earnest arrangements to pay the outstanding salaries arrears totalling to

Kshs514,883 in due course.

Mr. Ojode: Mr. Speaker, Sir, that is quite a misleading answer because these employees got their last salaries in October 1996. I have a copy of the payroll and, if he wants it, I can show it to him. These employees have families to take care of, and most of them come from Eastern and Western Provinces. Could the Assistant Minister tell this House what prompted the delay of the salaries?

Mr. Ali: Mr. Speaker, Sir, under the privatisation programme, the hotel has been offered for sale. Currently, the hotel is experiencing an acute cash-flow problem. As at 3rd April, 1997, its bank account had only Kshs3,079. However, already two meetings have been held between the management and KTDC and the district labour officer, the Provincial Labour Officer, Nyanza. On 24th March, 1997, and 3rd April, 1997, two meetings respectively were held over the delayed payments.

The management envisages to get credit from KTDC to pay off the outstanding salaries before this month elapses.

Mr. Ruhiu: Mr. Speaker, Sir, since most corporations and parastatals in this country are running at a loss, and they serve no useful purpose other than to provide employment for retired military officers and political cronies, can the Government not decide, once for and all, to privatise these corporations so that they can be run efficiently?

Mr. Speaker: Mr. Ruhiu, what has that have to do with the payment of the salaries to the current workers?

Mr. Ruhiu: Mr. Speaker, Sir, if this corporation was being run on commercial basis---

Mr. Speaker: You are irrelevant, Mr. Ruhiu!

Mr. Achola: Mr. Speaker, Sir, last year, in an answer to a Question I had put about the Homa Bay Hotel, I was told that the hotel was due for sale to a private company. Could this delay in paying of salaries be connected to that sale which was supposed to have taken place in October last year?

Mr. Ali: Mr. Speaker, Sir, I have already said, under the privatisation programme, the hotel faces this problem of non-payment. At the same time, meetings have been held between the hotel management, labour officer and KTDC to find ways and means of paying off these salaries very soon.

Mr. Sifuna: Mr. Speaker, Sir, is the Assistant Minister aware that if the company or an organisation fails to pay the salaries, it is an offence? Could the Assistant Minister tell us whether these people, having committed that particular offence, have been charged or not?

Mr. Ali: Mr. Speaker, Sir, it is not an offence if the company does not have money, but it is an offence if the company refuses to pay.

Mr. Raila: Mr. Speaker, Sir, privatisation is not meant to deprive Kenyans of their source of livelihood and to cause people undue sufferings. Before privatisation there is supposed to be preparation done by the Government so that employees do not suffer unduly. The reason being given by the Assistant Minister is completely unacceptable in this House, that the company is experiencing financial problems which could have been foreseen. What action is the Government taking to ensure that these people get their dues irrespective of the financial status of the company, which has come about as result of the Government not having taken the necessary precautions before the privatisation began?

Mr. Ali: Mr. Speaker, Sir, I have already informed this House that the Government and the management of the hotel have made arrangements and before the month elapses, these people will be paid.

Mr. Ojode: Mr. Speaker, Sir, we cannot rely on the answer given by the Assistant Minister because he is fond of giving false information to this House. We cannot afford to give these people relief food when they are on the payroll. When is he exactly going to make payment available because even the salaries for the month of November have not been paid to date? He is lying! He is misleading the House!

Mr. Speaker: Mr. Ojode, we cannot use the word "lie" in this House. Will you withdraw that and substitute it with an appropriate good word?

Mr. Ojode: Mr. Speaker, Sir, he is "misleading" the House then.

When exactly will the Assistant Minister make available the payment of these employees since they do not have even uniforms?

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Speaker, Sir.

Hon. Members: What for?

Mr. Speaker: Order, hon. Members! There shall not be "mob injustice" on a hon. Member. So, can we have the hon. Member take his rightful place on the Floor as given unto him by Mr. Speaker.

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): Thank you, Mr. Speaker, Sir. I rise on a point of order to ask the hon. Member, first of all, to withdraw the word "lies" before he says that he is "misleading" the House?

Mr. Speaker: Order, Mr. Mutiso! To the best of my directive, I think Mr. Ojode has duly complied.

Mr. Ali, will you answer the question?

Mr. Ali: Mr. Speaker, Sir, my statement is true, that by the end of this month these employees would be paid all their dues.

Mr. Speaker: That is the end of Question Time.

POINTS OF ORDER

MINISTERIAL STATEMENT: POLICE BRUTALITY ON OPPOSITION MEMBERS

Dr. Kituyi: Mr. Speaker, Sir, I rise on a point of order on a matter that is of grave concern to all hon. Members who are committed to the rule of law and sustenance of dignity and decorum in this House. It is a matter concerning increasing incidents and severity of cases of police violence against leaders from the Opposition. I wish to beg the indulgence the House, to just mention three incidents that come to mind.

Mr. Speaker: I am not interrupting you, Dr. Kituyi, but I thought you told me that you wanted to demand an explanation from a Minister? **Dr. Kituyi:** That is exactly what I am doing, Mr. Speaker, Sir.

Mr. Speaker: So, can you then, first of all, direct to which Minister and what is the statement?

Dr. Kituyi: Mr. Speaker, Sir, I raise this question demanding a Ministerial Statement from the Minister of State in the Office of the President in charge of internal security.

Last Saturday, the hon. Raila Odinga, leading other Members of the National Development Party (NDP) and members of the public, went to open an office in Eldoret and, Mr. Speaker, Sir, you must have followed it in the Press that the police pounced on this party, physically assaulted the hon. Raila Odinga; physically beat up the hon. Dr. Oburu Odinga, who today is sitting in this House with a sling because his lower ulnar cracked through severe beating by the police.

*(Dr. Oburu stood up and displayed
his slinged hand)*

Mr. Speaker: Order! Order!

An. hon. Member: It is shameful!

Dr. Kituyi: Mr. Speaker, Sir, related to this matter, there have been three other clear incidents. We all know of a case last year when the hon. Gracious Lady, Member of Parliament for Kitui Central, was physically beaten up by police officers. To date, none of the officers has been charged in a court of law. Late last year, the hon. Paul Muite and hon. Kiraitu Murungi were beaten up when they stopped to buy bananas at a market place in Mukurweini. Apart from some statements from people dismissing this as fabrication, there has not been any serious action taken about this.

Lastly, but not the least, yesterday afternoon, the Chairman of FORD(K) and the Official Leader of the Opposition went to Lwandeti Market in Malaba Constituency to open a locational office for his party. A contingent of administration Police Officers under the instruction of the local chief, a Mr. Munyalo, confronted them and told them that they could not open the party office without a permit. Thereupon one of the officers continuously shot into the new office shattering all the glass and windows in the building. Another officer aimed a gun at the head of the hon. Wamalwa, but one of his escorts lunged at him and pulled hon. Wamalwa to the floor. At that moment, a bullet was released and it went through the chest of one of the escorts of hon. Wamalwa, a Mr. Ben Barasa, piercing him and grazing the lower collar bone and coming out in his back. As I speak here today, this young man is in hospital in Bungoma Town and hon. Wamalwa is waiting for the time when the doctors can certify that he is well enough to risk a flight to come to a better hospital in Nairobi.

Mr. Speaker, Sir, I wish the hon. Minister to tell this House specifically, why has there been this increase in the incidents of violence against public leaders, many of them actually opening party offices which, to the best of our knowledge, have never required any permit from anybody? Secondly, a clarification from the Government as to since when has the original order from the former Commissioner of Police ordering policemen not to use live ammunition in containing public behaviour been reversed to allow this use of live ammunition against public leaders? Thirdly, under what conditions do the provisions of Section 80 of the Constitution, which allows for free assembly, get modified to be regulated by police officers, particularly in the wake of an incident in March last year when the Minister of State, Office of the President in charge of internal security, while addressing a by-election rally in Ntonyiri, called on the people to castrate Opposition leaders and they would be protected by the police?

Mr. Speaker: Mr. Awori, would you like to respond now or later?

Hon. Members: He should respond now!

Mr. Speaker: Order! Order!

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, we will respond to the request in due course.

Hon. Members: When?

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, I will bring a Ministerial Statement to this House on Tuesday next week.

Mr. Speaker: Order! Order! I am not supposed to do any job for anybody. The Ministers know best when to bring their statements to the House.

Order! Order, hon. Members! This is the sentiment of the House and he is the best judge as to whether he thinks he should respond, now, tomorrow or Thursday. But in my view, I think it would be good if he responded as soon as possible.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, I would like to bring a thorough statement to this House. I do not believe that I can do that in two days, I require until Tuesday next week.

STRIKE AT PAN AFRICAN PAPER MILLS

Mr. Busolo: Mr. Speaker, Sir, I rise on a point of order directed to the Ministry of Labour and Manpower Development regarding the state of affairs at the Pan African Paper Mills Limited in Webuye.

Since 24th February, 1997, a state of siege exists in Webuye Town whereby a contingent of 700 policemen were brought to the factory and workers were locked out of the factory. Since then, 1,500 workers have been summarily dismissed and subsequently, they were asked to re-apply whereby a good number of them who had worked in the factory for over 24 years are now working on probation. I understand, as of yesterday, that around 300 workers had been asked to vacate their houses while some were dismissed.

I would like the Minister to tell us why he is allowing an industrial relation matter to become a security matter. Secondly, I would like the Minister to tell the House why he is allowing the Asian management who do not want to implement a legitimate agreement in the interest of the workers to term the disputes as racial and political. We would also like to know why the Minister cannot allow his own officers from the Ministry, particularly the Provincial Labour Officer, Kakamega, and the elected representatives of the workers of Pan African Paper Mills Limited to settle the problem. It is unfortunate that this problem has been going on since February, but up to now even the papers have not covered the stories regarding that state of affairs at the factory. It is a very grave matter and people in Webuye are tired of seeing policemen who are drinking with their guns, looting and, in the course of looting, innocent wananchi are being arrested for nothing.

Mr. Speaker, Sir, it is on that account that I thought the Minister should bring this matter to a halt. Thank you.

Mr. Speaker: Mr. Minister, would you like to respond now?

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, I think the hon. Member just stated that he would like the Minister concerned to bring this matter to a halt.

As far as I am concerned, I am amazed to be asked to comment on why there should be police security at the factory. I think it is important that where there is insecurity, the police should be deployed there to restore security, and this has nothing to do with my Ministry at all. If wananchi feel that they are insecure, then it is the Government's responsibility to make sure that they are protected.

About the Asian discrimination, what I can say is that all I know is that there has been a bit of problem in Webuye. The workers went on strike without following any laid-down machinery at all. My officers went to the site and tried to negotiate with the workers to return to work, but they refused. Obviously, the employer closed down the premises because the workers were not ready to work and he asked those who were ready to work to re-apply afresh. Many have re-applied for their jobs and, I think, the majority are already at work. I know this because I have the latest information, in fact, as of today. I am amazed by the allegation that I have not allowed my staff to go and look at the situation. This is because I myself have been on the spot, leave alone my staff. I cannot force employees, who do not want to co-operate, to follow the established machinery for settling disputes. It is up to them to do what they want. Those who wanted to come back to work are working.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. Is it in order for a senior Minister of Government to so blatantly mislead the House by denying the reality? Even through the electronic media, the management of M/s Pan African Paper Mills has claimed that Africans are refusing to work under them because they hate Asians, and have gone on to say that this is a politically-motivated thing? Is it in order for the Minister to evade the responsibility to

give a comprehensive and accurate reply? Instead of now meandering about people refusing to work and then applying to resume working, could he be obliged to go and answer the specifics raised in the point of order at an appropriate time, instead of gliding over issues and pretending that he is answering the point of order?

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, I think the hon. Members are confusing racism with employment. As far as I am concerned, I am dealing with industrial relations and I am handling the matter effectively. The situation has come back to normal. About the racial discrimination, as far as I am concerned, the African, Asian and European, if there is any, has been employed by a contract between himself and his employer. So, I do not think the racial issue is involved at all. After all, the Pan African Paper Mills in Webuye is not a new enterprise: It has been in operation for many years and we have not had this sort of accusation; and there is no reason why it should arise.

Mr. Speaker: I will allow the hon. Member for Webuye to seek clarification.

Mr. Busolo: Mr. Speaker, I think I would like to agree with the hon. Member for Kimilili, that the Minister is misleading this House. The management locked out workers and that is the actual position. It is not true to say that there was a strike. In the morning of 22nd, when workers reported for work, they found over 700 armed policemen in the factory, and the policemen ordered the workers to get out of the premises. Any claim that the workers were on strike should be verified. That claim has not been substantiated and I request the Minister to do that. Secondly, the claim on the part of the management that there was a go-slow has not been substantiated by the production figures prior to that claim. It is wrong for the Minister to say---

Mr. Speaker: Mr. Busolo, you are now giving a counter statement. I thought you wanted clarification!

Mr. Busolo: Mr. Speaker, Sir, I would prefer that the Minister carries out research whose results he can bring to the House. He is now replying on the spur of the moment, but this is not actually in line with his responsibility as the Minister for Labour and Manpower Development.

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, first of all I do not know who stood around and counted to ascertain that there were over 700 policemen in the premises of the factory. As far as I am concerned, I think I know the situation as it stands and that is how I put it here. I know it very well because I am constantly in touch. As I said, I am aware of what is going on in the place up to this morning.

(Mr. Kapten stood up in his place)

Mr. Speaker: Very well, Mr. Kapten, be very brief.

Mr. Kapten: I will be very brief, Mr. Speaker, Sir. The Minister has said that the workers who re-applied for their jobs have been taken back. But as of yesterday, 350 people who had re-applied for their jobs had not been taken back. In fact, they were being asked to vacate company houses. Can the Minister assure this House that he is going back to Webuye to give instructions that all those people who re-applied for their jobs be taken back?

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, these workers were thrown out of their jobs because they were on strike. They were advised through posters that those who did not return to work by a certain time should consider themselves sacked from their jobs. They did not turn up for work and so they considered themselves sacked. They were accordingly so informed. Eventually, they were informed in writing that those who wished to have their jobs back should re-apply. If some people have re-applied after a considerable amount of time and the management is, probably, still processing their applications, that is not the fault of the management. Those who re-applied early are already in employment. I know that nearly 1,000 people are already back at work. So, those who are not yet re-employed are not 500. As far as I am concerned, they are much fewer.

(Mr. Kituyi and Mr. Kapten stood up in their places)

Mr. Speaker: Order, all of you! It does look like both sides of the divide in Webuye cannot be bridged. Yes, Mr. Obure.

SUPPLY OF SEEDS TO KISII AND NYAMIRA

Mr. Obure: On a point of order, Mr. Speaker, Sir. I stand here to seek a Ministerial Statement from the Minister of State, Office of the President, in charge of famine relief supplies. As we all know drought has affected the whole of this Republic. I would like to know from the Minister whether seeds have been supplied to Kisii and Nyamira Districts. There is talk going on that either the Government has adamantly refused to supply the seeds to

Kisii District or the seeds have been supplied and hidden by the Provincial Administration. The source of income for the Kisii people is tea, but it was adversely affected by drought. This reduced the income of the Kisii people. They sold the little food that they had so as to take their children to school. Therefore, Kisii and Nyamira Districts, like the rest of the Republic, were supposed to be supplied with seeds. What is worrying us is that the planting season is almost over. The people have prepared their fields for planting and are waiting for the seeds. Since we do not want our people to be affected by hunger again, will the Minister clarify this point?

Mr. Speaker: Very well. Next Order!

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, I want to respond tomorrow morning to all the points of order which have been raised by hon. Members.

Mr. Speaker: Order, Mr. Kalweo! I thought hon. Awori had responded on your behalf. If you want to come back to the House earlier you can inform me, and I can give you time tomorrow morning or at any other time when you are ready, which is better for the House. But you do not just get up and speak! You must seek the indulgence of the Chair. Can all hon. Members obey the rules of the House? Next Order.

I hope the Ministry of Agriculture, Livestock Development and Marketing will respond. If they do not, bring it to my attention in the course of the week.

BILL

First Reading

THE NATIONAL CRIME RESEARCH CENTRE BILL

*(Order for First Reading read - Read the First Time
- Ordered to be read the Second Time tomorrow)*

Mr. Anyona: Mr. Speaker, Sir, I am rising on a point of order under Standing Order No. 47 which reads as follows:-

"The proposer of an amendment shall, before moving it, hand the amendment in writing signed by himself to the Clerk."

I am rising in this context, in view of the fact that yesterday, I did hand in an amendment to the Motion before the House and I was seeking the guidance of the Chair as to when I can move that amendment.

Mr. Speaker: Order, Mr. Anyona. It does look to me that; in fact, you are not saying all of it. You know very well that you sent in a proposed amendment. You also know very well that you got a feed-back from the Clerk that, under Standing Order No.47(2) your amendment was rejected because, in the opinion of Mr. Speaker, your proposed amendment was a negation of the question proposed. That is the wording of Standing Order No.48(2). I do not want you to continue with this habit, that all the time when Mr. Speaker has declined to approve your Motion, you come by way of point of order to question the reason why Mr. Speaker has rejected your Motion.

First of all, under Standing Order No.48(2), it does say that:

"No amendment shall be permitted", which is mandatory, "if in the opinion of Mr. Speaker---" not the proposer of the amendment, or the House for that matter. "If in the opinion of Mr. Speaker, it represents a direct negative of the question proposed."

I have already directed that, that amendment by you offends Standing Order No.48(2) and it shall not be the basis of a debate here. So, it is ruled. Can we proceed?

(Mr. Mulusya and Mr. Anyona stood in their places)

Mr. Speaker: Order, both of you, Mr. Anyona and Mr. Mulusya. "Order", means you sit down. I have already made that ruling. Mr. Anyona if you are unsatisfied about my ruling, you can have the House set aside my ruling by way of a Motion, to set aside the ruling of the Chair. I cannot have you contest it the way you are doing now.

Next order!

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

Mr. Speaker: I am sorry, Mr. Anyona.

Mr. Anyona: Mr. Speaker, Sir, at least you can hear me.

Mr. Speaker: Order! I am sorry, Mr. Anyona. Hon. Members, it is in order for Mr. Speaker to hear an

hon. Member if that hon. Member also respects the decisions of Mr. Speaker as mandated by the law. The rule says: "If in the opinion of Mr. Speaker", and I have already made that ruling.

The hon. Member can try to convince me elsewhere, but I do not think it is the right thing that the hon. Member should come to the Floor of the House to contest the decision of Mr. Speaker. I do not know what he is doing that for. Maybe, he just wants to be heard or to convince the House to intimidate Mr. Speaker to change his view. If any of those is the reason, then I am afraid I cannot do it.

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 April 1, 1997.

*(The Vice-President and Minister for Planning
and National Development on 3.4.97)*

(Resumption of Debate interrupted on 10.4.97)

Mr. Speaker: Who was on the Floor.

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

Mr. Speaker: Order, Mr. Mulusya. You are totally out of order.

Mr. Achola, I think you were on the Floor?

(Mr. Mulusya stood up again)

Mr. Speaker: Order, Mr. Mulusya!

Mr. Mulusya: Mr. Speaker, Sir, I am entitled to be heard.

Mr. Speaker: That may be so, but it does not mean that you have preference over all Business of this House. We must get on with the Business of this House. You may revisit whatever else is troubling you. But for now, business must continue.

Mr. Mulusya: Mr. Speaker, Sir, hearing me is part of the Business of the House.

Mr. Speaker: Continue, Mr. Achola.

Mr. Achola: Thank you, Mr. Speaker, Sir. I would like to continue from where I stopped last week when I was duly interrupted by the exodus of KANU "voting machines" to go to the airport and sing songs of praise at the airport. I am sorry about that one.

I had already talked---

(Loud consultations)

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

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to describe hon. Members of this side of the House as "KANU voting machines?" We are all hon. Members of the House. Is that really in order?

Hon. Members: Yes!

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): No, we are not!

Mr. Speaker: Order! I think hon. Members have already been warned to exercise right language in this House. I think it is wrong for any hon. Member, either from this side or the other side to call the other side a "voting machine".

(Mr. Achola moved to the microphone)

Order, Mr. Achola! What is exciting hon. Members? Anyway, I am just advising, I did not hear him say it.

Proceed!

Mr. Achola: Thank you, Mr. Speaker, Sir. I hope they will realise they are not "voting machines" then.

Just before I was interrupted last week, I had mentioned the fact that this Government had no food policy. I had also talked about the fact that there was great insecurity in this country.

In summary, I would like to go to one point which is bothering everybody in this country and which the President ought to have talked about. This is corruption. We heard about what happened in Kenya Ports Authority (KPA) and recently we were told that all the people who had been charged were cleared and that none of them was found guilty. But it is quite well known that there was great corruption at the Port. They were released because the court said that there was insufficient evidence. That is part of corruption. The question we are asking is: What is the Government going to do about corruption in this country? You will remember, when the Public Investments Committee submitted their report here, a number of people were mentioned and even the Committee recommended that some of those people be charged in a court of law for having been involved in corrupt practices. What the Attorney-General told us was that he did not have enough evidence to charge these people. It is now known that Kenya is third in terms of practising corruption. We would have expected the President to make some statements on how the Government is going to reduce corruption that has hit the economy of this country, but he did not.

Mr. Speaker, Sir, I want to mention something on tribalism. Negative tribalism is wrong. I do not think there is anything wrong with somebody being called a Luo, Kikuyu or any other tribe. That is positive tribalism, but negative tribalism, where people are favoured because of their tribe, is wrong. This is one thing that we must reject. Last week when the President was in Kitui, I was very amused when he turned around and asked, "Where are the Ministers in my office who are in charge of distribution of food". One was a Minister who comes from his tribe and the other one was the notorious Minister, also from his tribe. I think the President is not sincere in what he is saying about tribalism. He preaches one thing, but does exactly the opposite. The army today is manned by Kalenjins right from top to the bottom. That was not the case when he took power. Some people have challenged the Kenyatta regime for having practised tribalism, but I think it was not to the same extent that we witness today. If you go to Central Bank, all departmental heads are Kalenjins. If you go to the Post Office, it is the same thing. Everything has been "kalenjinised".

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Speaker, Sir. Is it in order for hon. Achola to mislead this House by saying that the hierarchy in Central Bank, right from the Governor to the managers are Kalenjins, when we know very well that managers come from different tribes? It is only the Governor who is a Kalenjin.

Mr. Achola: Thank you, Mr. Speaker, Sir. It is the wearer of the shoe who knows where it pinches. Why did you not talk about the army? The army is full of Kalenjins.

With those few remarks, I beg to oppose.

Mr. J.D. Lotodo: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute on this important Motion on the Presidential Address on 1st April, 1997.

Indeed, we have resumed after having a recess of four months and I know that all the hon. Members had time to consult their constituents and inspect development projects in their respective areas. I can only say that it is a pity for those who did not visit their constituents, but were hovering around in the City issuing press statements, for example, the Opposition. Despite that, I would like to thank His Excellency the President for his speech which was really elaborate and full of wisdom. We know that the President believes in the Nyayo philosophy of peace, love and unity among Kenyans. We should shun tribal animosity as it is being advocated by the Opposition.

We would also like to thank the Government for taking drastic measures in averting the drought situation which had ravaged the country by declaring a national disaster which has allowed the Government to provide enough food to all Kenyans to ensure that no Kenyan dies of hunger.

One of the issues before us in this august House at the moment is that Members of Parliament are supposed to debate matters touching on the lives of Kenyans and improve their wellbeing. They are also supposed to try and create a conducive environment for co-existence among Kenyans. But it is unfortunate that of late, some hon. Members engage in very inflammatory language that can plunge the country into chaos. I am calling upon my brothers to abstain from this type of language since this country is ours and all the responsibilities of Kenyans are bestowed on us. Whatever we say must be well calculated because should we make a mistake of making inflammatory statements, for example, calling for the civil disobedience which has been called for by most of the Members, we can plunge this country into chaos. We can see a clear example of this in Rwanda, Burundi, Somalia and other countries. If you watch television, you will see exodus of people moving from one place to another. You will see young children being left stranded. I do not think Members will pray for that kind of thing to happen in this country. We will always fight for peace so that every Kenyan lives and develops his area.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

I would like to touch on few important issues here. His Excellency the President started the National Youth Development Fund which was very successful. Initially, some hon. Members thought that it was just a source of raising money to finance KANU campaigns, but such money was not there in 1992 and KANU won the elections. So, it was just a ploy---

Mr. Mbeo: On a point of order, Mr. Deputy Speaker, Sir. Is hon. J.D. Lotodo in order to insinuate that KANU Government won the Elections without printing money in 1992?

Mr. J.D. Lotodo: Mr. Deputy Speaker, Sir, that is a wild allegation by the hon. Member. In fact, in 1992, he did not contest. He just came here after a by-election. So, he does not know what elections are all about. He just came here the other day. Just excuse him.

Mr. Deputy Speaker, Sir, I will also like to talk on education. In the country we can see that the 8-4-4 system of education is very successful in the context that it is practical oriented as opposed to the old system which was more theoretical. The most creeping problem is the school fees problem, following the recent drought. I would like to call upon the Minister for Education to increase the bursary disbursement to arid and semi-arid areas so that students from these areas can go to school. Also, we would like the Ministry to put emphasis on the technical part of the syllabus so that we encourage technical training. The Ministry in charge of technical training should ensure that more of our young men graduate on more technical subjects like agriculture and the rest.

I would like to talk on constitutional reforms that most of the hon. Members have talked about. For any constitutional reform to take place, you need at least more than two years to come up with a document which can serve everybody in the country, but because my brothers on the Opposition are in a hurry to be the presidents and prime ministers of this country, they find it hard to wait. What we saw when hon. Raila Odinga was being escorted was another way of telling us that there is what we call political alliance, but this is a dream. It will never happen. Hon. Matiba and hon. Kibaki would like to be presidents of this country, but they will never be. That alliance cannot work and let us not cheat Kenyans. I believe that we must always keep on voting the right man and I know that Kenyans are very knowledgeable and they are not going to make the same mistake they made in 1992, of voting blindly for any candidate. I know that during the 1997 Elections, KANU will sweep all the votes.

I want to talk on the donor funds. Most donor countries do not disburse their money to Kenya and it has become very difficult for Ministries to perform and give services to wananchi. This is just because most Opposition Members have been going to Britain and donor countries to tell them not to release money to Kenya. We know definitely that whoever will suffer is both the Opposition and KANU. So, I urge my brothers not to let Kenyans suffer because of their selfish interests.

Mr. Ogeka: On a point of Order, Mr. Deputy Speaker, Sir. Is it in order for Mr. Lotodo to mislead this House that the Opposition Members of Parliament have been going overseas to stop the donors from giving funds to this Government whereas we know quite well that the Government has totally failed to meet the requirements of the donors? Members of the Opposition have not stopped them from giving aid.

Mr. J.D. Lotodo: Thank you, Mr. Deputy Speaker, Sir. I think, that is the opinion of the hon. Member because we all know and we read in the newspapers that they are yelling all over because they think that the money which will be brought by the donors will be used by the KANU Government to win the elections. That is what they are dreaming although that is not the case. Here, for instance, we are talking of infrastructure; in the City of Nairobi, some of the facilities like roads and toilets are deteriorating and those services are meant for all Kenyans irrespective of their political affiliation. Therefore, when the hon. Member talks of the Government refusing to honour the donor funding, that is untrue.

Mr. Deputy Speaker, Sir, I want to touch on the prevailing diseases in the country. I think, the Ministry of Health should be very keen. In my constituency, there was an outbreak of a disease which was very strange and when it was diagnosed in a laboratory, it was called anaemic dysentery. That disease has killed so many people. We thought that the Ministry should take its staff there to go check and probably carry out a laboratory test on the same disease because that disease could be so dangerous that so many people could lose their lives. During the past months, the disease has been very dangerous and we fear that if the health personnel do not take the necessary action, I am sure many people are going to die. So, I only believe that after information was passed to the District headquarters in Kabarnet, some health staff came there, but they could not cure the disease. So, we feel that the Ministry headquarters should make a follow-up and try to find out the solution and probably give us the proper drugs.

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

Mr. Mutani: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the Motion. I will start by mentioning something concerning famine relief aid.

Mr. Deputy Speaker, Sir, people of Nithi are wondering what the Government intends to do with the proceeds from the famine relief aid. We are wondering because it is being sold to unscrupulous traders who in turn are exploiting wananchi terribly. We have seen pick-ups going to the stores where this famine relief maize is kept and

they leave there with bags full of maize. They are driven to the stores belonging to these traders. A report has been passed to the concerned authority, but no action has been taken. On the famine relief aid, the Government has selected a few traders who have their own lorries to carry this commodity from Meru to Chuka and they are paid in time. They are paid for transporting ten bags of white maize to Meru. Bearing in mind that a bag of maize costs Kshs1,500, they make Kshs15,000 per trip. The distance between Chuka and Meru is not that is not all. From very reliable sources, we are informed that these same traders are summoned again to the district cash office and paid in cash, but somebody makes sure that they do not leave with that money; they surrender it to an officer who has been assigned that job.

Mr. Deputy Speaker, that is not enough. When the famine relief food reaches its destination at the sub-location level, people are told to come for maize on a particular day. On that day, they are told to produce Kshs10 which is meant for the burial of a certain DO who died sometime back and was buried. Others in another area are asked to pay Kshs10 for the burial of the former PC who had died and got buried. That is the late Chelang'a. Without paying Kshs10, these people are turned back without getting the maize. This has been reported to the authorities but no action has been taken. If these people do not have Kshs10 they go hungry when maize is being sold to rich people.

Mr. Deputy Speaker, Sir, the other point that I would like to mention in relation to famine is that the number of elephants has increased so much. These animals have been allowed to roam about just from the slopes of Mt. Kenya to all the farms destroying everything they come across, be it maize, bananas, yams and other things. As a result, people in that area are sleeping hungry. We have been reporting this every now and then, but the last time when game wardens rushed to the areas, was the time when they had killed a man. They rushed there and scared them; they did not even shoot them. We are blaming the weather for this famine. In this case of elephants, whom do we blame, the weather or Government?

Still on this famine, we have timber merchants who are licensed by the Government to split timber on Mt. Kenya. Sometimes back, the Government banned this business. The merchants left all their beams in the forest with a hope that the Government would give them permission to go and collect the beams which has already been split. Of late, people are wondering to see Government lorries entering Mt. Kenya Forest and loading these beams. The owners had left their timber there, after using a lot of money. They are now wondering because they do not know what to do. Indeed, they have nothing to eat. Is it the weather or the Government which has brought famine to the people?

Mr. Deputy Speaker, Sir, the other thing I would like to mention in connection with the Presidential Speech is what the President said that he was certain that we had met our people and discussed these issues with them. Personally, I have applied for seven permits to hold meetings, but I have never been given any. How do I interact with my constituents? It is wrong for the Government to refuse Members of the Opposition permission to hold meetings. But when there is a very small occasion to raise funds or if some KANU officials are meeting, it is broadcast over the radio and we are told that all these people have joined KANU simply because a KANU hawk is conducting the meeting. What I am saying is that the Government should consider this issue and allow us to discuss with our people by giving us permits to hold meetings. Why did we repeal Section 2(A) of the Constitution, if we are not allowed to meet our people?

Mr. Deputy Speaker, Sir, the other thing which I would like to mention is the amoeba epidemic in Nithi Constituency. When a person goes to hospital, after having been examined; he is said to have amoeba. After a careful study, we realised that the water supplied to the people through Karingari, Chuka, Muringu Mukumango and Magumoni is not treated. What is the Government doing? Is it leaving these people to die of amoeba and yet there is medicine? We have realised that some individuals are approaching these offices and they are buying this chemical to use in their own homes.

Mr. Deputy Speaker, Sir, I would also like to mention something on the mode of announcements by the Kenya Broadcasting Corporation. They announced that bandits have more sophisticated weapons than the Government and that is why they raid our areas and take our animals. We should not disclose our weaknesses. Why should we tell people that the Government has no powerful weapons? Does the Government want us to hold a Harambee to buy, for example, the AK47 guns? Why should we tell people that the Government is not strong? Instead, we should keep telling people that the Government is pursuing these people, and there is enough machinery and personnel to arrest them. Otherwise, this type of publicity depicts the Government as very weak and that, its people are at the mercy of these bandits.

Mr. Deputy Speaker, Sir, on the same note, I would also like to mention something on the way we are treated by the Government and the same Kenya Broadcasting Corporation. I have attended several Harambee meetings and even recently, hon. Kamotho was in my constituency for a harambee meeting at Chuka Commercial Secondary School. I was among the contributors, but surprisingly, in that evening news, they did not mention my name among the contributors. And it was not only that day, because, even the following Saturday, he went to Chogoria Girls Secondary

School within Nithi Constituency. I also went there and contributed some money, but in the evening news I was not mentioned. Even DOs who contribute Kshs1,000 are mentioned, whereas when I contribute more than Kshs1,000 I am not mentioned.

Hon. Members: How much did you contribute?

Mr. Mutani: Some hon. Members are asking me how much I contributed and yet, I am not given money for Harambee. I contribute money from my own pocket, unlike those who are given Kshs10,000 or Kshs200,000 to contribute.

Mr. Deputy Speaker, Sir, that particular day, the Minister contributed Kshs220,000 and after seven days, he went to Chogoria in the same Constituency and again contributed Kshs220,000. Some hon. Members are still asking me how much money I contributed. Am I given money by anybody for contributions? I gave my own contributions. What makes me wonder is why the KBC did not highlight my contribution. It does not matter how much we contribute, but we do so on our own will. The Bible says there was a woman who contributed only one cent and was seen to have contributed more money than those people who contributed more, because she only had that amount.

Thank you, Mr. Deputy Speaker, Sir.

The Minister of State, Office of the President (Mr. Biwott): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion.

Mr. Deputy Speaker, Sir, I do agree with the hon. Member who has just spoken, that the Press should ensure hon. Members are mentioned when they contribute, irrespective of whether they are in the Opposition or in the ruling party, KANU. The only problem is that, the hon. Member does not want to inform the Press who are in this House, how much money he contributed so that tomorrow, alongside his contribution, they highlight the amount he contributed in that particular occasion. Since he missed that chance, this is a second chance to receive the publicity he wanted.

Mr. Deputy Speaker, Sir, I would like to thank His Excellency the President for the wonderful exposition as to the directions which this country should take and also to highlight to the Members of this House and the entire nation, measures that the Government has taken to relieve the burden of famine that has stricken our country. He made it very clear that, the declaration of emergency was intended to solicit funds or resources from local and international sources. That was not possible without a state of emergency being declared. There was no other reason as His Excellency the President said.

Mr. Deputy Speaker, Sir, our pride as a nation, to the President and the leadership we have, is that Kenyans are conscious of the interests of our people, their well being and the need to ensure that even in times of extreme famine, wananchi are fed. The Government has done a lot towards this endeavour and we would like to congratulate the Minister of State, Office of the President, hon. John Koech, and his co-ordinating committee, the Provincial Administration and the officers that have done everything, including the Ministry of Agriculture, Livestock Development and Marketing and other Ministries that were supportive. We hope that every Kenyan will appreciate any contribution that has been made by local and international donors and any other sources, including NGOs and the rest, provided they were directed to the right cause. The main challenge as His Excellency the President has said, is in the future strategic plans, to ensure that the effect of famine will not come again in future. This will entail long-term-plans which more or less guarantee that, whenever there is a situation like that, there will be food and water by way of dams and things like that, so that wananchi can be relieved of the severe effects of drought. We know, as it has been said in this Speech, that the burden which we have had will have the effect of reducing our growth rate and may also have an impact on the Government's planning, which means that there could be some inflation as a result of it.

Mr. Deputy Speaker, Sir, nevertheless, we are Kenyans and we ought to persevere and make sure that we look after the interests of the people who vote for us. We should look at the interests of those who are heavily affected by this famine, especially in the drought-stricken-areas. Of course, we cannot do all this unless we are patriotic people as His Excellency the President said. Whenever we go to any other country irrespective of which party we belong to, we should first of all think about our nation, advertise our nation positively, always defend our nation and come back to improve on the things that we are doing.

Mr. Deputy Speaker, Sir, for this to be achieved, we have to rise above petty issues so that we avoid being parochial, emotional and soliciting problems that are not necessary. For example, we should be focusing on real issues that are challenging to our nation in areas like, food security, the security of this country, the welfare of street children, the disabled and also those who are leaving schools.

We have to think of ways and means of creating employment in order to cater for the young people who are coming into the labour market. Those are the real issues which we should be debating about, instead of things that promote only sectarian views. Of course, we should not indulge in issues that will create emotions and provoke ugly situations.

Mr. Deputy Speaker, Sir, Kenya has a history. We have managed our affairs for the last 30 years. During

that period, we have had a Constitution which has served this country well. There was a mention of a possible review of the Constitution in future by His Excellency the President. When that time comes, of course, the Constitution will be reviewed. But to insist that we should go into constitutional review when we have got a few months to go to the General Elections is unrealistic. I know that the motive is not to improve the welfare of wananchi. The motive is to win the elections by the Opposition. So, it is a selfish interest. It is not really a national interest. For example, the demand for the removal of the 25 per cent clause from the Constitution is to cater for anybody who manages to get over 50 per cent of the votes - from even one single tribe - if there was one tribe with such a vote, because the aim is just to get to State House and not to improve the welfare of the wananchi in this country or to secure the rights of wananchi, but to secure a defeat of KANU. If that is the case, the battle should be with the wananchi. They should convince wananchi to vote for them as we convinced them to vote for us. The people will decide who will go to State House. But to look for unfair means to get to State House is perhaps asking for too much. We know that every Kenyan has a right to vote, to register and a right to do everything else. Why should we argue as if those rights do not exist when they do exist? Anybody who has been refused to register or vote should come forward and bring that to the attention of the Government. Voting did not start this year. It started during the colonial days and Kenyans know about it.

We have also heard some people talking about educating Kenyans on how to vote. I think this also amounts to asking for too much from the Kenyan people. This gives the impression that Kenyans are beginning to vote this year and yet, they have been voting all along. If they want to educate people to vote for them, then they should say so.

They should say they are educating people to vote for the Opposition. To vote for a candidate of one's choice is a right that is guaranteed by the Constitution and nobody should interfere with it.

Mr. Ruhii: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for hon. Biwott to say that the citizens of this country know how to vote and that there is no need for civic education? The reason is that they are afraid of educating the citizens of this country on how to vote. There is a saying which says: "If you sharpen your knife, there is a danger that it will cut you."

The Minister of State, Office of the President (Mr. Biwott): Mr. Deputy Speaker, Sir, I think the hon. Member knows too well that they do not have any case and that is why he wants to waste my time by saying nothing.

Mr. Deputy Speaker, Sir, I am in charge of the East African Co-operation and COMESA. I will be making statements regarding the progress that has been made in those areas, so that wananchi and Members of Parliament here can be kept abreast about what is going on. We do not want to enter into certain commitments with other nations without our people and Members of Parliament knowing exactly where we are, because they are responsible people; they have their own consistency and I will have to start with them.

(Mr. Ruhii rose to contribute on the Motion from the KANU side)

Mr. Deputy Speaker: Order! Order, hon. Ruhii. I have just remembered that you are from the other side of the House. I do not think it is fair that you stand up and contribute on the Motion from the Government side.

Mr. Ruhii: Mr. Deputy Speaker, Sir, this is because my colleagues on the other side of the House are not there and I am feeling cold. When we sit together, we warm each other.

(Laughter)

Mr. Deputy Speaker: I think you had better go to the other side of the House, because you are setting some precedent which I am not happy about.

Mr. Ruhii: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute on this Motion.

From the outset, I want to state quite clearly that the Speech by His Excellency the President to this Parliament and to the nation was not an exposition of Government policy. It was, in a way, his own personal views and not the views of Kenyans or this House. In the first instance, there are some merits when a person makes a speech off-the-cuff because that speech normally contains emotions, convictions and also the tone of that speech which is consistent with the person giving it. But in this case, when a speech is written for somebody to read, there are a lot of disadvantages because the person who wrote this speech was not His Excellency the President. It was written by a civil servant who did not go to the highest institution of learning in this country. To me, the speech was written by a high school student.

I want to say that the speech--

Mr. Boy: On a point of order, Mr. Deputy Speaker, Sir. Can the hon. Member substantiate that the

Presidential Speech was written by a high school student and not a graduate from a university?

Mr. Ruhii: Mr. Deputy Speaker, Sir, can hon. Boy substantiate otherwise?

Mr. Boy: Mr. Deputy Speaker, Sir, it is not me who made that allegation; it is him! He has categorically said that the Presidential Speech was written by a civil servant who has not seen the institution of higher learning in this country. Can he substantiate that and tell us that this Speech was written by so and so? Otherwise, he should withdraw that remark and apologise to the House.

Mr. Ruhii: Mr. Deputy Speaker, Sir, I withdraw and apologise that remark.

There is a very important aspect of the President's Speech which should have been included and that is constitutional reforms. Hon. Biwott has just spoken about civic education. Civic education is meant to educate Kenyan people on how, when and who to vote for. Therefore, this Government is afraid that the more the citizens of this country are educated, the more they are shown the way out. This "outgoing government" is afraid that wananchi will become enlightened and start to think independently. This is not the case in this Government. They do not think independent of the system. No wonder in the debates, I remember one of the Members of Parliament said that KANU people are "voting machines." They are not voting machines. They are "cocks and robots" because they do not think independent of the system.

Secondly, I want to say that the Speech should have given guidelines to this country on various aspects of our economy.

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to use such language against fellow colleagues of this House, that they are robots? Is it Parliamentary really to refer to other hon. Members as robots?

Mr. Ruhii: Mr. Deputy Speaker, Sir, I used the word, "robot" as a figure of speech. The word "robot", means that you do not think for yourselves. You vote automatically, according to the system. I can understand why you do so because, by voting against the system, your bread and butter is jeopardised. You have to vote according to the system. You cannot think otherwise. You have to think within the system. They sing the KANU chorus and we sing the Opposition chorus on this side of the House.

Mr. Deputy Speaker, Sir, it is very important that the Presidential Speech should have mentioned something about our economy. We have a Sessional Paper from this Government talking about industrialisation by the year 2020. The informal sector, that is the jua kali sector is very fundamental to our economy. We know very well that it has already been accepted as a bastion for the industrialisation process of this country. That should have been mentioned in connection with reducing unemployment within our economy. It is a very important sector indeed.

Mr. Deputy Speaker, Sir, another aspect is that of tourism. Tourism is a very important sector of our economy. I feel that the Government should be more aggressive in selling tourism in this country.

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Deputy Speaker, Sir. I have observed on several occasions that hon. Members, particularly from the other side of the House, just walk in front of another hon. Member on the Floor without realising that they are blocking him from the Speaker's view, which is contrary to our Standing Orders. Can they be reminded that they must bow, bend or go round?

Mr. Deputy Speaker: Hon. Members, I think hon. Mutiso is right. It is forbidden for a Member to walk between the Speaker and the hon. Member on the Floor. If you pass, you are likely to obstruct the Speaker's view of the Member speaking. You had better bend down so that the Speaker can see the hon. Member speaking over your back. Carry on, hon. Ruhii!

Mr. Ruhii: Mr. Deputy Speaker, Sir, I also said that police brutality in this country is becoming worse.

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Deputy Speaker, Sir. You have just given a ruling! Can you see that the hon. Members are not serious---

Mr. Deputy Speaker: Order! Let us be mindful of time, please! I think you are wasting too much of hon. Ruhii's time! Continue, hon. Ruhii!

Mr. Ruhii: Mr. Deputy Speaker, Sir, I proceed to a subject which is very sensitive. That subject concerns the Asians of this country. There have been some irresponsible utterances which are racial. Kenya is a multi-racial and multi-ethnic society. We cannot condemn the Asian community because of the behaviour of people like Mr. Kamlesh Pattni, Mr. Ketan Somaia and others. We cannot condemn them wholesale. I think the best thing we can do is to design a system whereby those who are "economic saboteurs" or "economic criminals" are deported from this country, so that they can go to plunder the economies of other countries. We should deport them. We should not penalise the entire Asian community. If we have an island in Kenya, they should be deported to that island like England did some years ago, when they deported all the convicts to Australia. I think this is the only language economic saboteurs and economic criminals can understand. I am against the policy of wholesale expulsion of

Asians. There are some of them who are born and brought up here, and they are our brothers and sisters. But those errant Asians should be deported and forgotten.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Mokku): I join by colleagues to contribute to the Presidential Speech which he made on 1st April, 1997.

To begin with, I think it is high time that hon. Members contributed to this Speech wisely, since it contains a lot of advice for all of us. I would like to take this opportunity to tell my colleagues on the other side of the House that the question of advocating for civil disobedience in this country is not in order. Whoever talked of that as a means to fulfil his wishes on Constitutional reforms is quite wrong. All of us who are here are grown ups and people who have read history and seen a lot. We can give a simple example of our neighbours like Somalia, Burundi and Zaire. I think that should be lesson to all of us. It is a factor that can refrain all of us from making those utterances which can lead to civil disobedience. These are actually the wishes of some of the Members of this august House.

If somebody is called an "honourable Member", he should be "honourable" in all forms. He should be honourable physically, in his appearance and in his utterances. I once again appeal to both sides of the House, especially to the side which is for civil disobedience, to refrain completely, and think of other means, if there is something worthwhile that they want to tell us.

Mr. Deputy Speaker, Sir, on the issue of the drought that Kenya has just undergone, its effects will take time to leave us. It was not confined to one district, region or zone of this country. I think 90 per cent of this country was affected by the severe drought. This was more so on the people who have been relying on crops. It is high time that we tell our people to plant. The Government has provided seeds to most of the districts, free of charge. So, it is high time that we should guide our people to do mass planting to compensate for the loss that was incurred during the period of the drought.

Mr. Deputy Speaker, Sir, those areas which used to rely on livestock will take some time to recover from that severe drought and its after-effects. As a result, most of the high school students have not resumed learning due to lack of school fees. I wish to take this opportunity to actually appeal to the Ministry of Education, that when considering the beneficiaries of the Presidential Bursary Fund, they should do so not in terms of population, but in terms of the areas most affected by the drought or even the aridity of the areas. The current mode of selection of the beneficiaries of this Fund which the Ministry uses based on, for example, the population or the area where the school is situated is not convincing. I think that is one appeal that I would like the Ministry of Education to consider.

Mr. Deputy Speaker, Sir, I would like to thank His Excellency the President and the Government for having taken care of these people during that severe drought period. The Government promised Kenyans that nobody will die of hunger and nobody has died of hunger. That means that the Government has kept its promise to its people; to see that relief food is provided to all. That is not only maize should be provided to the people but also beans, oil and milk. This is because man cannot survive only on maize.

Mr. Deputy Speaker, Sir, I have a suggestion to make on the current problem of cattle rustling in the Republic. It has become a hobby or a habit for these nomads and quasi-nomads to engage themselves in cattle rustling. While the security personnel and the elders are trying their best to curb this menace, why can the Government or the Ministry of Agriculture, Livestock Development and Marketing not think of branding animals according to their region of origin? For example, cattle from West Pokot District can be branded separately according to their divisions of origin or they can be branded according to the whole district. This can be done to ensure easy identification of the origin of the stolen cattle. I think it is high time the Government carried out this exercise. It would be a very economical and easy method to follow because of its identification process. I think this method will minimise the current menace of cattle rustling in the Republic.

Mr. Deputy Speaker, Sir, I would like to take this opportunity to make a honourable appeal to wellwishers, friends and anybody that is in a position to help, particularly the African Medical Research Foundation (AMREF), the International Committee of the Red Cross (ICRC), the Ministry of Health whose Assistant Minister is present, the Office of the President and the Department of Defence, that as a result of the current heavy rains in Isiolo which in itself is a blessing from God, Isiolo District, and particularly Merti Division, has been heavily affected by flood waters from Ewaso Nyiro River. As I speak, certain areas in Merti Division like Malkagala, Dadachaibass, Korbessa and Merti South locations, have been flooded as a result of River Ewaso Nyiro changing its course and entering the town leaving behind a trail of destruction and damage. There is no road that leads to that place and people have not received their food supplies for the past two weeks. As a result of that, there is an outbreak of dysentery and severe diarrhoea in that place. My appeal, which I also made in the media yesterday, is that I request the Ministry of Health and any other donor to supply drugs to these affected areas. Already, ten deaths have occurred as a result of that disease outbreak. There is no road that connects this area to the rest of the country and I am appealing to the Ministry of Public Works and Housing to construct all-weather roads in these areas. As soon as it rains in Merti Division, the division is automatically cut off from the other areas. Although I have not requested for a tarmac road as I speak, it is high time

the Ministry thought of constructing all-weather roads in those areas. It will take the next three to four months for any type of communication to reach those people.

Mr. Deputy Speaker, Sir, my last point is that the Ministry of Transport and Communications should provide alternative means of communication in cases of flooding. It should construct airstrips in these areas. There is not a single airstrip in the areas that I have mentioned which could have been of use to us today. I appeal to the Ministry of Transport and Communications to consider of constructing permanent airstrips to cater for all these people in case of floods and impassable roads.

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

Mr. Achieng-Onoko: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to say a few words on the Speech of His Excellency the President.

I want to submit that I do not entirely disagree with this Speech. This is the kind of speech made from the throne even by the Queen of England and normally the President, or the Queen, does not go into details of the contents of his or her speech. But I find quite a lot of "meat" in this Speech because the President touches on the security of this nation and it is upto Members of Parliament to give suggestions and to denounce what they consider to be leading Kenya into danger.

Like today, Kenya is in a potentially dangerous situation in that we may run into some problems because of police violence perpetrated on our people and we must stand firm and denounce such activities like what really happened to the Chairman of FORD(K).

Mr. Deputy Speaker, Sir, the hon. Kijana Wamalwa escaped by the skin of his teeth from the police bullet that was supposed to kill him. I want to tell the President and the Government that Kenya may face a danger if they allowed such practices to continue. I am calling upon the Government, to organise a meeting between leaders of the Opposition and the Government whether separately or jointly, so that they can discuss about the welfare of this lovely country of ours. In the absence of that, we are bound to fail.

Mr. Deputy Speaker, Sir, I want to appeal very sincerely because I can see grim signs of danger on the horizon facing this land of ours. Why is it not possible for the Opposition to meet the President or the Government, while the President normally leaves the country at a greater expense to meet other leaders? When one's home is not in a calm state even the leader himself when he is absent from the country, is not happy. We would like to see that while the President is still leading this nation, we want to advise him and we want to keep him there until we remove him peacefully and constitutionally from the seat and we take over because I have a feeling that the Opposition can easily manage this country better.

Mr. Deputy Speaker, Sir, I still repeat that we have a lot to say on this Presidential Speech. There are references where the President also appealed to us and particularly those leaders who make statements outside the country. I do entirely agree with him.

Mr. Deputy Speaker, Sir, this also reminds me of a statement I made the other day about a colleague of mine when I said that I will never forgive him. Some people thought, probably, I had personal grudge against hon. Matiba, but I want to say in this august House today, that I had very good reasons to tell hon. Matiba that I have a grudge against him. When we were in the state of struggle for multipartyism in this country, Mr. Matiba and Mr. Rubia came to me, appealed to me and told me: "Mr. Onoko, the country really needs the support of Jaramogi Oginga Odinga so that we can join hands together and fight for multipartyism." I said to him, I had my doubts because I had made up my mind against certain alliances of solidarity, on unity or union for I am for the national unity. But nevertheless, I yielded to the persuasion and a bit of pressure and we all joined hands together and formed a party. But the question I raised is the reason I am holding very serious opinion about him. I told him, "We know what is the past, now that you have come to us, what is our "cut" in this particular unity? "What is the deal?" What is the "cut?" What am I going to take home to my people because in the past we have been let down?" And it was Mr. Matiba himself in the presence of Jaramogi Oginga Odinga, Mr. Rubia and hon. Raila. And this is what hon. Matiba himself said: "Jaramogi is our unquestionable President." Later on, we worked together, but it is Matiba who "spoiled", who discarded our pledge and so on. For that reason, I have this to submit in this august House, that the entire country forgets him because he let us down, otherwise, we would have been in the Government.

Mr. Deputy Speaker, I know that my time is running out, but I have given the House some information.

Mr. Deputy Speaker, Sir, we talk about the Asians. We decried the Asians, we say that we must deport them and so on. We can only deport "aliens", but we cannot deport "citizens" of this country. Some of these people have been here for donkey years, they were born here, brought up here and they live here and they do not have any other country. Even if we have "hooligans" among them, we cannot take them to the country of "incognito," that is Australia. Among us also, we have hooligans, bad people and so on. It is our people who encourage the Asians to be on top of us. We sold them passports and export licences, and in the Central Bank, we work with them to undermine the country. This is the same case in the Treasury. We have also made our mistakes, and it is high time we sat down

and applied self-criticism.

With those few remarks, I beg to support.

Mr. Shaaban: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute on the Presidential Speech.

One important issue I would like to address in this House is the issuance of identity cards in Mandera District and in particular, my constituency. Over 50 per cent of eligible residents of Mandera East Constituency for identity cards have not been issued to date. This is as a result of the inefficiency on the part of the Department of Registration, lack of adequate equipment and lack of commitment on the part of the registration officers.

Mr. Deputy Speaker, Sir, over 60,000 residents of Mandera are eligible for identity cards, but so far only 400 residents have been issued with identity cards in my constituency.

In the following divisions in my Constituency, Finno, Khalaliyo, Lafey and Hareri which are part of my constituency, no single identity card has yet arrived and they have not been even issued to my constituents. I have been hearing that the voter registration exercise is starting very soon. I wonder who the Electoral Commission headed by Chesoni is going to register in my Constituency because if Kenyans have not been issued with the second generation identity cards, it will be a waste of time and money. If today the Electoral Commission calls for the registration of voters, apart from the 400 people who have been given their identity cards, they would not have anybody else to register. This is infringing the constitutional rights of Kenyans to be issued with identity cards and they have the right to be voters and to vote for anybody they wish to vote for. I would, therefore, urge the Electoral Commission not to start any registration of voters until and when all the eligible Kenyans in my Constituency who are over 60,000 are issued with the proper documents like the second generation identity cards and all those who have been registered should be issued with their identity cards.

Mr. Deputy Speaker, Sir, one other important area that I would like to address myself to in this House is the pathetic road infrastructure in the entire North-Eastern Province. We have lack of good roads for a long time. Although there is not a single tarmac road from Garissa to Mandera, and not even a small portion of tarmac in the entire North-Eastern Province, what we are asking for is, at least, to make all-weather roads that connect Wajir and Mandera Districts motorable. Unfortunately, since Independence after every rainy season, these roads are, at least, closed every year for four-months making transport of both vehicles, passengers, students and other Kenyans who wish to travel between these districts ineffective. As a result of this, all sectors of the economy and activities that would take place in the entire Province are curtailed through this four months-closure in every year making Kenyans living in these areas to lead a very difficult life.

Mr. Deputy Speaker, Sir, as I speak right now, the road network between Garissa and Wajir, and between Wajir and Mandera is impassable. No vehicle can move between Wajir and Garissa, and also, between Wajir and Mandera. Therefore, the entire Province is closed. We thank the Government for giving our people famine relief food during the severe drought, but I would like to tell this House that the allocation of the famine relief food for the months of March and April has not reached those the targeted groups as a result of the closure of these roads. How do we, therefore, expect the economic lifeline of the entire North-Eastern Province to compete with the rest of the country when all the economic activities of these areas are closed?

Mr. Deputy Speaker, Sir, the Government has allocated Kshs150 million for the road network between Terbat and El Wak to be all-weather roads in about two years. I would like to give a report prepared by the Provincial and Monetary Evaluation Committee. Out of Kshs.150,706,000 that was allocated to this portion of the road between Terbat(?) and El Wak, already Kshs82,958,000.00 has been spent. According to the report, the balance is Kshs67,813,000. Unfortunately, the report says:- "A very small portion has been murramed". After going round with the Provincial Monetary Committee, we have inspected this road and we have found out that less than one kilometre has been properly murramed. According to the report, Kshs82,958,000 has been spent on this road.

Mr. Deputy Speaker, Sir, during our inspection tour, we found out that the culverts that were used were corrugated-iron-sheets on class "D" road. Todate, that portion of the road that has been perfectly constructed by that contractor is the worst part of the road in the entire North Eastern Province. As I am talking now, several vehicles are stuck in that portion and Kshs82,958,000 has been spent on that road. This is a very serious affair and the people of North Eastern Province are concerned with the continuous deterioration of a very important infrastructure, the road infrastructure. We, therefore, ask the Ministry concerned to investigate further and bring to book the contractor who had been contracted to do this job and has done a very shoddy job, and the civil servants of the parent Ministry, who have been in charge for allowing this contractor to go with the millions of shillings when he had done a very shoddy job. The implementors of these projects have just been in Nairobi and whenever the contractor was making the claim, he was being given a go-ahead without knowing what is happening on the ground. I would also like to touch on the drought which has taken a heavy toll on livestock that you have just witnessed. Millions of livestock have died in the entire North-Eastern Province and in particular, in the arid and semi-arid areas of this country. These animals were

worth millions of shillings.

Thank you, Mr. Deputy Speaker.

Dr. Ombaka: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to comment on the Presidential Address. I would like to limit my brief comments to just one aspect of governmental policy, namely legislative policy. It is a matter of regret that as the Seventh Parliament comes to a close the Government has not established a legislative policy. Under our Parliamentary system it is the Government that generates business for this House. With the exception of Private Members' Motions, which are triggered by backbenchers and hon. Members in the Opposition, every other business in this House is generated by the Government. In fact, even in the instance of the private Members' Motions, it is the Government that has the primary responsibility for implementation.

When Kenyans criticise the performance of the Seventh Parliament that criticism is properly directed at the Government. This is because this House cannot transact business that is not brought before it. A casual look at the Bills that have been tabled here for enactment into law by the Seventh Parliament shows neither rhyme nor reason. It is a catalogue of *ad hoc* initiatives that are brought before the House without any clear policy direction. In fact, it is quite easy for one to analyse the direction of Government policy by looking at the type of Bills presented in Parliament. If that approach is used, of this Government, one would agree that it has absolutely no idea of the legislative direction it wants to propel Kenya.

In instances where there has been an indication of initiative the attempts have been regrettably inept. You will recall the very poorly drafted Children's Bill that was brought before this House, or the hasty retreat beaten on the Intelligence Bill. It is hard to explain this type of ineptitude purely in terms of lack of drafting capacity in the Attorney-General's Chambers. We are all aware that the Parliamentary Draftsman Unit in the Attorney-General's Chambers is very poorly staffed. But these are not failures of technique. I think they reflect a very fundamental misconception in this Government about the legislative process. I may suggest, indeed, that these failures are, in fact, due to the partisan manner in which this Government has approached its business generally and its business in this House in particular.

Important areas of public policy are seen as if they belong to the KANU Government. Initiatives that should have a bipartisan support are sneaked into this House without consultation or prior deliberations with Members of Parliament, who are here as representatives of the people. As a result, when these initiatives come before the House they are partisan, and the Opposition will be excused for dealing with them in a partisan manner. A lot of the issues that need to be deliberated upon in this House are non-partisan: They concern the future of this country and the welfare of all Kenyans. It is irresponsible in the extreme when the Government treats these issues as if they were private party issues.

In areas where the Government has shown some policy initiative, we have not seen any business tabled in the House. One can think of areas such as the environment, in which we are aware that a Bill exists, yet there is foot dragging about tabling the matter before this House, or discussing it in a non-partisan manner. In a very important area of economic policy such as privatisation, it is a shame that this Government is proceeding in discharging this very important function without a legislative framework: It depends on the whims of the Government on a case-by-case basis. Without anticipating debate, I am of the view that the forthcoming Telecommunications Bill will face the same fate as that of the Intelligence or the Children's Bill. This is because I have not seen a Bill so ineptly drafted in such an important area of public policy. So, far from learning from previous mistakes the Government seems to be compounding its confusion and lack of legislative policy in almost all areas of public policy.

Mr. Deputy Speaker, Sir, it is very difficult to imagine a worse situation of leadership when one proceeds to areas of social policy. It seems that the Government is held hostage by the international institutions that it deals with, basically the International Monetary Fund (IMF) and the World Bank. We know of no country that has achieved any measure of economic growth without massive investment in education and health. Yet, this Government, in an effort to please the last team from the World Bank that departs from town, seems to be neglecting this very fact. It is a fact that these are areas not just of charity for a government to engage in: These are fundamental areas of human rights. They reflect the right of every Kenyan to education and good health. We have been treated with no major policy initiative in these areas.

I think hon. Members who have spoken before me have addressed the issue of constitutional reform adequately. In one fundamental area where the Government should have led with a clear legislative agenda and policy it has declared non-policy: It has simply said: "No constitutional reforms". Again speakers before me have addressed at length the criticism of the Presidential Address during the State Opening of Parliament for showing lack of policy. I think that criticism is well visited on the President because, after all, he is the leader of this Government. But I would like to spread the blame a little more. I would like to spread it to the Cabinet, both singularly and collectively because, after all, it is the Ministers who are charged by the Constitution, and are funded by the tax payer, to generate policy. So, in a situation where the President comes here and declares no policy, I think a substantial part of that blame ought

to be shared by the Front Bench in this House. We have a situation where there is no policy initiative coming from any Ministry on any matter of substance which is facing this country. In good conscience, if Ministers generate policy and it is shot down they should quit the Cabinet. But I suspect that the fault here is not that of policy generated being rejected: It is a case of policy not being generated at all. So we have a Cabinet or group of Ministers who do not make any public issue and leaves the President to dabble in almost everything that affects this country under the sun.

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

Mr. Boy: Bw. Naibu Spika, ningependa kuunga mkono kikamilifu Hoja hii inayohusu Hotuba ya busara na ya maana sana iliyotolewa na Mtukufu Rais katika siku ya kufunguliwa Bunge hili.

An hon. Member: Mbona unacheka?

Mr. Boy: Bw. Naibu Spika, ninacheka kwa sababu ninafurahia hii Hotuba, kila wakati nikiisoma ninaona ni nzuri. Kuna nini zaidi kama Rais alivyosema? Ingawa kuna dalili za mvua za masika, kikao hiki cha Bunge kinaanza wakati nchi yetu inakabiliwa na janga baya sana la ukame. Huu ni ukweli, si uwongo. Tunakabiliwa na janga la ukame, na njaa imetuingilia. Hayo ni mawazo ya busara ya kiongozi, si mawazo ya kukaa tu, na ukitaka kupinga, upinge. Isitoshe, Mtukufu Rais akaendelea kusema ya kwamba isionekane kama kwamba chakula hiki ni kampeini ya KANU. Kwa nini alisema maneno hayo? Kwa sababu yeye in kiongozi wa taifa, wala si wa chama cha kisiasa tu. Lakini kuna wengine ambao hawapendi kuisoma hii Hotuba vizuri kwa sababu mwaka wa 1997 umefika. Ukweli lazima usemwe. Mambo ya 1997 nitagusia baadaye.

Bw. Naibu Spika, kuhusu hiki chakula, ni lazima tuseme kwamba kinavyogawanywa katika wilaya, ni kichache. Hasa sisi watu wa Pwani tunapewa kichache sana. Kwa hivyo, tunasema, na ieleweke wazi, kwamba ingawaje tuko na ukame kama wenzetu, sisi watu wa Pwani chakula chetu ni kidogo. Tunataka kiongezwe. Nikiendelea na hii Hotuba nzuri ya Mtukufu Rais, Rais anasema maneno matamu sana. Hiki ni kikao chetu cha mwisho cha Bunge letu la Saba. Baada ya kikao hiki, itatubidi turudi tena kwa waajiri wetu, yaani wapiga kura wa Kenya, kutafuta kibali kipya. Na hii ndiyo sababu ninaona wiki hii, jamaa wameshikwa na miharo mingi sana. Tunarudi tena kwa matajiri wetu. Baada ya miezi sita, hizo suti zote hazitakaa zinavyokaa sasa, vitumbi vitapotea. Kwa sababu gani? Kwa sababu wengine hawajaonekana katika sehemu zao, wanaishi hapa Nairobi na ikifika lunch time, wanaitisha supu na nyama. Sasa ni lazima warudi kwa wananchi ambao tangu waliwachagua katika uchaguzi wa 1992, hawajarudi kwao. Wapende wasipende, sasa watarudi huko. Hii ndiyo taabu iliyoko. Wengine kati yetu tunatoa taarifa za magazeti nyingi, lakini ukifika nyumbani, hakuna mradi wowote ulioanzinsha wa kuonekana, hakuna harambee umefanya. Hakuna mtu uliyesaidia wala mradi ulioanzisha. Wewe kazi yako ni kutoa taarifa za magazeti tu. Lakini wale watu waliokuleta huku, hakuna ulichowafanyia. Mwaka huu tutaona kilichomnyoa kanga manyoya. Nimekuwa nikiwaambia kila wakati ya kwamba tutarudi kwa matajiri wetu, lakini wamekuwa wakiona kama ni mzaha, na hiyo imo katika Hotuba ya Mtukufu Rais.

Jambo linalofurahisha kabisa katika Hotuba hii ya Mtukufu Raisi, ni kwamba, katika kikao hiki, Waheshimiwa Wabunge wataomba wajadili Miswada na Hoja mbali mbali. Katika hizo Hoja na Miswada, kutakuwa na zile ambazo zitawasilishwa na Serikali, na nyingine, Waheshima wa Bunge wenyewe. Isipokuwa, lile tatizo tunalopata leo katika Kenya ni kwamba watu wengi wanapochaguliwa kuwa Wabunge, hasa Mawaziri, wao husahau ya kwamba contract ni ya miaka mitano. Waziri wa Kazi na Ujenzi akiwa ndani ya Volvo ya Serikali na bendera yapepea, ukimuliza neno lolote kuhusu barabara, anakwambia: "When funds become available." Huyu Waziri anasahau ya kwamba hiyo miaka mitano itakwisha. Sasa mwisho wa contract umefika. Na ndiyo sababu sasa kutakuwa na taarifa kalikali. Kwa sababu gani? Kwa sababu hivi sasa wengi wetu, tunahitaji kujitetea kwa matajiri wetu ambao hatujawafikia. Tuseme ukweli wa mambo. Mimi nimekuwa hapa tangu 1983, 1988, 1992, na Mungu akiniweka hai, mtaniona hapa hata 1998.

Shida iliyoko ni uzembe wa wafanyakazi wa Serikali. Kuna uzembe kila pahali, iwe ni Kisumu, Muranga au Kwale. Tumeacha jambo hilo la kuwahudumia wananchi, kazi ni kufuatana tu. Bw. Juma Boy, Orengo, Wamalwa, Shikuku, Odinga na wengine, tumewacha yule adui mkubwa, anayetufyeka. Mmesikia mbunge mmoja akisema hapa ya kwamba shillingi milioni 82 za barabara zimekwenda, na hakuna mtu anayeongea kuhusu jambo hilo. Kila mmoja anayesimama, anachosema ni Hotuba ya Moi. Hatuzungumzi juu ya huu ufisadi unaotumaliza sote, nyinyi na sisi. Kile tunachozungumzia ni: Nani atakuwa Rais? Nani aliyeangusha umoja? Na mengine. Hii ni ndoto. Lakini wafanyakazi wa Serikali wanaendelea kutunyonya kila siku. Hii ndiyo shida kubwa iliyoko. Kwa hivyo, ikiwa tunataka kuongea maneno ya ukweli ndani ya Bunge hili ili Wakenya wasikie, lazima tuseme pale pahali palipo na shida.

[Mr. Deputy Speaker left the Chair]

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

Ukweli wa mambo ni kwamba pesa zinapitishwa katika Bunge hili na sisi Wabunge, wa KANU na pia wa Upinzani, hatuzioni. Zinaenda kwa wafanyakazi wa Serikali wanaozisimamia. Na hao wafanyakazi wa Serikali wengine ni KANU kwa roho, wengine ni DP, wengine ni NDPK na wengine ni takataka yote. Lakini sisi tukiingia katika Bunge hili, kazi yetu kubwa ni kuchapana kwa maneno na kutaka kuharibiana sifa. Hii ndiyo shida kubwa, na ni lazima tuseme ukweli. Kutokana na hali hii, baada ya miaka minne, wengi wetu hatuwezi kutaja tumefanya nini hapa. Wengi wetu tunatoka mashambani, na wewe ulipochaguliwa kulikuwa hakuna barabara, maji na bado hizo huduma haziko. Sasa ukifika kule utawaambia nini? Si utolewe tu ili mwingine achaguliwe? Kuna haja gani ya wewe kurudishwa hapa ikiwa KANU na Upinzani bado ziko katika hali ile ile? Kwa hivyo, kosa letu kubwa tulilofanya kwa kuwa hapa miaka minne ni kutukanana wenyewe kwa wenyewe, kupigana mangumi humu na kurushiana matusi makali makali, na huku tunaacha kuhudumia wananchi. Hili ndilo kosa kubwa. Kwa hivyo, yule ambaye hajasaidia watu wake, shauri yake. Tutayaona mambo uwanjani.

Ninataka kuwambia ukweli mchungu ambao hamtaki kuusikia. Mmesikia hapa kwamba Alliance imeanguka, ukweli ambao hamutaki kusikia.

An hon. Member: Muungano haujaanguka!

Mr. Boy: Bw. Naibu Spika wa Muda namwambia mhe. Achieng-Oneko kwamba mwaka 1992, walifikiana, wakaeleza, ukapangwa mezani na ikaanguka kabisa. Kuna muungano mwingine na tunauona na ninawaambia bila wasiwasi wowote ya kwamba utaanguka kabisa, flat! Hata ile Alliance inayozungumziwa inaonyesha dalili za kuanguka kabisa, flat! Alliance inayozungumziwa haitafulu. Siungi mkono jambo la Mbunge yeyote kupigwa na polisi, lakini nimeona waheshimwa Wabunge wakichukua vibali kufanya mikutano, kama vile hivi juzi walifanya mkutano Kwale na wakatucheka sana sisi watu wa Kwale. Kwa nini wewe kama kiongozi uite watu mkutanoni na ilhali hauna kibali? Si hivyo ni kuchokora mavi? Ukichokora mavi, yatanuka! Ukimchokora nyuki aliyetulia, atakuuma! Kwa hivyo, kabla ya kuanza kutafuta habari ya kuweka katika ukurasa wa kwanza wa magezeti, tusitafute taabu wenyewe.

Dr. Kituyi: Jambo la nidhamu Bw. Naibu Spika wa Muda. Je, ni haki kwa mhe. Juma Boy kudai hapa eti viongozi wakifungua maofisi bila kibali wanavunja sheria na ilhali kulingana na Sehemu 80 ya Katiba ya Kenya ni haki ya Mkenya yeyote kukutana na watu hasa katika maofisi bila kutafuta kibali?

Mr. Boy: Ningekujibu lakini wakati wangu umeisha.

Kwa hayo machache, naunga mkono.

Mr. Mbeo: Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, I would like to join my friends in condemning the brutal act of this Government against the Opposition leaders who are our presidential hopefuls. One of them will be taking over from this Government by the end of the year. It is a pity that this kind of brutality is being administered on these people because sooner or later it will be the other side complaining.

I would like to bring to the attention of the House a situation that is now happening in Nairobi; floods in Mathare. A lot of people are suffering. The Nairobi River has gone overboard. The banks have overflowed. The people there have no food and they are now crying for medicine. The little flour there is, has already gone with the waters. Cholera outbreak is just about to hit and I am requesting for help from this Government. They should help our people to get bread and blankets.

The major livelihood of people in Mathare is along the river bank. That is where the major "factories" are. This is where "chang'aa" is brewed. The rains have swept away most of these "factories" and our people have been rendered jobless. These people will no longer afford school fees for their children. I plead with the Government, especially the Provincial Commissioner, to move into Mathare and see the damage that has been caused there and what the administrators have done in the area by allocating plots along the river banks. This is an illegal act and I ask the Government to come in and save the situation.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the Asians. A lot of people have been castigating and some protecting the Indians. These people do not deserve any protection from this House. These people came into this country as coolies way back in 1890. They came here to build the railway line. When the railway line was being constructed along the centres where it passed, the Indians remained there. I am not saying there is anything wrong with it. Some of these Indians went back, but most of them remained behind because of the beautiful scenery in our country. Right now, who controls the economy of this country? It is the Indians. The per capita income of a local Kenyan is US\$250 while that of an Indian is US\$6000. You can see that there is a gap and it is caused by the fact that right after Independence we gave special privilege to the Indians. The Africans had nothing to get loans from. Indians were given preferential loans and from then corruption started. In this Government today, all the land grabbing that has been going on, has been encouraged by the Indians. It is a sad state of affairs. As we claim that the Indians are the biggest employers in the country, the Africans are exploited and who benefits from this? It is the British, Japanese, Americans and the Indians back home. Why is this so? This is simply because the Indians import

and export everything they make here and keep the money outside. Kenyans do not benefit directly. The British and the Americans do and that is why they are making a lot of noise here. The Japanese do because their technology is bought by the Indians in this country. All the money is taken back and banked in India, United States of America, United Kingdom and many other countries. There is nothing here. It is a sad fact that Indians only vote when an Indian is running for a parliamentary seat here. You do not hear them anywhere. We do not see them in rallies. I would like it to be known that unless Indians change their way, we shall, in our next Government, ensure that they move out of this country and leave Kenyans to run their country the way they want. I am saying this because it is a fact that no Indian has condemned the so-called bad Indians. If you want to know the most tribalistic group in this country, it is the Indian group. When we talk of tribalism here, they are the most tribalistic and we have been shown that. Africans rarely marry Indians. When shall we join the Bohra community? When shall we become sikhs? The cause of all those---

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member for Mathare to blame Asians for his inability to seduce Asian ladies?

Mr. Mbeo: Mr. Temporary Deputy Speaker, Sir, I will now turn to the other---

Dr. Kituyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member on the Floor to continue making a presentation which is in direct breach of the provisions of the Section 82 of the Constitution of this country, a Constitution he had sworn to protect?

The Temporary Deputy Speaker (Mr. Ndotto): Order! I think Mr. Speaker in the past, has ruled that hon. Members should not make any contributions here which are contrary to the Constitution. Therefore, I order hon. Mbeo to refrain from doing so.

Mr. Mbeo: Thank you, Mr. Temporary Deputy Speaker, Sir. May I turn to the very thorny topic of the Constitution Reforms? I would now like to tell the Government that with or without their acceptance to change the Constitution, we shall do so on this side. We have a formula which will be properly used. Whether you like it or not, come 1997, the Opposition will be in power and we will have a President from this side. So, we are only pleading with the other side to save its face and have the Constitution reviewed. We are only pleading with you to have that done before we do it ourselves.

With these few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to oppose.

The Assistant Minister for Environment and Natural Resources (Mr. Lengees): Mr. Temporary Deputy Speaker, Sir, I take this chance to thank you very much for giving me this opportunity to contribute on the Presidential Speech.

Before I go ahead, I am here to support and thank His Excellency the President for a very good Speech that he gave during the opening of the Sixth Session of the Seventh Parliament. I also take this opportunity to ask my colleagues here both from the Opposition and KANU sides to realise that His Excellency the President is the father of this nation and that, all of us have to respect him as the father and guider of this nation.

Mr. Temporary Deputy Speaker, Sir, one person cannot lead this country contrary to what most of us think that by being the President, you can be the most powerful person in leading the country without the assistance of others. Leading this country requires collective responsibility both from the Opposition and the ruling party because all of us are the sons and daughters of this country. As we have been saying, it is important for us hon. Members of this House to make this Parliament a very special place for solving problems of Kenyans, rather than trying to put this country into problems. Last week, when I was in here, some of us when contributing were comparing this country with Zaire which is now in problems. We are a country that is very stable and we cannot be compared with Zaire or any other country which is in trouble. We are never in trouble. What I want to say here is that, the President is a great man and all of us have to support him if we want to the country to prosper.

With regard to the development of this country, even the Opposition should device ways of promoting the lives of those they represent in this Parliament. Harambee functions and other activities should be carried out all over the country instead of leaving it to the KANU side to go around organising Harambee functions for Kenyans all over the country. It is important for us to join each other. Let us not take Opposition as a bad thing; it is a good thing. However, it is us who are not well prepared to handle the issues in a better and cleaner way. We should even have the best disciplined Parliament in Africa. It is important for us to join work together; Opposition and the ruling party, to ensure that Kenyans benefit from this Parliament and our activities. Mr. Temporary Deputy Speaker, Sir, I will now turn to the issue of security. Security is a very important thing. In the past our country has experienced a lot of problems from all corners, even here in the City. But, of late, cattle rustling among the nomadic people of this country has become a very serious issue. I remember in my constituency, between August and December last year, we really experienced a lot of problems. Indeed, Samburus have lost a lot of animals to the Turkana raiders from the other side of Samburu and a lot of lives have been lost in both those sides.

Mr. Temporary Deputy Speaker, Sir, last month a sad thing happened to the residents of Marsabit when a

group of Armakolle and Shangilla invaded the country and went away with a lot of animals after killing a lot of people. It is high time we requested our Government to beef up security in the area. However, I would like to thank the Government very much because of what it did for us in December in my own constituency. We were fearing that at the beginning of this year, we would have faced had a lot of problems, but the Government did deploy the armed forces around Baragoi and parts of Loloki. It is important again for the Government to organise itself further so that areas like Lokoi in Turkana District, Loingalani in Marsabit, Baragoi in Samburu have security personnel stationed there so that the bandits who come in hundreds or thousands can be dealt with thoroughly the way they did it in December.

We are sorry for what had happened in Marsabit. I think, we should commend the armed forces and our Government for what they have done. We should also commend the Ethiopian Government for responding or saying that they will do something about that matter. Security is very important in our country. I do not condemn anybody for lack of adequate security in this country. Security operations should be headed by somebody who knows what security means. I cannot point a finger at anybody someone and say that he is weak or something like that. However, it is important for that department to be headed by somebody who knows what is cattle rustling and what security means.

Mr. Temporary Deputy Speaker, Sir, on the side of my constituency, we have a lot of dams which have been constructed long time ago. I would like to request the Government to give funds and tractors to the Department of Water Development so that it scoops dams like Loloki, Baragoi Division and Wamba near Isiolo because we have a lot of dams filled up with sand and have not had water for a long time. That sand was brought by rain water in the past years. So, it is important to have tractors which can scoop those dams.

Mr. Temporary Deputy Speaker, Sir, we have big land and require boreholes so that livestock which is part of the economic activity of those people, can thrive. Mr. Temporary Deputy Speaker, Sir, I thank the Ministry of Agriculture, Livestock Development and Marketing, especially the Department of Veterinary for giving us a very good veterinary doctor, but Samburu District needs more funds so that we can afford veterinary vaccines for our livestock. It is one of the districts where we still have many cattle, goats, sheep and even camels. This will also enable the doctor there to operate efficiently. It is also important for the Ministry to provide this department with lorries and four-wheel-drive vehicles, so that they can penetrate into the interior parts of the district, to ease the livestock dealers' problems.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank the Ministry for Public Works and Housing for providing us with a very good engineer, though there are still more roads to be opened. It is, therefore, important for the Minister to give priority to districts like Samburu, Turkana and so on, so that there is room for development of primary schools and dispensaries. It is very important to upgrade some roads in that area. The Minister should give the engineer the responsibility to do it himself, instead of passing through the DDC. These roads should be upgraded and re-done every season. At the moment, we require a tractor or a grader at Baragoi, so that it can serve Road C77 that leads to Lake Turkana. It is a tourist road and requires some maintenance now and then, particularly during this rainy season. So, I would like to request the Ministry of Public Works and Housing to request the engineer there to send one grader to Baragoi and even Wamba, so that the road linking Isiolo and Marsabit can also be graded.

Mr. Temporary Deputy Speaker, Sir, we have a district hospital and good doctors, but it is also important for the medical kits to be sent early enough, so that dispensaries like Oproi and South Horr can get their medical kits in time.

With these few remarks, Mr. Temporary Deputy Speaker, Sir, I support the Speech.

Mr. Ndilinge: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii. Ninafuraha sana kuwa katika Bunge hili baada ya likizo na ninamshukuru Mwenyezi Mungu sana kwa kuona kwamba, ni vyema turudi katika Bunge hili.

Bw. Naibu Spika wa Muda, huku nikiunga mkono yale yaliyosemwa na Rais wetu, ningependa kuwajulisha wenzangu jambo moja. Mbunge yeyote awe upande wa Upinzani ama wa KANU, yafaa atambue kwamba waliotuajiri ni wananchi. Na hawa wananchi wakiwa kule nyumbani, wanaangalia vile mnatukanana, yale mnayowafanyia na mtapata majibu hivi karibuni.

Bw. Naibu Spika wa Muda, wakati wa uchaguzi utakapofika, hawataangalia vile ulivyokuwa unatukanana ukiwa Upinzani wala KANU, wataangalia yale ambayo umewafanyia tangu ulipochaguliwa. Bw. Naibu Spika wa Muda, ningependa kusema kwamba, wale wabunge walio katika Upinzani ni sharti wamheshimu Rais. Kwa sababu, siku zijazo huenda mkapata uongozi na mtahitaji heshima. Na ikiwa hamna heshima kwa Rais aliyoko sasa, nanyi hamtapewa heshima wakati - ingawa sijui ni lini - mtakapopata uongozi.

Bw. Naibu Spika wa Muda, Mungu ana mengi kwa sababu haingekuwa vizuri tuongee katika Bunge hili bila yule ndugu yetu, Dr. Ooko Ombaka, ambaye ninamheshimu sana, na ninaamini Mungu atampa uwezo wa kuona tena. Yeye ni mmoja wa wale Waabunge ninaowaheshimu sana na hata ningewaomba watu wa kwao - hata ingawa yuko

katika Upinzani - wampigie kura wakati mwingine tena hata ikiwa haoni. Heshima yake inastahili iheshimiwe.

Bw. Naibu Spika wa Muda, katika nchi hii kuna walinda usalama wengi, lakini, hawana vifaa vya kuwawezesha kufanya kazi yao vizuri. Ukienda kwa vituo vingi vya polisi kupiga ripoti juu ya shida fulani, utapata kwamba hawana gari la kuwasafirisha. Utamlaumu yule ofisa wa polisi lakini shida siyo yake, ni kwa sababu hana gari la kutimiza ile kazi. Ningeiomba Serikali hii ipeane magari kwa polisi, petroli ya kutosha, na hasa kwa vituo vya polisi ambavyo vinapakana na barabara kuu. Inafaa vituo hivi vipewe magari mawili kila moja. Gari moja liwe la kuhudumia mambo yanayohusu ajali za barabarani na lingine la kushughulika na uhalifu na kadhalika. Ninahakika wengi wa maofisa wanaolinda usalama si waaminifu kamwe. Ningeomba mishahara yao iongezwe kwa sababu huenda mishahara midogo wanayolipwa ndio inawaelekeza katika ufiadini.

Bw. Naibu Spika wa Muda, ningependa kutoa mwito kwa maofisa wa polisi kuhusiana na wananchi wa kawaida. Unaweza kupata kwamba yule mtu ambaye ametafuta kazi mchana kutwa bila pesa ama chakula cha mchana, akitiwa nguvuni na polisi na huku wale wanaotenda matendo mabaya hawatiwi nguvuni kwa sababu wana pesa.

Ningependa kuwahimiza maofisa wa polisi watambue kwamba, mwanachi "anayepiga lami" hapa Nairobi na kwingineko, ikiwa hana hatia asitiwe nguvuni huku akisingiziwa kuwa mlevi na kukosa adabu. Ikiwa mtu hajapata fedha za kununua chakula, atapata wapi zile pesa za kulewa na kukosa adabu? Inafaa mwananchi wa kawaida atunzwe vizuri.

Bw. Naibu Spika wa Muda, nyumba za maofisa wetu wa ulinzi huwa hazistahili. Ningeiomba Serikali ifikirie hali ya nyumba hizo za maofisa wetu. Sipendi kuona mtu yeyote akidhulumiwa, awe ni Mhindi, Mzungu, Mkenya ama yeyote yule. Lakini ningependa kutoa mwito kwa Wizara ya Wafanyakazi. Kwamba, wananchi wanaotafuta kazi, wakipata vibarua huteswa sana. Na akipeleka malamishi yake kwa Wizara ya Uajiri, huwa anafutwa. Kwa sababu yule Mhindi anayemuajiri huenda kwa wale maofisa wa ukaguzi wa uajiri, anapeana "kitu kidogo" na mwananchi wa kawaida ambaye ni Mkenya, anafutwa kazi. Ningependa kuomba kwamba, ikiwa Mkenya amepelika malamishi kwa ofisi ya uajiri, inafaa hongo isikubaliwe kabisa. Kwa sababu hongo husababisha Mkenya maskini apoteze hela zile anazodai, ingawa ni kidogo.

Bw. Naibu Spika wa Muda, ningependa Serikali itambue kwamba, Wakamba sio watu wavivu, lakini kile tunachokosa ni maji. Wengi katika nchi hii wanafikiria kwamba sisi ni watu wa njaa kila wakati au kwamba sisi huwa tunaletewa mahindi na tunafanya yoyote tunayoambiwa. Sivyo. Wakamba tuna nguvu za kulima lakini hatupati maji. Ningeiomba Serikali ifikirie jawabu la kumaliza njaa Ukambani. Kwa sababu kuna mito mingi inayopitia Ukambani hadi Bara Hindi. Suluhisho likipatikana, mito hiyo itafungwa na Mkamba atakuwa mkulima wa kujitegemea. Siyo eti kila wakati apewe chakula wakati wa njaa na hata chakula hicho hakitufikii vile inavyotakikana. Wengi wa chakula hii huenda mifukoni mwa watu. Mtu akipewa gunia 100 apelekee walio na njaa, anapitisha gunia 20. Mtu mwingine anapewa gunia moja ya kilo 90, lakini unapata kama kilo 20 ndani yake.

Bw. Naibu Spika wa Muda, kabla ya kupewa chakula, ningependekeza kwamba ni lazima tupewe mbegu. Ningewaomba wenye kupeana hizo mbegu wasizipatiane kwa njia ya kibiashara. Tukisema hivi, wengine wanatufikiria vibaya. Ukweli haujui kama unatoka upande wa KANU au upande wa Upinzani. Ukweli ni Mungu, ambaye atazidi kudumu. Ningependa kusema kwamba, tukisema maneno ya ukweli, tuzibandikwe maneno mengine ambayo hatuyajui.

Kuhusu watu ambao waliostaafu kutoka kwa idara mbali mbali, ningependa kusema kwamba hawa wazee wanateseka sana. Kabla ya kupata pesa zao, wanaenda kwa ofisi ya DO mara tatu au zaidi. Naiomba Serikali hii iwe na mpango wa kulipa waliostaafu kwa wakati unaofaa.

Kuhusu askari waliostaafu, ningependa kwamba pesa zao ziingaliwe. Ikiwa ofisa wa polisi, prison au idara nyingine hupata kati ya Kshs500, wale wengine wenye cheo cha corporal wanapatiwa Kshs2,000 au zaidi, ni lazima jambo hilo liingaliwe sana.

Na kuhusu jambo la uajiri, watu wengi wamesoma na wamehudhuria mahojiano lakini hawapati kazi. Wale wanaowahoji wanafanya kulingana na ukoo. Wanafanyia wale wengine shortlisting ya bure lakini ataangalia aliye wa ukoo wao. Haya maneno yameharibu mambo. Ni lazima wanaohusika wasiwe na mapendeleo na ukabila. Sisi zote tumezaliwa katika Kenya hii na sisi hatukuchagua kuzaliwa hapa. Katika sehemu nyingi, unaweza kuona mtu aliyeingia kazini mbele ya mwenzake lakini anasimamiwa na yule ameajiriwa nyuma yake. Mambo haya yaingaliwe sana.

Jambo lingine ningependa kuzungumzia ni lile linalohusu vitambulisho. Watu wengi walipewa yale makaratasi ya kutumia wakati wanangoja kuchukua vitambulisho. Lakini katika sehemu nyingi, utapata kwamba uwezi kupata kitambulisho mpaka utoe kitu kidogo. Jambo hilo la kutoa kitu kidogo litaumiza wananchi, kwa sababu wengine waliacha shule tu hivi majuzi na hawana pahali pa kutoa hata Kshs20.

Kwa hayo machache, naunga mkono.

Mr. Nyanja: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say something on the Presidential Speech.

Mr. Temporary Deputy Speaker, Sir, I think the country is weeping in the name of insecurity. First and foremost, I feel that it is a Government's primary duty to provide security to its citizens.

Every morning, I go through the newspapers to see which Member of the Opposition has been attacked by the Provincial Administration. Today it was reported that hon. Wamalwa's body guard was shot in the chest. The other day, it was the Odinga brothers and the week before that, it was Muite in Mukurweini, Nyeri. The list is long. This is very sad and this issue of security should not be taken lightly. When we look at what is happening around us and what is happening internally here in Kenya, it bothers those who are concerned and those who love their country very much. I hope you agree with me on this one. When the Deputy Speaker spoke in this House the other week, I was touched because he nearly wept. But I remembered that last year, towards the end of our last year's Session, I also expressed the same sentiments when similar attacks were carried out by Government agents in Kiambu District. When you hear somebody almost coming to the point of breaking and saying: "I would rather not live any longer than continue seeing what I am now witnessing. That, indirectly, summarises the sentiments expressed by the Deputy Speaker. Security is paramount because there is no point for us to continue making money and bringing Bills to this House and being called hon. Members, when our people in the countryside are not secure. We do not want a repeat of what happened in Kiambu District and what is happening now in Marsabit District. All those incidents point at something. Now that this is an election year, the KANU Government is planning to have North Eastern Province declared a security zone, so that the Opposition cannot go there to campaign. When you see all Government officers like OCPDs and other Government agents involved in this--- The Deputy Speaker said that. When I said that, people thought this was another gimmick from an Opposition Member of Parliament. But last week's comments came from none other than the Deputy Speaker of this august House. So, the Government must now listen. Due to the insecurity in the country, hon. Mbela, I cannot guarantee that I will see you next week if that insecurity was to go to the Coast or to your constituency. So, it is a very serious matter because we know that a whole Government Minister, the late Dr. Robert Ouko, disappeared and was later found dead. So, we are very serious when we talk about security.

Since I am not a leader of any party, I will request the National Chairman of my party, FORD(A), hon. Matiba, to say something about the insecurity and urge him to issue a statement in respect of the insecurity situation in Kenya. I listened to hon. Members from the Luhya community when they read a Press Statement last week. Some Members issued a warning to hon. Matiba that he should not step in Western Province. I want to say---

Mr. Magwaga: On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Nyanja has alleged that the Government is planning to declare the North Eastern Province an operation zone, so that Opposition Members are barred from campaigning there. Can he substantiate that claim?

The Temporary Deputy Speaker (Mr. Ndoto): Did you say that, hon. Nyanja?

Mr. Nyanja: Mr. Temporary Deputy Speaker, Sir, all I said is that all these incidents lead to one thing. It does not require a political genius to add 2 and 2 together in order to get 4. What happened in Kiambu and what is now happening in North Eastern Province happened in 1992, when the late Odinga went to North Eastern Province to solicit votes and he could not land at the airstrip. They had placed stones and everything else on the airstrip. That is all I said. This will lead to something and I do not want a defector to interrupt my serious contribution.

The Temporary Deputy Speaker (Mr. Ndoto): Hon. Nyanja, you cannot do that! Can you withdraw?

Mr. Nyanja: Mr. Temporary Deputy Speaker, Sir, I withdraw because he is an hon. Member and I hope he is comfortable in the party he defected to.

Let me move on to something else, and this is about---

The Minister of State, Office of the President (Mr. Kalweo): On a point of order, Mr. Temporary Deputy Speaker, Sir. It is very unusual for any hon. Member to stand up near the Table and address the House holding something. I do not know what he is holding, but he is holding some objects.

Mr. Nyanja: Mr. Temporary Deputy Speaker, Sir, these are mere keys. Is that coming from a whole Cabinet Minister, Office of the President? These are keys, hon. Kalweo! Be serious!

Let me proceed because I have very limited time. I wanted to talking something about insecurity. It has now gone into our national universities. We have buried about four or five university students. Those could have been the only hope of those five affected families. Our work is not just to bury. We are here to educate them. They are our children and the Government has a duty, including the chancellor of these universities, who never issues even a condolence message to any of the bereaved families, and he calls himself a chancellor worth his salt! This is very serious. These are sons of this land. They have a right to live, get educated, finish what they are doing and work. We are talking about lives and no one's life is dearer than that of those five students.

Mr. Temporary Deputy Speaker, Sir, let me move on to the issue of famine situation in Kenya. This is a national calamity. It was declared so by none other than the Member of Parliament for Baringo Central. But what did he say about the Government food policy such that we shall never have famine again? It is good that after his Speech, we got rains here. But are we providing enough right seeds? No! I want to say that all the research farms

for such seeds, as documents submitted here by hon. Wamalwa show, are gone! There is no research being done in the country and we have to be serious once and for all.

As I speak, the Government research farms, the Potato Research Farm in Tigoni has been allocated to none other than the diminutive---

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Nyanja! Can you use honourable language? You are an hon. Member of Parliament!

Mr. Nyanja: Yes, but that is his size! What can I do about his size? It is the correct description.

It has been given to the KANU boss in Kiambu District. He went to State House and said that the members of KANU from the entire district who helped him in the Tigoni campaign during the civic by-election deserve something. He never delivered. All that land was allocated to himself and he sold the plot at Kshs3 million an acre. He pocketed Ksh276 million. Only the day before yesterday, he came with his deputy, Mr. Stanley Munga Githunguri and gave Limuru people Kshs500,000 from Kshs276 million. It is a shame.

When I conducted a Harambee for Limuru, the only one that I have been permitted and given a licence for, to test my popularity and, perhaps, my strength in the constituency, I raised, single-handedly, Kshs3.4 million. The two KANU giants in Kiambu raised half of that. They have no chance and yet they are going round. I have just had a chat with hon. Biwott. People should not be cheated any more by individuals who go round saying that. "I have been given Kshs100,000 from His Excellency the President, Kshs30,000 from Vice-President and Kshs20,000 by hon. Biwott". That is supposed to scare Limuru people. It is supposed to make them think: Mr. Kanyingi has the support of three key men in the Government and we need to support him. That is not the case. I am speaking loudly. The President should not allow his name to be used. I have talked to hon. Biwott and we must reject these sort of things. I want to talk to Prof. George Saitoti. This is because Kshs30,000 being given under his name is a very small amount.

If Mr. Kanyingi says he has been given Kshs50 million by Prof. George Saitoti, that is alright. If we have been bought, we must be bought expensively!

The Temporary Deputy Speaker (Mr. Ndotto): Order! Your time is up!

Mr. Nyanja: Mr. Temporary Deputy Speaker, Sir, with those few remarks, I oppose very strongly.

Mr. G.I. Ndwiga: Mr. Temporary Deputy Speaker, Sir, let me begin with the issue of food security in this country. Well, Kenya experienced drought before the current rains and even now, I know famine relief food is still being supplied. I think the Ministry of Agriculture, Livestock Development and Marketing should come up with a clear-cut policy as to what Kenyans and the Government need to do to ensure that Kenyans are not reduced to beggars. I know and I believe very well that Kenya is very fertile. We have larger portions of this nation that are very fertile. I think it is a question of the Ministry concerned coming up with a framework; to come up with a policy as to how we are going to tap the resources within this nation so that Kenyans can produce enough and sufficient food for themselves.

Mr. Temporary Deputy Speaker, Sir, let me cite the example of Mbeere District where we have most of the power generating dams which use water from Tana River and other areas. I think the Ministry of Agriculture, Livestock Development and Marketing should come up with a way of trying to construct canals for irrigation in the neighbouring areas. It is so saddening to find that some water catchment areas are the driest areas of this nation. I think the Ministry should also come up with an idea as to how subsidise the cost of fertilizers in order for the common man to be able to produce and buy fertilizers for the crops. If we do not do this and with the high population even if we are given relief food or planting seed, our daily lives will not improve.

Mr. Temporary Deputy Speaker, Sir, I think in those areas where canals and some other small streams exist, people can make maximum use of water. And, I think, if the Government could put a lot of efforts to irrigate these lands, then we shall not be talking of famine in many months to come.

Mr. Temporary Deputy Speaker, Sir, it is so disappointing to find that when relief food is supplied to some areas, some people, within the Provincial Administration take charge of the same food. This is food that is supplied by the Government; this is food which has been purchased using Government funds and, I think in order to safeguard the name of the Government, we also need the Provincial Administration and the Office of the President which is involved in the relief food distribution, to come up with clear ways of seeing that food reaches the needy person. You can go to some areas and find that employed people are the beneficiaries of the same relief food. I believe that this food is meant for the needy people and unless there is a guideline as to how this food will be distributed, complaints will abound since people will claim that they are not being supplied with the relief food. Some will complain that this relief food is only being supplied to the KANU supporters and whatever. Although we come from KANU zones, we still experience these problems. I think it is a problem that the Minister of State, Office of the President in charge of relief food supply should come up with a clear guideline as to how this food should be distributed.

Mr. Temporary Deputy Speaker, Sir, as concerns planting seed, last year my district got only 163 tonnes. This year we got 80 tonnes which means we got half of what we got last year. So, there will be no way that we shall

produce enough food. This is because it means that if we gave 1,000 people last year, then only 500 people will benefit this year. So, there will come no time when we shall not experience food shortage. I think the question of seed distribution should go hand-in-hand with population figures of a specific area. Relief food should be distributed according to the population of an area.

Mr. Temporary Deputy Speaker, Sir, let me talk about the distribution of the same relief food through the road infrastructure. It is so disappointing to note that in an area where people need relief food they cannot get it because there are no good roads and there is no way that they can travel to the nearest depot or distribution centre to collect relief food. We would want to see that the money earmarked for the maintenance of roads goes to those affected areas without being allocated to other areas because somebody is so powerful from that area. I think it is high time that development should be distributed equitably in all areas in this country.

Mr. Temporary Deputy Speaker, Sir, let me talk about health in this country. We have so many dispensaries that have been set up in many areas of this country. There are no drugs. In fact, we have nothing, but buildings called "dispensaries." I think if the Ministry of Health wants to be recognised that it is doing something good for this country, it should make sure that these dispensaries are operational. Let us not have dispensaries just by name and are not operational. There are some areas where a dispensary does not offer any medical services for two or three months because of lack of drugs, and yet, we expect the population within that area to have medical services. When you ask the district supplies officer the reasons for lack of services in those dispensaries, he claims that he has not been supplied with drugs. When you ask the reasons for not supplying drugs from the Ministry's headquarters, the Permanent Secretary or anybody else will tell you that he has supplied the drugs. We are never told where these drugs go to or why they are being diverted to other areas.

Mr. Temporary Deputy Speaker, Sir, I think it is high time the Government realised that the common man on the street is well-informed.

Mr. Temporary Deputy Speaker, Sir, on the issue of security, it is a pathetic situation to see hon. Member of Parliament either being fought by thugs or by police, as alleged today in this House and yet, there is no Ministerial statement from the Minister of State, Office of the President in charge of security to that effect. The other day, we talked about insecurity in Nairobi; two to three weeks ago, we read in the Press that the home of a former Commissioner of Police was raided. That is a clear proof that there is a state of insecurity in this country. If that man could be invaded, who is hon. Ndwiga or any other hon. Member of Parliament not to be invaded? Today, there was a point of order here whereby an hon. Member said another hon. Member of Parliament was fought. We have no proof that he was fought by the police, but the police must be extra careful when dealing with some cases.

Mr. Temporary Deputy Speaker, Sir, as I have said, we are dealing with a society that is well-informed and whatever is happening they know. There is a looming disaster in Kenya today because the manner in which the police force is handling some cases, however, delicate they are, needs to have a clear-cut format as to how they will be dealing with cases. They might deal with some issues only to see ourselves being fought on the KANU side. We shall be victims of circumstances tomorrow just like our colleagues in the Opposition. I do not see why an hon. Member of Parliament should be mistreated in front of a whole police officer without taking action. We are all hon. Members of Parliament and we need to be protected. They are equally hon. Members of Parliament and should enjoy all privileges of Parliament as we do.

Mr. Temporary Deputy Speaker, Sir, the other time it was in Marsabit where our people were killed. The Government had a gazetted officer on the ground and he had to wait until people had been "butchered" and killed before he started protecting them. Yet they are the same people whom we are representing in this House and are the same people whom we shall ask for votes. Let law be executed fairly and let justice be done to everybody, regardless of his political affiliation because we are all Kenyans who need protection. People in the North Eastern are our brothers and we feel equally bad when they are killed and not given maximum security protection. We fail to understand why the Government should disarm homeguards? Incidentally, when the Government disarmed homeguards on Kenya/Ethiopia border, it was the same night that our people were attacked and killed. We would wish that the Government re-arms these people to the maximum for them to know that the Government does care for their security.

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

Mr. Ogeka: Thank you, Mr. Temporary Deputy Speaker, Sir. In contributing to the Presidential Speech which specifically states: "THAT, the thanks of this House be recorded...", it is not only for this House, but the whole nation because on the particular day when the President made the Speech; it was covered live. That indicated that it was not intended only for this august House, but for the entire nation. I expected the Speech to be a masterpiece, comprehensive, full of inspiration and one that would provoke the House and the nation at large and give them hope on the kind of a nation we expect to establish. Nevertheless, it must have a reference point from which the privileged few in this House and the millions of the silent majority of this country would be referring to and looking at with the hope

that our symbol of nationhood, nobody other than the Presidency has had this to convey to the nation.

Let us look back to 1963 as a point of reference. Which were the cardinal missions as at that time? First and foremost, the main challenge was fighting illiteracy. Education was a cardinal agenda. It was major and was guaranteed that every Kenyan would have access to education. But 34 years later, it is true education has become almost inaccessible to the majority of Kenyans. Can we not ask ourselves what is the mission? Are we really carrying the cross? Are we moving from where we started and moving closer to where we want to reach?

Education started as free primary education, free higher education, free university education, but currently, it has become inaccessible. We are failing to guarantee what we came out to achieve.

(Applause)

Let us come in to the second deal about the economy of the country that we took over from the colonialists. Truly, in terms of the percentage of Kenyans that were at that time below the minimum level of subsistence, our statistics when taken seriously, analyzed and visualized, the 25 million Kenyans, I believe it is no shame. We do not have to go to London to speak about it and if you speak about it here, let us ask ourselves: What percentage of the Kenyan population is living below the minimum income to be able to sustain their day to day requirements? If that is what was guaranteed by our political fathers in 1963, are we coming nearer it? What percentage is unemployed currently and why do we not move into the basic income whether employed or not? But truly, you do not have to be in the Opposition to say that all you need to be is a patriotic Kenyan. We have a common goal. To me, political parties are like religious denominations, but they all adore christianity and they believe that without christianity, we would never get to heaven. Equally in Kenya, we are not patriotic and do not think of the millions of jobless people. We even do not even think of the sick who have no drugs.

Mr. Temporary Deputy Speaker, Sir, hon. Members may not know what it costs to treat malaria in Kenya today. Why did we guarantee free medical attention? Are we swallowing our words? Are we cannibalising the very institutions from which we expect to build a nation? What have we achieved? Talking of famine because it never rained for one year is taking a defeatist stand in a civilised and developed country. We have the Meteorological Department which can provide periodical weather forecasts to enable us to plan to live for five years with or without rain. We missed rain for nine months and had to tell the nation that because there was no rain we are poor.

I think we are hypocrites. There is terrible hypocrisy in the management of our institutions. Initially there was a lot of nationalism in Kenya. But currently we are going from tribalism to nepotism. This is a terrible situation! It is a quagmire! It is a betrayal! We have become a "man-eat-man" society! Where are we heading to as the century comes to a close? We tend to take the nation for a ride by saying that it is Opposition Members who have gone overseas and said we do not want donor funding.

Let us be honest and more civilised! A civilised person would fear to misinform the nation. It is clear that in 1991, donor funding ceased because of our misdeeds. Thereafter, funding of structural adjustment programmes became ready from the donor community. I am grateful to the Minister for Finance because every time, he puts before us our distinct requirements which we are capable of meeting. But we drag our feet in working to meet them because individual greed would be frustrated.

In fact, it is very difficult to survive in this Government as a Minister. The very minute you show that you want to maintain your conscience, it is the very day you dig your political grave. Very patriotic Kenyans in the Cabinet have been forced to swallow their own commitment. This is particularly so in the Ministry of Finance.

Recently, a Permanent Secretary was properly found guilty of arranging to rip the Government of over Kshs7 billion. He was then transferred from a Ministry to the Industrial and Commercial Development Corporation. It was only after the international community made noise that he was relieved of his duties. A commission set up to investigate the matter has not taken off the ground. Do you have to go to London and speak about that? If you do that, you will be accused of defaming your country and be called unpatriotic? Never on earth. It has to be said here by any patriotic Kenyan, who wants to leave the world better than he found it, and also provide hope to posterity. It is time to condemn such acts. At the time when KANU, Akamba and KADU existed as political parties, at no time did I ever hear the distinguished statesmen in this country talk of a tribal party. All these are political parties, registered under one Registrar General, where people have the freedom to join or not to join. None of them should be termed a tribal party. We do not have a tribal party. For you to talk of a tribal party, you must be personally very tribalistic and myopic. This is open, it has nothing to do with KANU, FORD(K) or NDPK being tribal. Let them be set up and be registered, unless we have double standards in the registration of political parties. However, if only one set of rules applies to all the registered parties, then there is no tribal party. Why do we want to hide behind tribes while, at the same time, we tell people to stop practising tribalism? We must live beyond our personal needs and set up a nation that will live to the expectation of the millions of Kenyans.

With those remarks, I doubt whether it is worth calling this a masterpiece of a speech from a Head of State. For that doubt, I do not record my thanks to it.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Dr. Wako: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

First and foremost, I want to join my colleagues in condemning the massacre in Marsabit District. I would like to take this opportunity to say that this is not the first time that something like this has happened in Marsabit district. This has been happening many times over the past years. Actually, since 1995, there have been small attacks here and there, in which a few people have been killed, but it has now climaxed into the latest event in which 57 Kenyans died.

The most important thing is that the lives of these Kenyans need to be protected from the Ethiopian aggressors. It is not true that the Ethiopian Government is not involved in this. I say so because 2,000 armed men cannot leave a country without being detected. So, what we are sure of is that the Ethiopian Government is involved, and the saddest point is that the Kenyan administration, who had been told about the attack two weeks in advance did nothing to stop this aggression. This is a point which we need to check and I want the Minister to take all the necessary action to prevent a similar occurrence.

We have an army which is about 100 kilometres away from Marsabit, based in Moyale. We have enough helicopters to have actually made the reinforcement and made sure that we did not lose these lives. If Americans can do all they can to evacuate even one of their men in any bloodshed area, then Kenya should be able to do that. This sad affair should stop. I would like to state here now---

The Temporary Deputy Speaker (Mr. Ndotto): Order, Dr. Wako! Hon. Members, I have noticed that you are walking between the Speaker and the hon. Member on the Floor. You are not supposed to do that and I want to remind hon. Members to stick to the rules of the House. Proceed, Dr. Wako.

Dr. Wako: Thank you, very much, Mr. Temporary Deputy Speaker, Sir. What I am trying to say is that these aggressions should stop and the way it has been dealt with this time leaves a lot to be desired. Actually, the people in Marsabit and Turkana are fearing more for their lives now that the attackers went away without incurring any loss. These people did not reflect any casualties. They took away about 3,000 to 4,000 animals and the Ethiopian Government is not ready to compensate. This is quite unfair. Therefore, we are urging the Government to ensure that an army is based in Marsabit and in Turkana to take care of such aggression next time. Unless we deal with these rustlers aggressively, then we will not be able to stop them.

I remember, way back in 1987, there was a similar attack and the Government took it upon itself to stamp them out completely. Our armed forces used helicopters and made sure that Armakolle did not come back. It took almost about ten years for them to come back because there was real aggression. The Government did a good job and so, we expect the same to be done. We expect a return on the same action to ensure that the lives of Kenyans are save.

Mr. Temporary Deputy Speaker, Sir, I would like to appeal to every Member from the pastoral area especially Isiolo, Meru, Tharaka-Nithi, Samburu and Marsabit to ensure that cattle rustling stops. If the leaders can impress on their own people to stop cattle rustling, then something is going to be done. If you look at most of those areas where this practice is prevalent, the most illiterate Kenyans are found in those areas. Those people will actually do two things if their animals are taken, revenge or come to be employed as watchmen here in Nairobi. Therefore, we should give our people education, lead them and ensure that cattle rustling stops. On the part of the Government, the Provincial Administration has a responsibility. We have chiefs, sub-chiefs and DOs who can ensure that any animal which is stolen is easily found. It is very unfair that in some of the districts, especially the neighbouring Samburu and Marsabit, they are not able to do that. Probably, the problem of Marsabit has been known and the Government is doing something about it. We should have co-operation within the Provincial Administration to ensure that cattle rustling is stopped.

We also want to appeal to the Government to see to it that we have branding of animals for each district to ensure that we can identify them when they are stolen from one district to another. In this way, we can actually identify the animals.

The establishment of homeguards was very important in curbing cattle rustling. I think the escalation of cattle rustling has come about with the disarming of the homeguards. We are appealing to the Government to ensure that the homeguards are actually reinstated to man most of the places where such things are happening. In those places, there are police stations, AP camps and actually the survival of those people living there depend on the homeguards who know the areas very well. Therefore, we are appealing to the Government to make sure that guns belonging to the homeguards are returned as soon as possible, so that they can assist in curbing cattle rustling.

There is the movement of the army camps from Liboi and Garbatula. I think this has brought about the escalation of cattle rustling. If this army camp is established to safeguard the lives of people, it should be able to take

care of cattle rustling in Mwingi, Tharaka-Nithi, Isiolo, Garissa and Meru Districts. We are asking the Office of the President to see to it that this army camp which has been moved is returned.

On the other hand, I would like to thank the Government, the NGO and other donors who have come in to help during the drought. We are thankful to the Government for the relief food which we really appreciate, but the Government should see to it that a policy is put in place to ensure that the arid areas are made self-reliant.

Mr. Temporary Deputy Speaker, Sir, the only way to do this is to maintain and equip the existing boreholes in those particular areas. At the same time, we should be able to dig more boreholes in those particular areas. I think, for the last 10 to 15 years, the Government has not dug enough boreholes in northern Kenya which would have helped us. At the same time, de-silting of the existing dams would actually help in combating drought. At this particular time, most of the places which have been experiencing drought are now experiencing floods. A case in point is actually in Isiolo District, in Merti and Tiricho where we have plenty of floods. Some of these places have been cut off and there is a diarrhoea outbreak and people are almost starving. We are actually appealing to the NGOs and to the Government to send a helicopter to help people during this particular emergency, so that medicine and food can reach Tiricho and Merti Divisions. This would actually help people in that particular area. Also there is another problem in the drought stricken areas or ASAL areas, when it comes to the question of marketing the livestock. What happens most of the time is that most people do not have access to markets. So, when there is drought or there is a sign of drought, animals come from all over the place and people cannot sell their animals. So, the Government should actually market the animals for those people. At the same time, there is much land in ASAL area which can be irrigated.

We are appealing to the Ministry of Agriculture, Livestock Development and---

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

Mr. Orengo: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say a few words.

Mr. Temporary Deputy Speaker, Sir, there used to be a very conservative Prime Minister in Britain in the 19th Century known as Benjamin Disraeli, who was a Jew. Although he was the most conservative Prime Minister during that time, he spoke of England as being a country of two nations and, nobody expected him to bring the changes which affected the liberalisation of the trade union movements in what is today called England and also to give voting rights to the people of England. It was something that could not be imagined to come from a Jew who was very conservative.

Mr. Temporary Deputy Speaker, Sir, I am saying this because J.M. Kariuki, just like Benjamin Disraeli said sometime back, that Kenya consists of seven millionaires and seven million beggars. The situation has not changed much. In fact, the beggars have increased on a geometric progression whereas the millionaires, although they are more than they were when J.M. Kariuki made that speech, in comparison to the beggars that exist in this nation, even by Government statistics, has increased so adversely.

In any modern nation today, elections are won or lost on economic issues. If today the people of this country were to vote on the basis of the economy, this KANU Government would not be elected. They will lose so badly because - I am not talking about my own allegations.

According to our own statistics, more than 50 per cent of the people of this country are living below the poverty line.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Ndotto): Order! Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Wednesday, 16th April, 1997, at 9.00 a.m.

The House rose at 6.30 p.m.