

NATIONAL ASSEMBLY

OFFICIAL REPORT

Eighth Parliament - Sixth Session - First Day

*(Eighth Parliament established by Proclamation -
Legal Notice No.7 of January, 1998)*

Tuesday, 12th March, 2002

STATE OPENING OF NEW SESSION

The National Assembly met at fifteen minutes past Three o'clock at Parliament Buildings on Tuesday, 12th March, 2002, it being the first day of the Sixth Session.

ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

[His Excellency the President (Mr. Daniel arap Moi) escorted by the Speaker and accompanied by the Mace of the National Assembly entered the Chamber at fifteen minutes past Three o'clock]

[His Excellency the President (Mr. Daniel arap Moi) took the Chair]

(The Mace of the National Assembly was placed on the Table)

PRAYERS

Mr. Speaker: Your Excellency the President, hon. Members, I now call upon the Spiritual leaders to offer prayers for this new Session.

(Prayers were then said by the following: The Rt. Rev. David Gitari; Rt. Rev. Dr. Jesse Kamau; Sheikh N.M.Nahdy; The Archbishop Ndingi Mwanaa'Nzeki and Mr. Soipin Lekoolool)

COMMUNICATION FROM THE CHAIR

WELCOME TO HIS EXCELLENCY THE PRESIDENT

Mr. Speaker: Order, hon. Members! It is with great pleasure that I, on behalf of all hon. Members, welcome Your Excellency to perform the State Opening of the Sixth Session of the Eighth Parliament.

This year's State Opening marks the last Session of the Eight Parliament. Sometime towards the end of this year, Kenyans will once again go to the polls to elect their representatives. These polls will, yet again, demonstrate our tradition of holding regular elections since Independence. In a turbulent continent where the supremacy of the ballot in determining the national leadership has many times been grudgingly accepted, this is no mean achievement for the people and the Government of Kenya.

We do recall that ten years ago, during the official opening of the Seventh Parliament, you remarked: "Each of the political parties has its own unique political stand. This is as it should be, since political parties are in the first place an expression of diversity in political persuasion. Notwithstanding the parties we belong to, we are representatives of our people and are, therefore, duty bound to promote and safeguard the welfare and interests of the Kenyan people".

This is as true today as it was ten years ago. Since we have accepted multipartyism as a reality, we must ensure that it works to serve the best interests of Kenyans wherever they may be. We should aspire to acquire virtues that will make pluralism thrive.

In particular, this House has effectively displayed the spirit of tolerance which is a prerequisite to expressing contrary opinions in

civilised societies. We must collectively, as elected leaders of our people, encourage the spirit so that Kenya continues to be a citadel of peace. Our geopolitical location is such that if there were to be turmoil in Kenya, no country in the region would be spared. Our stability is, therefore, an asset to countries surrounding us, as theirs is to Kenya. That stability will rest and depend upon our ability to tolerate different opinions with respect and dignity.

This House should, therefore, seize the first opportunity which will be availed to it when debating your Address to the House, to assure our people that it does not matter who wins the next elections; that Kenya is big enough to accommodate all of us - winners and losers - in the impending elections. The debate on your Address, Sir, should demonstrate to the whole world that our democracy has come of age and should reassure everyone that victors will protect the rights of losers and treat them as citizens with rights and privileges under the Constitution.

Your Excellency, as in the past, I would like to take the opportunity to thank your Government for the generous assistance it has continued to give to the Parliamentary Service Commission. It does not demean the dignity of this House if I repeated, for the umpteenth time, that the core responsibility of any legislature, worth its name, is to legislate and hold Government to account.

In order to do this, Parliament must be served by well-trained and highly-skilled and competent officers who will do research for hon. Members on all the issues that come before the House for debate. It is for this reason that the Parliamentary Service Commission is in the process of recruiting Research Assistants, additional Clerks and more Hansard Reporters to strengthen the Committees of the House, whose record in exercising oversight functions is well known to every Kenyan today.

The Parliamentary Service Commission is also in the process of engaging a Public Relations Officer. Already, we have strengthened the Serjeant-at-Arms Division by employing highly qualified officers who have served our Armed Forces with distinction in a bid to strengthen security. Soon, we shall also recruit a Parliamentary Counsel. All these new appointments are meant to strengthen the capacity of Parliament to execute its constitutional mandate to serve the people of Kenya.

Your Excellency, last year at a similar function, I promised hon. Members that they would occupy their offices at Continental House within the year. Due to some delay known to all hon. Members in the rehabilitation work, this was not possible. Nevertheless, the building is now over 90 per cent complete and all the remaining sub-contracts have been awarded particularly the one for supply of furniture. The building will soon be furnished and, in the next two months, hon. Members will be allocated their offices. This will, indeed, go down as one of the most important achievements of the Eighth Parliament. Hon. Members will now have their offices and we hope this will assist them to serve the public better. Thereafter, we shall move into the constituencies to see how hon. Members could have offices there to meet the public in a more dignified environment.

(Applause)

It is for this reason that the Commission has appointed an independent Tribunal of five members to look into the terms and conditions of service of hon. Members of Parliament. I would like to appeal to the public to submit their views to the Tribunal which is sitting daily in the Committee Room on the Second Floor of County Hall. We intend to make this an extremely transparent exercise because we believe that the people of Kenya must have a say over how much their elected representatives should earn and what facilities they should have.

With these remarks, it is now my honour to invite Your Excellency, to officially inaugurate the Sixth Session of the Eighth Parliament.

PRESIDENTIAL ADDRESS

His Excellency the President (Mr. arap Moi): Mr. Speaker, Sir, I am pleased to welcome all hon. Members to the Sixth and final Session of the Eighth Parliament.

The last Christmas recess provided a suitable opportunity for hon. Members to visit their constituencies, meet with their constituents and be closer to issues affecting them. As we begin the final Session of this Parliament, I have no doubt that hon. Members are fully updated on the problems facing our people. I urge all hon. Members to forge unity of purpose and to use the time ahead productively for the benefit of our employers, the people of Kenya. During the Christmas recess, I took the opportunity to visit various parts of the country in order to see for myself the development challenges facing our people and to evaluate the success of the efforts made by my Government, in partnership with the people, to tackle these challenges.

Mr. Speaker, Sir, when we took charge of the management of our affairs in 1963, the Government identified poverty, ignorance and disease as the principal enemies to be fought. We have, without doubt, made commendable progress in our fight against these sworn enemies of our people, with more success in some areas than in others. Government investment in education is evident from the rapid increase in the number of schools, colleges and

universities over the years. During the last two decades in particular, thousands of teachers, doctors, engineers and other professionals have been trained in our institutions of learning. They are continuing to contribute, in their various ways, towards building the nation. We would all be much happier today if all the people we have educated and trained were employed. However, we should appreciate the fact that we have educated a large number of people and that availability of trained manpower does help in economic development. While on the whole, Kenyans enjoy considerably improved access to education, health and clean water facilities, poverty remains a serious challenge to my Government. Poverty levels are worsened by high unemployment caused by both rapid population growth and weak performance of the economy, which has persisted since mid-1990s. Furthermore, negative development on the global scene, for instance, poor terms of trade for our primary exports, high costs of manufactured goods and adjustment to globalization among other factors, have caused constraints in the growth of the economy.

My Government is aware that a lasting solution to poverty must come from the attainment of high and rapid economic growth rates that will override the effects of high population growth. We must all appreciate the world economic trends and educate our people on how to take advantage of available opportunities or cope with difficult circumstances.

Despite the problems brought about by the issue of free trade, Kenya stands to benefit from its membership in the regional economic blocs, such as the East African Community and COMESA. It is important for hon. Members, and all Kenyans, especially those in the private sector, to take advantage of the opportunities offered in these regional blocs and other arrangements which have been facilitated by the Government.

Another example is the African Growth and Opportunity Act, which opened up new export opportunities in the United States of America. Hon. Members should now direct serious efforts to convince farmers to grow cotton and my Government will, of course, help to create an enabling environment for cotton production. Marketing strategies should be properly discussed and drawn up. Those who are on the production side and the export of manufactured cotton goods should also take this unique advantage. This is how we can generate employment and reduce poverty. My Government worked extremely hard for our country to benefit from AGOA. I would urge hon. Members, and other people outside this House, to make this effort truly fruitful.

Hon. Members would also be pleased to know that my Government remains positively engaged with our development partners in order to clear any obstacles which continue to stand on the way of renewed financial support to this country in order to have investments inflows.

Mr. Speaker, Sir, economic prosperity will be hard to attain in an environment where security of people's lives and their property cannot be guaranteed. In any case, no investor is likely to invest in an atmosphere of insecurity and chaos; neither would people engage in productive activities while they are in fear for their lives. Cases of robbery with violence, drug trafficking, cattle rustling, banditry and conflicts are of great concern to my Government. In this connection, the law enforcement agencies have received renewed instructions to bring to justice all those engaged in criminal activities.

I want to emphasize, however, that security issues, like corruption, cannot be left to the police alone. Local leaders, communities and Kenyans as a whole, have an important responsibility of ensuring that criminal elements and other suspicious persons in their midst are reported to the authorities so that they can be dealt with in accordance with the law. As Kenyans, we should work very closely to eliminate any violence in our country. We must not allow ourselves to be labelled as violent people by other people around the world. If such labelling is done on us, it would affect all of us and it may stick on us regardless of who is running the affairs of our nation. It is, therefore, in our common interest to keep our country peaceful and secure.

Mr. Speaker, Sir, for a long time my Government has been engaged in promoting good neighbourliness and stability in this region. As you know, when our neighbours are in conflict, our ability to engage in development activities with them is reduced. Conflicts have also spilled over and caused events which complicates our own development agenda, such as the influx of guns, refugees and displaced persons. The conflicts are a source of tension, and pose a great threat to peace and security in the region. In this regard, Kenyans cannot feel secure in the absence of a fully functional central authority in Somalia, nor can the people of this region be truly at peace, when some of their brothers and sisters in the region continue to suffer because of conflicts and wars. We will, therefore, continue to encourage and support peace initiatives in Somalia, Sudan, and the Great Lakes Region.

This being an election year, I want to urge all Kenyans to foster peace and unity everywhere and at all times. We must demonstrate to the world that although, throughout this year, we will be staging a lively democratic contest for national leadership, we are one united and peaceful people:

"With hearts both strong and true; with one accord in common bond united; to build our nation together--"

That is just to quote a few stanzas from our National Anthem.

Leaders in particular should avoid making outrageous and inflammatory statements which are likely to create divisions and fuel tribal hatred amongst our people.

Mr. Speaker, Sir, as I have said time and again, tribalism is a cancer that has destroyed many nations in Africa. We in Kenya have always recognised that our strength, as a nation, lies in our unity of purpose. I urge hon. Members, all leaders and political activists, to pursue peace and unity for the success and prosperity of our nation.

Mr. Speaker, Sir, before I conclude my remarks today, I want to bring to the attention of hon. Members the large number of pending Bills which require their immediate attention during this final Session of this Parliament. Most of the Bills lapsed during the previous Session, and will, therefore, be published and discussed during the current Session. They include the following: The Traffic (Amendment) Bill, the Anti-Corruption and Economic Crimes Bill, the Public Service (Code of Conduct and Ethics) Bill, the Kenya National Commission on Human Rights Bill, the Criminal Law (Amendment) Bill, the National Commission on Gender and Development Bill, and the Central Bank of Kenya (Amendment) Bill, amongst others. I hope that hon. Members will carefully study all the Bills in order to make serious contributions to the House debates.

Mr. Speaker, Sir, let me once again urge hon. Members to maintain peace and unity of purpose and uphold the dignity of the House at all times. Democracy, as I said here last year, calls for tolerance for the views of others, however, unacceptable these may be. The tree of democracy must, first of all, take root in this Parliament, before its fruits can find acceptance in the larger society. Our primary duty as hon. Members is dedicated service to our fatherland. Differences of opinion, or approach to issues, should always be resolved in an amicable and fraternal manner.

Finally, Mr. Speaker, Sir, it is now my greatest pleasure to declare the Sixth and final Session of the Eighth Parliament officially open. Thank you.

NOTICE OF MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

The Vice-President and Minister for Home Affairs (Prof. Saitoti): Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Tuesday 12th March, 2002.

Mr. Speaker: As we adjourn, His Excellency the President and the Speaker will leave first, followed by the spiritual leaders and their Lordships the Judges. Hon. Members are kindly requested to remain standing until our distinguished guests have left the Chamber.

DEPARTURE OF HIS EXCELLENCY THE PRESIDENT

Mr. Speaker: Hon. Members, it is now His Excellency's pleasure to take his leave.

*(Hon. Members rose in their places while
His Excellency the President left the Chamber)*

ADJOURNMENT

Mr. Speaker: Hon. Members, the House stands adjourned until tomorrow, Wednesday 13th March, 2002, at 9.00 a.m.

The House rose at 3.40 p.m.