

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 15th April, 1999

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The Following Papers were laid on the Table:-

1998/1999 Supplementary Estimates of Recurrent Expenditure of the Government of Kenya for the year ending 30th June, 1999.

1998/1999 Supplementary Estimates of Development Expenditure of the Government of Kenya for the year ending 30th June, 1999.

Statement of Excesses No.1 of 1993/1994.

Statement of Excesses No. 1 of 1994/1995.

The Third Monetary Policy Statement of the Central Bank of Kenya for the twelve months ending December, 1998.

(By the Minister for Finance)

NOTICES OF MOTIONS

The Minister for Finance (Dr. Masakhalia): Mr. Speaker, Sir, I beg to give notices of the following Motions:

APPROVAL OF 1998/99 SUPPLEMENTARY ESTIMATES - RECURRENT AND DEVELOPMENT - AND STATEMENTS OF EXCESSES

THAT, a sum not exceeding K£217,094,771 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1999, in respect of Supplementary Estimates of 1998/1999 (Recurrent) having regard to the reduction of K£53,964,086 therein appearing.

THAT, a sum not exceeding K£212,954,579 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1999, in respect of Supplementary Estimates of 1998/1999 (Development) having regard to the reduction of K£44,388,460 therein appearing.

THAT, a sum not exceeding K£40,304,693-11 shs-20 cents be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1994, in respect of Statement of Excesses No. 1 of 1993/1994.

THAT, a sum not exceeding K£33,183,294-15 shs-20 cents be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1995, in respect of Statement of Excesses No. 1 of 1994/1995.

Mr. Muriuki: Mr. Speaker, Sir, I beg to give notice of the following Motions:

PRESENTATION OF BUDGETS

IN KENYA SHILLINGS

THAT, in view of the fact that the Kenya Pound is not in everyday use as the designation of the Kenya currency; considering that all the transactions in Kenya currency are in shillings and not in pounds including payments by the Kenya Government; noting that even the Ksh20 currency note does not bear the word "pound"; further considering that both Members of Parliament and members of the public have to keep converting the figures in the Annual Estimates from pound to Kenya Shilling in

order to clearly grasp the magnitude, this House resolves that the next Annual Budget and all the subsequent Budgets be presented in Kenya Shillings.

DEVELOPMENT OF OL'KALOU
DISTRICT HEADQUARTERS

THAT, noting that Nyandarua District has its headquarters located in Nyahururu Town which is in Laikipia District; noting further that Ol'Kalou Town was designated by the Government over four years ago to be the future headquarters of Nyandarua District, this House recommends that the development of Ol'Kalou District headquarters be included in the Development Budget for the Financial Year 1999/2000.

Mr. Mugalla: Mr. Speaker, Sir, I beg to give notice of the following Motions:

AMENDMENT OF TRADE DISPUTES ACT

ThAT, in view of the fact that cases raised in the Industrial Court under the Trade Disputes Act go through a very laborious, long and expensive process to the disadvantage of the employees; this House urges the Government to urgently introduce a Bill to amend the Trade Disputes Act to allow for faster methods of resolving disputes and adequate compensation for wrongful dismissal.

AMENDMENT OF WORKMAN'S COMPENSATION ACT

THAT, noting that the Workman's Compensation Act is economically and socially outdated; this House urges the Government to urgently introduce a Bill to amend the Workman's Compensation Act with a view to modernising its provisions to allow for proper compensation for fatal and other cases.

QUESTIONS BY PRIVATE NOTICE

SHOOTING OF MS GETRUDE AGWATA

Mr. Wafula: 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 a Bungoma policeman, while on a busaa raid at Mandizini Estate on 12th February, 1999 at 3.30 p.m., shot and seriously wounded an innocent woman by the name of Getrude Agwata?

(b) What action is the Minister taking against the said police officer since traditional liquor was legalised under Kenya Gazette Notice No.4535 of 28th August, 1998?

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

(a) I am aware that police officers on patrol duties at Mandizini Estate in Bungoma came across a group of people drinking busaa and chang'aa outside one of the private houses. On seeing the police, the people fled but the police managed to arrest five suspects. However, the police were confronted by a group of people who tried to rescue the suspects. The police shot in the air to scare away the crowd but a stray bullet hit Getrude Agwata on her right leg.

(b) Bungoma Inquiry File No.4 of 1999 in respect of the shooting incident was opened and has been forwarded to the State Counsel in Kakamega for advice. Moreover, brewing and consumption of traditional liquor is permitted subject to the issuance of a licence by the Traditional Liquor Licensing Board. A licence was not issued in respect of the above case.

Mr. Wafula: Arising from the Assistant Minister's answer which says that the police shot in the air,

how did this stray bullet get from the air to this woman's leg?

Mr. Samoei: Mr. Speaker, Sir, that is the very reason why Bungoma Inquiry File No.4 of 1999 has been opened to try and sort out the issue raised by hon. Wafula.

Mr. Kapten: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead this House that a licence is required to consume or brew busaa? What I know is that selling of busaa is an offence but brewing and consuming is not an offence. Can he tell this House under which section of that Act drinking of busaa becomes an offence?

Mr. Samoei: Mr. Speaker, Sir, the particular Kenya Gazette Notice which was quoted by Mr. Wafula; that is Kenya Gazette No.4535 of 20th August, 1998 was by the Minister, establishing a Liquor Licensing Board, but it did not license the consumption and the sale of liquor as was the case in Bungoma.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. I think it is important to get this matter resolved once and for all. Kenyans are being harassed everywhere on fictitious legal provisions. Is the Assistant Minister in order to mislead the House by saying that you require a licence to brew, drink or to sell busaa when under the IPPG Miscellaneous Amendments, Section Seven of the Traditional Liquor Act, Cap.122 which is the one that provides for licensing was repealed?

Is he in order to mislead the House by saying that these people were on a surveillance mission when by the same token Section 30 of the Traditional Liquor Act was amended to the effect that no administrative officer would be allowed to get involved in matters of traditional liquor and that, a police officer of the rank of an Inspector and above should conduct a search for busaa and that he must have a warrant from a magistrate? Did they have those requirements?

Mr. Samoei: Mr. Speaker, Sir, I think the hon. Member is just taking this House round in circles. I just want to state once again that there is a Liquor Licensing Board, which has been set up to specifically do this kind of exercise that we are talking about here. The Bungoma Traditional Liquor Licensing Board was gazetted vide Gazette Notice No.4535 dated 20th August, 1998. However, the Board has not issued a license to anybody to brew or sell traditional liquor in Bungoma. On the Brewing and consumption of chang'aa, I would like to refer the hon. Member to Cap.70 and maybe, that could help him.

Mr. Kapten: On a point of order, Mr. Speaker, Sir. I still insist that the Assistant Minister is misleading this House. The Traditional Liquor Licensing Act was passed by this House. A Gazette Notice by a Minister cannot override the law which was passed by this House. Under Section 25 of the Traditional Liquor Licensing Act it states that brewing, drinking and possessing busaa is not an offence. It is only an offence if you brew it for sale. Can the Assistant Minister tell this House which law he is using to arrest and prosecute people? The Act is here and you can read it.

Mr. Samoei: Mr. Speaker, Sir, I think I have made my position and, therefore, that of the Government very clear, that brewing, consumption and selling of chang'aa is illegal. In this particular case, it was confirmed that the drink was for sale and it is prohibited under Cap. 70 and I wish to refer hon. Members to it.

Mr. Speaker: Order, hon. Members! Let us now get down to the reasons why the lady was shot. I do not think I am going to help the House because I do not want to interpret the law.

Mr. Wafula: Cases of police shooting innocent people are on the increase and recently, here in Nairobi, members of one family were shot dead by police and they claimed that they had mistaken them for thugs. The Assistant Minister has confirmed that the police shot an innocent person in Bungoma. I want him to tell this House what steps the Ministry is taking to ensure that there is no recurrence of these cases of shooting innocent people and whether this lady will be compensated?

Mr. Samoei: Mr. Speaker, Sir, I wish to assure hon. Wamunyinyi that on the basis of Bungoma Inquiry File No.4 of 1991, the Government is committed and no stone will be left unturned to make sure that justice is done.

Mr. Osundwa: Mr. Speaker, Sir, the Assistant Minister has admitted that the lady was hit by a stray bullet. Could he tell us who is meeting the medical charges? Is it the Government which is meeting the cost of the medical care since it is the one which shot the lady?

Mr. Samoei: Mr. Speaker, Sir, I wish to correct the hon. Member. The lady was not shot by the Government. She was shot by an individual and the Government is doing something about it.

Mr. Shill: Mr. Speaker, Sir, Kenyans are really worried about stray bullets which, when shot in the air, kill people on the ground! Could the Assistant Minister assure that in the future, when Kenya Government soldiers shoot, people on the ground are not killed?

Mr. Samoei: Mr. Speaker, Sir, I will not indulge myself in solving future imaginary problems. When

we get there, we will solve them. But I am assuring hon. Wamunyinyi that, in this particular case, the Government will see to it that everything possible will be done to make sure that the case is sorted out in the interest of all the parties.

Dr. Ochuodho: Mr. Speaker, Sir, yesterday, I expressed my concern about Ministers who are appointed on tribal considerations rather than competence! The matter before us is very serious. Can the Assistant Minister reassure this House that---

(Mr. Samoei moved to the microphone)

Mr. Speaker: Order! Order! Hon. Samoei, you do not just walk in here, take the microphone as if I do not exist! If you want me to recognise your existence, please shout point of order if you want to stand and take a microphone. Just do not think I am not there! I am! What was your problem?

Mr. Samoei: I apologise, Mr. Speaker, Sir. But I do not think I am going to sit down and take abuse from anybody in this House, least of all, Dr.

Ochuodho. I do not know what measure he is using to judge the competence of Members. I would like him to specify which tribes are qualified. My point of order is: Is the hon. Member in order to judge [Mr. Samoei] other Members in this House, whether they are in the wrong or right tribe; and whether they are competent or not?

As far as I am concerned, my appointment could not have been better. There would not have been a better candidate!

Mr. Speaker: Order! Order! I think it was just yesterday that I asked hon. Members not to personalise debate and worse of all, not to tribalise it. Now, Dr. Ochuodho, you are guilty of both. So, you will desist from tribalising or personalising questions. So, when you are asking a question to the Assistant Minister, you are actually addressing an office and not a person.

The Minister for Tourism (Mr. Kosgei): On a point of order, Mr. Speaker, Sir. Now that you have found out that the hon. Member was actually wrong in imputing improper motives on hon. Samoei, can the hon. Member be asked to withdraw his comments?

Mr. Speaker: Order! Order! Hon. Kosgei, I am big enough to be the Speaker. I control this House! I have made a ruling and it is enough! I do not require any further assistance. Now, Dr. Ochuodho, with my directions, will you now ask your question in a civil manner?

Dr. Ochuodho: Thank you very much, Mr. Speaker, Sir, for your defence. I wanted the Assistant Minister to reassure this House that he is going to constitute an independent inquiry, rather than relying on the very police who shot the woman to conduct the investigations. Would he do that?

Mr. Samoei: Mr. Speaker, Sir, there is already a file No.4 of 1999 and it is receiving attention. I have said that the Government is committed because it is mindful of the life of every Kenyan. Indeed, it is charged with the responsibility of the security of every Kenyan and their property. We are going to see to it that justice is done.

Mr. Wamae: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Assistant Minister to refuse to answer the question; on whether he is going to have an independent inquiry? A file cannot be independent!

Mr. Samoei: Mr. Speaker, Sir, I wish to correct the hon. Member. I did not say a file. I said an inquiry file which has already been opened. The inquiry is going to be fair on both sides. The outcome of this inquiry will determine whether there will be need for an independent inquiry or not. We will make the necessary judgement then.

PRESERVATION OF MADUNGUNI FOREST

Mr. Badawy: Mr. Speaker, Sir, I beg to ask the Minister for Natural Resources the following Question by Private Notice.

(a) How does the Ministry propose to protect the Madunguni Forest in Goshi Location of Malindi from the on-going wanton destruction of indigenous and exotic trees?

(b) What immediate measures has the Ministry put in place to address the environment implications as a result of the destruction of this forest, which is part of the gazetted Jilore Forest?

The Minister for Natural Resources (Mr. F.P.L. Lotodo): Mr. Speaker, Sir, I beg to reply.

(a) My Ministry cannot prevent the on-going destruction of Madunguni Forest, which lies to the North of Arabuka-Soko Forest because it is under the jurisdiction of the County Council of Malindi. The Forest Act,

Chapter 385, does not allow me to control the activities carried out in county council forests.

(b) The immediate measures that my Ministry has put in place in order to address the environmental impact implications include: Awareness creation among the various stakeholders such as the Malindi County Council and the local communities. In addition, a Forest Extension Officer has been posted to Madunguni Forest to assist the local people and the county council to replant the degraded forest areas.

Mr. Badawy: Mr. Speaker, Sir, I am very grateful to the Minister for admitting that there is an on-going destruction of Madunguni Forest. Although he claims that the forest is under the Malindi County Council, amongst the several measures that he is able to take are as follows: Will he be willing to gazette this particular forest? Under what conditions will he do that?

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, we have requested the County Council of Malindi to pass a resolution so that we can take over. But they have not done that and we cannot do anything. Mr.

Maitha: Mr. Speaker, Sir, could the Minister tell this House whether forests are under the county councils or his Ministry? Is he not in charge of forests and he can protect them?

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, there are gazetted forests under the Central Government and there are forest reserves under county councils. This one is under the County Council of Malindi.

Mr. Kathangu: Bw. Spika, jibu la Bw. Waziri linamaanisha yeye anaweza kulinda misitu katika nchi hii. Ningependa aeleze Bunge hili ni sababu gani zinazomfanya asilinde msitu wa Mlima Kenya ambao umeharibiwa na wanyama na watu ambao wanakatakata miti kwa minajili ya kupanda *bhangi*?

Mr. F.P.L. Lotodo: Bw. Spika, ningependa kumwambia mhe. Mbunge---

Mr. Speaker: Why can you not speak in English?

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, the hon. Member put his question in Kiswahili. What is the procedure? I thought if an hon. Member asks his question in Kiswahili I am also supposed to answer him in Kiswahili.

(Laughter)

Mr. Speaker: The procedure is this, Mr. F.P.L. Lotodo: Once you begin talking in English, you continue until you finish. If you begin talking in Kiswahili, you continue until you finish. You began in English by replying. So, even if he is asking his question in Kiswahili, reply in English.

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, we have unscrupulous people in our society who destroy our forests, including those forests found in the hon. Member's own area. Let us not make the Government a scapegoat. He is a part of this Government and he should do everything within his constituency to keep off those hooligans.

Mr. Badawy: Mr. Speaker, as regards the answer to part "b", I have no reason to doubt the assurance by the Minister that he has posted an extension officer to the forest to assist the local community. But can he be specific and tell us what kind of assistance he will provide? Will it be material or is it only the extension officer's presence in the forest which is not evident by any sort of action or improvement as alleged in the answer? Specifically, can he tell us what action is that extension officer taking in conjunction with the country council and the local community?

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, I was with the local Member for Malindi Constituency, hon. Badawy, on 10th of last month at the Kipepeo Project in Gedi Ruins and I introduced the officer to him. I would like him and the local communities to make use of that officer. He is there only to create awareness on the importance of a forest. The officer is there on my behalf.

Mr. Ayacko: Thank you very much, Mr. Speaker, Sir. The problem of destruction of forests appears to be rampant and it appears the Minister is helpless; he is unable to prevent the destruction of the forests. Could he tell this House what assistance he requires from hon. Members to be able to protect forests?

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, the only assistance I can get from this House is more money to employ more forest guards. They were retrenched. So, we have a few of them and that is why the hooligans have overridden them.

Mr. Badawy: Mr. Speaker, Sir, indeed, the Minister was in Malindi. I am very grateful to him because he is one Minister who tours Malindi, not as a tourist, but on official business. Indeed, he did some commendable job, as far as the fishing industry is concerned. But when I have raised this Question in this House, I would like to assure the Minister that his officer is very helpless, as much as the Provincial Administration is helpless in controlling the wanton destruction of that forest. Can he reinforce personnel in that particular forest in the form of forest guards so that whatever plans he has instructed this particular officer to execute can be seen?

Mr. F.P.L. Lotodo: Mr. Speaker, Sir, I am short of personnel. There is very little I can do for the hon.

Member.

Mr. Speaker: Very well. Next Order.

MINISTERIAL STATEMENTS

MARKETING OF SUGAR

The Minister for Agriculture (Mr. Mudavadi): Mr. Speaker, Sir, I wish to make a Ministerial statement on the issue of marketing sugar in the country as requested by hon. Osundwa, with specific reference to Mumias Sugar Factory.

Mr. Speaker, Sir, I wish to state that currently Mumias is holding about 73,500 metric tonnes of sugar and there has been a low turnover of this sugar due to the following reasons. Firstly, since the liberalisation took place, Mumias sugar factory had not developed a very clear marketing strategy. They used to rely very heavily on the now defunct Kenya National Trading Corporation (KNTC) for their marketing operations. But the Board has been critically looking at this particular problem and they are improving on their marketing arrangements by opening up depots in Bungoma, Mumias and Nairobi. They also intend to spread some of the depots to Mombasa and Kampala through which they can improve on the marketing strategy of their sugar.

Secondly, Mr. Speaker, Sir, I think part of this pile-up is also due to the economic recession that the country is undergoing. Currently, it is estimated that the purchasing power of the consumers has declined by close to 30 to 40 per cent. This has affected the purchases of sugar.

Equally, Mr. Speaker, Sir, some of the collapsed financial institutions such as Trust Bank and Reliance Bank have also affected some of the major purchasers of sugar in the sense that those banks are currently holding securities for some of the major purchasers and, therefore, they are unable to access fresh overdraft to allow them to access additional funding.

Mr. Speaker, Sir, the fourth aspect in Mumias is that Mumias Sugar Company has undertaken a very successful expansion programme where its capacity has shifted from 7,000 metric tonnes per day to 8,000 metric tonnes per day. This, in conjunction with the Mill B which is in operation, has brought the total capacity now to 10,000 tonnes of cane per day. This, of course, shows that there is an indication of over 3,000 metric tonnes of sugar which the factory is now producing.

I also wish to acknowledge that, in the past, there have been problems of sugar that has been diverted into the local market; that is transit sugar. We have introduced very stringent measures to try and curb this menace. There may be some residue of transit sugar still stored or hidden in some of the godowns, but I would like to assure the House that the duty tariffs in place now are extremely high, which makes it completely uneconomical for anybody to get involved in the importation of sugar.

Furthermore, Mr. Speaker, Sir, we are also taking into account some cases of pilferage, particularly along the Somali/Kenya border. We have detected some elements of smuggling of sugar in that particular area and we have alerted the security forces to assist us so that we can curb any pilferage of sugar from that particular border.

Mr. Speaker, Sir, I would like to inform this House that the Ministry will also set up a sugar industry monitoring committee, which will comprise of officials from the Ministries of Agriculture, Finance and Trade. It will also comprise officials from the Kenya Revenue Authority (KRA), the Kenya Sugar Authority (KSA), the Kenya Sugar Growers Association (KSGA) and the Kenya Sugar Manufacturers Association (KSMA). The officials will jointly work on a programme that will help to monitor sugar imports and curb any practice that will have a negative impact on the production of sugar in our country.

Lastly, we hope that this situation will have a major turn around because the factories are likely to start closing for their annual maintenance, which will start this month. This will also provide some quick impetus for those who would like to purchase sugar. For the interest of hon. Members, I would like to lay on the Table of this House a projection by each of the factories of how much they are selling and the average weekly sales that are being posted at the moment.

Thank you, Mr. Speaker, Sir.

(Mr. Kajwang stood up in his place)

Mr. Speaker: Mr. Kajwang, I would like you to just seek a clarification because it is not Question time.

Mr. Kajwang: Mr. Speaker, Sir, one of the factors which the Minister has said causes the pile-up of sugar is the purchasing power of Kenyans. The purchasing power has gone down because there is little money in their hands. Therefore, is it true that Kenya produces more sugar than it can consume now? Is that what has

caused the pile-up?

The Minister for Agriculture (Mr. Mudavadi): Mr. Speaker, Sir, I would like to clarify that under normal circumstances our country consumes about 600,000 metric tonnes of sugar per year. Our overall sugar production at the moment has not hit that figure, because it is slightly over 400,000 metric tonnes per year. Indeed, we have to produce more sugar in order to meet our requirements. I think the purchasing power problem is an economic recession problem which we will, hopefully, get out of.

Mr. Sambu: Mr. Speaker, Sir, could the Minister clarify the position regarding the marketing of sugar by Mumias Sugar Company (MSC). Nzoia Sugar Company (NSC), which is next to its door steps, has no sugar in stock because it sells all of it. The MSC has a stock of 1.4 million bags weighing 50 killogrammes each, while the NSC does not have any sugar. One of the reasons why this company is not selling all its sugar is because its price is too high. Secondly, the MSC has different prices for different races. If you are an African, you buy sugar at a different price from that which, an Asian or "a sycophant of somebody" pays. That is why the MSC is not able to sell all its sugar.

The Minister for Agriculture (Mr. Mudavadi): Mr. Speaker, Sir, I think the critical point to note here is that the NSC produces a much lower quantity of sugar compared to the MSC. The MSC crushes about 10,000 tonnes of sugar per day, while the NSC crushes far much less than that. Therefore, the NSC cannot have a pile-up of sugar because it sells whatever it produces at this point in time. I do not have any comment on the sycophants and the colour of the people who purchase sugar from the MSC. I do not think that we would condone such a practice if at all it was there.

Dr. Omamo: Mr. Speaker, Sir, could the Minister explain to this House whether there is hope of importation of sugar into the country being stopped completely until the situation improves? Could he give the sugar cane farmers, the millers and all the stakeholders hope that the Government will use its powers to stop the importation of sugar until the situation improves?

The Minister for Agriculture (Mr. Mudavadi): Mr. Speaker, Sir, it is not just a question of giving hope, but it is a question of implementing the law. I would like to assure hon. Omamo that currently, the duty levels are so high that if anybody [**The Minister for Agriculture**] was to import sugar into this country it would cost him about Kshs52,000 per metric tonne. Local sugar production is at about Kshs38,000 per metric tonne. So, that difference will make it extremely difficult for anybody to consider importing sugar into the country. The only sugar that we will continue importing is industrial sugar because we do not have any sugar mill in the country that produces it.

Mr. Speaker: That is the end of that!

STATUS OF ACP/EU NEGOTIATIONS

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, Sir, yesterday, I gave an undertaking to this house that I would issue a Ministerial Statement on the current status of the negotiations between the African Caribbean Pacific (ACP) and the European Union (EU) countries. I would like to seek the indulgence of this House to request if I can be allowed to make that Ministerial Statement on Thursday next week.

Mr. Speaker: Very well. Thank you.

ARREST OF MR. ORENGO

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, hon. Members will recall that hon. Mwenje, the Member for Embakasi Constituency, requested a Ministerial Statement regarding the arrest of hon. Orenge on 13th April, 1999. Everybody can see hon. Orenge in this House. He is now as free as a bird.

Mrs. Sinyo: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Mrs. Sinyo, hon. Madoka is on a point of order and, therefore, you cannot interrupt him.

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, since hon. Orenge is here, and he has appeared before a court of law and the specific charges have been preferred against him, I think it would be prejudicial to the court proceedings for me to give any further details on the matter.

Mr. Oloo-Aringo: On a point of order, Mr. Speaker, Sir. When we raised the issue of the arrest of hon.

Orengo in this House, we were doing so because of the manner in which the police have been treating hon. Members of Parliament, and the humiliation hon. Members undergo in the hands of the police when they have not resisted arrest. We wanted to know from the Minister the measures he will take to stop this behaviour by police officers, who assault wananchi when arresting them, and mistreating the people of Kenya. The Government does not pay them salaries in order to mistreat the citizens of this country. It is surprising that they have no respect for even hon. Members of Parliament! Could the Minister explain to us the behaviour of the police in this country for which he is accountable to us in this House?

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, I would rather deal with specific cases. I am not prepared to try and refer to incidents which I do not know about.

Mr. Oloo-Aringo: Mr. Speaker, Sir, I am referring to the arrest of hon. Orengo. The first incidence was that a policeman took a calabash of *uji*, which hon. Orengo was taking, and poured it on his suit. Secondly, the policeman whipped hon. Orengo before his constituents in his constituency. We saw on the KTN television the same thing happen to hon. Members in Makueni. The Minister can be in the same situation tomorrow. After all hon. Nyachae was sitting where he is sitting today, but he is not there any more. Hon. Members of Parliament were whipped and kicked in Makueni and it was a sad scene on the television. Hon Minister, are you honest with yourself when you say that you did not see all that?

The Minister of State, Office of the President (Maj. Madoka): What I understand is that in fact porridge poured on hon. Orengo was poured by the lady who was serving him.

Mr. Orengo: Mr. Speaker, Sir, I agree with the Minister that there are charges now pending before the court and probably he may not be able to comment on that dimension of the case. It is wrong for Government Ministers to trivialise issues. When an hon. Minister who has taken an oath to protect and defend the Constitution is addressing public issues in such a trivial manner and people on the ground who saw what was happening hear that the Minister is saying that the lady I bought porridge from is the one who poured porridge on me, it is a very sad situation. I hope that the Ministers are going to honour the oath of office that they took to defend and protect the laws of this country. In regard to my arrest, without going to the issue of what is before the court, I would tell the Minister, that for the last four days people have been arrested in my constituency. Even this morning five more people were arrested all because there is this Harambee that is being imposed on people on the 24th of April. There are five people who were arrested this morning. Many people are in hiding because of harassment. The businessmen along the Busia-Kisumu Road are being harassed.

I did not know that hon. Okemo's other name is President Moi because President Moi is the one who is coming to chair this Harambee on the 24th of April. All that he has been saying is that he is under instructions. Hon. Raila is also under instructions and they are all stooges who are being [Mr. Orengo] used to try and destroy the lives of people in my constituency.

Mr. Raila: On a point of order, Mr. Speaker, Sir. I do not wish to indulge in any matters that are before the court. However, Mr. Orengo is misleading this House deliberately when he comes here to say that this Harambee is being organised by either the Minister or the President. I was invited by the NDP office in Ugenya to go and conduct a Harambee for the children of Ugenya who cannot---

Hon. Members: No! No! You are a stooge!

(Loud consultations)

Mr. Raila: Mr. Speaker, Sir, NDP is a national party. I have held a Harambee in Trans Mara for hon. Sunkuli. I have held a Harambee in Kasarani. I will be going for a function in Malindi tomorrow. As a leader of a national party I have a right to hold Harambees for my supporters all over this country. I do not need to be invited by anybody else.

Hon. Members: You cannot do this to your brother!

Mr. Speaker: Order! I think the House will agree with me that we should go to something else.

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on 6th April, 1999.

*(The Vice-President and Minister for
Planning and National Development on 7.4.99)*

(Resumption of debate interrupted on 14.4.99)

Mr. Mboko: Thank you, Mr. Speaker, Sir, for giving me this opportunity to continue with my contribution to the Motion yesterday.

*(Several hon. Members moved to the
entrance of the Chamber)*

(Loud consultations)

Mr. Speaker: Order! Order! I did not know until now that a Harambee can cause a Third World War. Can you all proceed with dignity?

Mr. Mboko: Thank you, Mr. Speaker, Sir, for giving me the opportunity to continue with contribution of yesterday. I touched on corruption, security and alleviation of poverty. I dealt at length on the items of poverty and security. Corruption in this country has reached the top of everything. Everywhere you go there is corruption and you are told: "Toa kitu kidogo." I am saying this in regard of what is happening in my constituency. A contractor there by the name of China Road and Bridge who is excavating a quarry in my constituency has completely refused to pay cess to the local council. When the council wrote to the Minister concerned, instructions were issued by the Minister for Public Works and Housing that his contractor cannot pay cess for the balance of the work he is doing in my constituency. This is causing a lot of concern to the council. The council is unable to pay its workers or to deliver its goods to its inhabitants. There is money which is being siphoned out by one individual from the Ministry of Public Works and Housing. Thousands of tonnes of ballast are being ferried to the construction site on Mombasa Road. I am requesting the Minister for Local Authorities and the Minister for Public Works and Housing to allow Mutito-Andei Town Council to receive the cess for the lorries which ferry ballast.

The Minister for Local Authorities (Prof. Onger): On a point of order, Mr. Speaker, Sir. In as far as the cess tax is concerned there will be no other body giving exemption other than myself and therefore, the county council is entitled to charge cess.

Mr. Mboko: Mr. Speaker, Sir, the Minister is very right but there is a letter here from the Permanent Secretary, Ministry of Public Works and Housing telling the town clerk of Mito-Andei not to collect cess from particular companies. The Minister should waive that cess payment. I will take up the matter with the Town Clerk of the Town Council.

On the other issue, some years ago in this House, a settlement scheme was set aside in my constituency to settle the squatters. That was the infamous Kiboko Settlement Scheme. The genuine squatters at the time never got land because of things that were done by corrupt civil servants. Some of the squatters who were very genuine in 1989 were never allocated land but, the Government has offered another piece of land again for the squatters to be settled. I asked the Minister for Lands and Settlement and the Minister in charge of the provincial administration to consider the genuine squatters who are now in Kibwezi for the allocation of the already sub-divided land Kiboko Phase Two Settlement Scheme. When people are not settled you would not expect them to alleviate their poverty estatus. When people do not have land and you do not expect them to do anything better for this country.

Therefore, I request that those genuine squatters who were living there during those earlier years be considered for the allocation of pieces of land. If anybody who has never been a squatter is given land we shall remove him from that land.

On the new matatu directive, it is good that matatus are left alone to conduct their own business but it is also not good for the Matatu Owners Association to refuse other Kenyans routes which they want to operate on. If these cartels cannot allow other members of the society to use a route for their own businesses then TLB rules must be put into force. They have become like mafia gangs because they operate their routes the way they want as if they have formed another parallel government. The Government has very good intentions to waive the TLB requirements for matatus but the matatu owners are now abusing the same good gesture from the Government. I ask the Government to ban the Matatu Owners Association and allow as many Kenyans to own matatus so that they can operate on any route which is profitable to them. Otherwise, the Government should ensure TLB rules are

followed.

Mr. Speaker, Sir, last year the Akamba carvers at Kigali Market were evicted and today the site they were working on is still idle. That site was useful to many people and many families were earning a living from that market.

Thank you, Mr. Speaker, Sir. I beg to support.

The Assistant Minister for Transport and Communications (Mr. ole Sankori): Thank you, Mr. Speaker, Sir. May I take this opportunity to thank all hon. Members in this House for giving the Head of State respect during the State Opening of Parliament last time, unlike other years before.

May I also take this opportunity to thank you for your eloquent speech and the defence of this House during the State Opening of Parliament. It is my wish and the wish of hon. Members of this House that Parliament is given the respect it deserves. It also calls for Members of Parliament to give this House the respect it deserves. Hon. Members did not earn their titles for nothing. Hon. Members are honourable and they should let that name including their character be honourable. Therefore, let all we do and say be honourable.

Mr. Speaker, Sir, respect should not only be given to ourselves, but also towards the citizens of this country. It is unfair for Members of Parliament to use the Floor of this House to tarnish the names of some innocent citizens of this nations, simply because they cannot be able to defend themselves here. There are forums where we can make such statements and give the individuals concerned a chance to defend themselves. Turning to the Presidential address to this House, the President talked about many things but Kenyans have been lured to accept some prescriptions called "liberalisation" and "privatisation" and these are the ones which are causing problems in the economy of this country. This was done by the developing world, who were 200 to 300 years ahead of us. It is dangerous for us to copy what they do in their own countries when we are only 30 years old. It is just fair that before we swallow some of these prescriptions, we should know the side-effects. This is because what we are now seeing are the side-effects of the three issues I have mentioned.

Mr. Speaker, Sir, the area I come from has got a lot of problems. Just the other day, when we went to Mbagathi, we launched the National Poverty Eradication Plan. However, I do not think it is possible to eradicate poverty unless we go down and trace its causes in specific areas. This is because if you told me to grow coffee in Kajado, I will not plant it because it will not grow. If you tell a man in Kericho to keep Saiwalokoran, they will not do well because the climate there is not suitable for them. It is either for tea or for dairy animals. When we talk about eradication of poverty, let us give people what they think will assist them eradicate poverty. For example, if I was asked to state what would the Maasai need to move ahead, my answer would be first, education, water and a market for our livestock. This is because without a market both locally and internationally, there is no reason to rear animals. In Kenya, we have got enough beef cattle for local consumption and for export, but we have no market. So, we are killing the morale of those people who are rearing these animals. Very soon we be will importing meat.

An hon. Member: We are, already!

The Assistant Minister for Transport and Communications (Mr. Sankori): Mr. Speaker, Sir, the Minister for Foreign Affairs says, and I will take his words as the truth, that we are now importing meat, which is shameful. Kenya can produce enough meat for local consumption and for export, if there is proper marketing.

Mr. Speaker, Sir, an hon. Member has said that until and unless we separate the livestock department from the Ministry of Agriculture, livestock will die. Formerly, we had a Ministry of Livestock Development which was swallowed by the Ministry of Agriculture. It is my wish that the livestock department be separated from the Ministry of Agriculture so that we can have a Ministry of Livestock Development. We are not developing livestock any more, we have left it entirely to the farmers to do what they want. If one cannot keep animals, it is too bad for him.

Mr. Speaker, Sir, as regards roads, I am shocked to learn that instead of going ahead, we are going backwards. The roads which were tarmacked have no tarmac any more. Why? I think it is because of poor planning and corruption in the Ministry of Public Works and Housing. The Minister concerned said it by himself and I am not ashamed to say the same. We have got some very important roads in Kenya and if they are constructed, we will go a mile ahead as far as development is concerned. The Emali-Loitokitok Road has been a song all the years through. It is a very important road, both locally and internationally. It will link us with Tanzania, it can easily link us with Mombasa. Many people who travel to Mombasa will not have to use the busy Mombasa-Nairobi Road, they will be passing through Loitokitok Road. If the Moyale-Isiolo Road, also known as the great North Eastern Road, was opened, probably Ethiopia would be using the Port of Mombasa and that will mean additional revenue to this country.

May I request the Minister concerned to do some bit of homework. If the Government has no money, why can it not privatise these roads? Let the people collect road tolls, and construct those roads themselves. Give an

international organisation that work and let them construct the road, and collect tolls for 20 to 30 years----

An hon. Member: Even Thika Road!

The Assistant Minister for Transport and Communications (Mr. Sankori): A Member of Parliament wants the same to be done to Thika Road. If it was within my powers, you would have it. We can improve our road network if we can sit down and plan properly.

Mr. Speaker, Sir, concerning health facilities in our country, hon. Kalweo is always saying that there are enough drugs. If there are drugs, and these drugs are taken to private clinics to be sold to wananchi, what are we saying? Until the day we pass a law prohibiting Government doctors from running their own private clinics, we will continue having the problem of drug shortage in our hospitals in this country. It is a bit unfortunate that the Government has stopped training personnel in some of these training institutions like medical training schools and teachers training colleges. It is unfortunate because in some areas, we do not have enough personnel to take care of health facilities in the rural areas. Why? If you tell a youth who has been brought up in Nairobi to become a nurse at Lokichoggio, he will not accept it. So, why can you not get a man from Lokichoggio, train him and then post him back home? Equally, a man from Mandera should be trained and then posted back to his home. Why should we have the importation of manpower instead of training the local people to be able to manage and run their local areas?

Mr. Speaker, Sir, we find a district like Kiambu being over-staffed. We find the City of Nairobi over-staffed while other areas are under-staffed simply because people have opted to go back to their homes. Why can we not formulate a policy to train people in their areas so that they can do the jobs in their areas and we distribute the manpower?

We are crying of unemployment. Unemployment is brought by the population minus the development because if we develop, employment will be there. But unfortunately, most of the Kenyans are breeding so much and they are doing very little. It is a high time that we should tell those concerned to do something.

With those few remarks, I beg to support . **Mr. Kikuyu:** Thank you very much, Mr. Speaker, Sir, for giving me time to air my views on the Presidential Speech during the Official Opening of this Parliament.

For clarity, my name is Jonesmus Mwanza Kikuyu, MP for Machakos Town. I must first thank you, Mr. Speaker, for the Speech which you gave in person which exalted and showed the direction in which Parliament should be; a respected body and worth acceptance by the whole nation and being independent of all other branches which include the Judiciary and the Executive. If we follow that line, I believe soon the whipping of the likes of hon. Orenge and the rest will be stopped.

Mr. Speaker, Sir, turning to the President's Speech, I listened and I have read over it severally trying to get the direction the President was giving this country. The President mentioned many things which are problems to this nation, but literally, he did not give us the direction to take in solving these problems. It is clear now that if Ministries have to work, they have to work a bit harder above what the President said to formulate a policy to show the nation where we are going, because telling us there is corruption, it did not help much. Everybody knows there is corruption, but what policy are we having as a nation to stop this corruption? Is it a policy of saying Mr. Kikuyu has received a bribe of Kshs10 and he should go in for 18 years and somebody gets a bribe of a few billions and every time he is moving from court to court petitioning like Kamlesh? Is this the way to run a nation? The country is worried. The corruption level in this country has lowered our purchasing power such that our ordinary Kenyans are now slaves in their own country.

Mr. Speaker, Sir, most of us - although ordinary the mwananchi would think an MP has a lot of money because they hear MPs earn a salary of about Kshs80,000 - we are now almost on the verge of being beggars. It is only that we are beggars wearing ties! Every weekend we attend Harambees and considering we are expected to contribute approximately Kshs10,000, we are also feeding our families and educating our children, an MP has literally turned into a beggar, except the corrupt ones who can get parts of Karura Forest, sell them and then go and donate Kshs200,000. It shows really that individual is corrupt because one cannot donate his salary of 10 months at ago and then continue eating, educating one's children, running a Mercedes Benz and others. The thieves are known and the wananchi know them. It is only that they are hiding in very good shoes and Pajeros. I hope one day, they will be answerable to this nation. They can be in power today, but I hope they will be made to sit down in a court of law - in a civilised society and not by whipping - and return what they have stolen from this nation.

Year-in-year-out, since I was a boy in school, we have had Public Accounts Committee (PAC) showing who has stolen what and what, and they steal and go home rich. They retire after that stealing and they contest for Parliamentary seats. They come here because they are rich, they have cars and they are not like Kikuyu; the walking MP. They come in Pajeros. It does not matter what tribes they come from, they are in Parliament. They go and buy people. They start donating the money they have stolen from public coffers to Harambees and saying, "We

are good because we are helping you, Kikuyu has nothing with which to help you. He cannot donate Kshs100,000 like me". This system where thieves are adored more than bishops should be got rid off and we start anew. We are talking about corrupt people and stealing is stealing whether one is in the House or outside.

Mr. Speaker, Sir, turning a bit to my Constituency and in general, my people, the President's Speech did not highlight the issue of supplying water to this nation. In this House, some years ago, a Bill was passed to establish the Water Corporation Act. This Water Corporation Act and the Water Corporation has been handled by another group of corrupt people who went there to fill their stomachs. Imagine with all the money the Italian Government gave for the Not Turesh Water Project, in Kajiado, Athi River and Machakos; there is no water and the system is functioning. So, one wonders where the water has gone. A little survey will show us that people from the Water Corporation are switching off the water and allowing one person in an estate to have the water so that he can sell the water at inflated prices and share the revenue with the bosses of the Water Corporation. I urge the Minister in charge of water - and if he is not capable to bring it to Cabinet and bring it back here - to dissolve the Water Corporation and give county councils--

The Minister for Water Resources (Mr. Ng'eny): On a point of information, Mr. Speaker, Sir.

Mr. Kikuyu: Mr. Speaker, Sir, I do not want any information. I urge the Minister to take this back to the Cabinet and back to Parliament to cancel the Water Corporation--

The Minister for Local Authorities (Prof. Onger): On a point of order, Mr. Speaker, Sir. Is the hon. Kikuyu aware that as he speaks loudly there is a Sessional Paper No.1 of 1999 on Water in this House?

Mr. Kikuyu: Mr. Speaker, Sir, that is not a point of order. It is just another point of information given in a different way and I hope the Minister gets a bit educated although he is a Professor. We want the Water Corporation to be disbanded and the water to go back to county councils, municipal councils and city councils which are answerable to the people.

The Minister for Water Resources (Mr. Ng'eny): On a point of order, Mr. Speaker, Sir. Is the hon. Member in order to say that the Water Corporation should be disbanded when that Corporation is doing a marvellous job for this country?

Mr. Speaker: Order! That is not a point of order, that is your opinion Mr. Ng'eny.

Mr. Kikuyu: Mr. Speaker, Sir, they are just derailing me so that I do not put my point clearly. But I have a conscious and clear head that the Water Corporation is a monument put up to milk people and it has done nothing to provide for Kenyans water. Even in the Minister's own constituency, people do not have water. If he says they have water, I can guarantee him that he will not come back to this Parliament again, because we are all thirsty as Kenyans, and we are talking to Kenyans.

The Minister for Water Resources (Mr. Ng'eny): On a point of order, Mr. Speaker, Sir. I have a lot of confidence in my electorate and the hon. Member has no business whatsoever telling the House what my electorate have in mind.

Mr. Speaker: Order! Order! I do not think I will allow this kind of thing to continue. That is not a point of order. If you have to stand on a point of order, please do. This is the time to educate after all. Proceed!

Mr. Kikuyu: Mr. Speaker, Sir, the Standing Orders are very clear. I am talking as a nationalist and not for personal interest, but for Kenyans. Kenyans do not have water even in the estates. If you lodge in a hotel in town, unless water is fetched from Nairobi River which is contaminated, you would not be able to bathe the following morning. Mr. Speaker, Sir, we have no policy on distribution of medicines. We cannot even control a simple disease like cholera. Lack of medicine in various strategic areas is what is killing our people. I believe the Government has a duty to protect the lives of Kenyans and that is why they should provide them with medicine.

Mr. Speaker, Sir, careless use of firearms should be stopped. All police officers should undergo training in Psychology.

The Minister for Foreign Affairs (Dr. Godana): Thank you, Mr. Speaker, Sir, for giving me the opportunity to make some modest contribution to the debate on the Presidential speech to the House.

(Mr. Speaker left the Chair)

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

Given as it always does on such an occasion, the President's speech dwelt on a multiplicity of subjects. I will be excused to pick untruths out of a number that were covered. I will want to start with the subject of the stalled constitutional talks.

Mr. Temporary Deputy Speaker, Sir, it is very sad that following our failure as Parliament to seek to, and defend the established constitutional position which was to bring about constitutional changes through the set down procedure in this Parliament, where many of us who were in the last Parliament are represented, we have failed to come to an agreement on the simple matter of the composition of the 13 seats allocated to political parties. And yet, on the face of the law and the facts, it should look very simple. At the IPPG talks in 1997, we agreed very easily that for the positions of nominated Members of Parliament and nominated councillors, we should go on the basis of proportionality for the strength of seats in either Parliament or the relevant Local Authorities.

Now, there is a cardinal principle of law; of a system based on rules which can establish expectations. That the rules which applied yesterday and which have not been consciously changed, should be stuck to today and tomorrow. There should be predictability. It is, therefore, unfortunate that some of our own colleagues in the political parties have been unable to see this. But even so, we think we are obviously losing precious time, and I would want to suggest that between the political parties who have clearly made their positions known; whether they want to go on the basis of proportionality of seats in the House or on the basis of combination of proportionality of seats and votes won or on the basis of each political party having an equal position on that 13-man section of the commission, I would wish to propose, that perhaps, it is time we sought to settle the matter by some third-party procedure. Can we not as political parties jointly refer the matter on the basis of what the Act says to the courts, or for that matter, to some other binding arbitrary decision where the arbitrators will be appointed by us on the basis of an agreement?

Mr. Temporary Deputy Speaker, Sir, the President underlined the determination of his Government to fight the cancer of corruption which is in our midst. Everybody who has spoken in this House on this subject, has talked of corruption. The last speaker dwelt on it at length. Without doubt, this is a serious cancer in our society and it is not a matter which - I am glad the last speaker brought this out very clearly - should be viewed as a Governmental problem. It is a problem of this society. It affects and permeates every sector; regional, economic, professional, business and what have you, of our society. At least, the encouraging thing is, nobody now wants to deny or to hide that this is one of the biggest threats facing our existence as a viable nation. It is therefore, unfortunate in my view, that some of us, principally the Law Society of Kenya, still feel, either because the person who has just been named to the Kenya Anti-Corruption Authority, Justice Ringera has been appointed by the Government, they have to oppose everything done by Government. That, they have to look for legal niceties to construct impediments in the operation of the Authority. I think we have already wasted too much time. The international community is waiting to see whether we are serious. It is waiting to see whether the Kenya Anti-Corruption Authority under the new Director, can start to operate. I think, those who have their doubts ought now to come forward with suggestions on how to make the Authority more biting in terms of effectiveness rather than---

Mr. Kajwang': On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is a prominent lawyer and scholar of Law. Can he explain to us, whether a Judge of the High Court who enjoys some protection---

The Temporary Deputy Speaker (Mr. Poghiso): Order! What is your point of order?

Mr. Kajwang': Mr. Temporary Deputy Speaker, Sir, the Minister has said that the Law Society of Kenya is putting certain flimsy impediments on the route of the KACA director who was appointed. Could he tell us whether it is not true---

The Temporary Deputy Speaker (Mr. Poghiso): That is not a point of order. What Standing Order is he breaching?

Mr. Kajwang': Mr. Temporary Deputy Speaker, Sir, is he not misleading the House by saying that the High Court can be an Executive and at the same time---

The Temporary Deputy Speaker (Mr. Poghiso): Order! Proceed!

The Minister for Foreign Affairs (Dr. Godana): Mr. Temporary Deputy Speaker, Sir, I am not misleading the House. It is striking that in this whole matter, nobody has challenged the personal integrity or professional competence of the individual who has been appointed to the office. What is more important in many countries is that, officers of that position are expected or required to be people who have proven track record. This is a man who has a combination of experience on the Bench, in private legal practise and on the staff of the faculty. I think, we could not get a rare personality and I think we should give him the opportunity.

Mr. Temporary Deputy Speaker, Sir, the President also expressed the commitment of the Government to the great goal of eradicating poverty. Those of us who come from some of the most marginal areas of this country; the north and arid belts, know what poverty means and how grinding it is. Over the last decades, particularly in the post-Independence era, our populations have been turned gradually and psychologically into permanent

dependants on famine relief. And yet, as hon. Sankori said, not long ago this afternoon, we produce a resource which each and every Kenyan would want to have to his fill every day. We produce livestock and meat. On the basis of what we produced in the 1950s, 1960s and even more recently, this country used to export meat. Now, sadly, we import meat. The Kenyan quota of meat exports to the European market has now been taken by small countries like Mauritius. What a pity! The Kenya Meat Commission has been closed after years of inefficiency. The last time it operated efficiently must have been in the 1960s, just after Independence when the Colonialists - it is sad to say, but it is correct - were around to ensure it operated efficiently. I recall days when our people who used to supply livestock to KMC would be paid within two hours of the supply of their animals. I recall days when our people used to supply livestock to the Kenya Meat Commission and would be paid a bonus at the end of the year, like those who collect their bonuses from the tea factories.

Mr. Temporary Deputy Speaker, Sir, there seems to have been some kind of a conspiracy among technocrats in Planning, Finance, Agriculture, Livestock, which set in from the 1960s---

An hon. Member: Blame your Government!

The Minister for Foreign Affairs (Dr. Godana): Do not tell us to blame our Government. Some of us know when these decisions were made to make sure that KMC should not open, so that those people cannot come out of that situation. We want to give notice that we cannot accept this any more.

Mr. Temporary Deputy Speaker, Sir, part of our poverty is the fact that decisions were made in the 1960s and 1970s in particular; that resources would be taken only to areas which can give good returns and on the premise that we do not have the resource potential to give good returns, we were left behind. Now that we are told the principle guiding development is that of liberalisation and freedom of capital to move where it is, we are at a permanent disadvantage.

Mr. Temporary Deputy Speaker, Sir, we were warned not too long ago that after the *El Nino*, there would be *Lanina*. Indeed, only a few months ago, we were warned, on the basis, it would seem, of very scientific evidence that the rains of this season will be very short; they would start early and end early. All the indications now are that the rains may have ended. It is early April; I am not a meteorologist, but when I see the skies, I tend to believe that those who warned us in January warned us correctly. So, I would wish that all of us as leaders, in Government and in the Opposition, will take the responsibility to alert our constituents of the risks which lie ahead. I wish we can now begin to prepare, because I can imagine in the North, three or four months down, we will be talking again about broken down boreholes, dried water pans--- I am told livestock in North Eastern Province have already begun to move in search of pasture and better water. Some of them have even moved back to Somalia where they think there may be some better pastures, notwithstanding the sad situation of insecurity in that country.

Mr. Temporary Deputy Speaker, Sir, finally, I want to say a word on the subject of insecurity. The President again, talked about this and gave a commitment that the Government will not compromise on this, given that all around us are countries which have had breakdown of Government and the slow penetration or in-flow of sophisticated weapons which have come to the hearts of our cities, accounting for increased crime. I think it is right that even as we are facing an economic crunch, as we are tightening up discipline to cut down on Government Budget, the Government should decide that we should not cut down on the budget of the security sector.

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

Ms. Karua: Thank you, Mr. Temporary Deputy Speaker, Sir. I will begin by joining my colleagues who have congratulated the Speaker for his excellent speech during the opening of Parliament, which touched on matters that are close to the hearts of Members and that will enhance Parliamentary Democracy. I also rise in support of the Motion and I notice that it touched on the issue of cost-sharing in schools, unemployment, hunger *et cetera*.

Mr. Temporary Deputy Speaker, Sir, it is my considered view that if the Government is truly concerned about education, then it must be prepared to invest heavily in it. Any country that hopes to develop, eradicate poverty and tackle issues of health and population, must be ready to invest in human resource development. I think this country should revert to the days when primary education was not only free but compulsory. But we cannot make primary education compulsory, when we are asking parents to pay money which they do not have. We want to see words matched by action and we want to see heavy investment in the area of education. We have examples all over the world that, nations that have invested heavily in education have reaped dividends of quicker industrialisation. An educated person will tackle health issues better, will know about the consequences of having too many children and therefore, the issue of population will be catered for by education. An educated person is also better equipped to handle issues of bettering their own lives and therefore, poverty eradication. This country will not develop and will not eradicate poverty without investing in human resources.

Mr. Temporary Deputy Speaker, Sir, I would therefore, like to say that we need to see considerable

contribution by the Government to secondary school education, to make it more affordable and accessible to the population. Currently, the fees are so prohibitive that many children are dropping out. The only way we can reverse this is having the Government invest in education and contribute towards certain elements that make school fees expensive, to enable the schools to lower their fees and to make education affordable. I would say the same of universities and I note in appreciation that our universities have introduced parallel programmes which enable students who have not been taken to join the universities. But once again, the issue of fees becomes a thorny one. The Government ought to be able to provide bursaries to all students and if not bursaries, loans. I do recall the days I was at the university and every person who qualified to join university automatically qualified to be given a loan. That enabled students from poor and rich families alike, to access university education. Today, only the children of the well-to-do are able to access university education. The loans scheme is administered in such a haphazard manner that the poor are left without loans while the children of the well-to-do are given hundred per cent loans. We need to revert to the days when every qualifying entrant automatically qualified for the loan and perhaps, make more efficient the loan collecting agency, so that the Government is able to retrieve the money. We would like to see the Government take more active participation in the area of education and not just to lament that education needs strengthening. It is the Government which is in the position to do something about it.

Mr. Temporary Deputy Speaker, Sir, talking of education, there are areas that are worse hit than others. We know that when children are dropping out of school, the girl child is more affected than the boy child and it becomes worse in the marginalised areas like the pastoralist areas. It means that the girls from the marginalised areas have no chance whatsoever, of attaining education and having equal opportunities in life with their counterparts elsewhere. We would ask the Government to take urgent measures to ensure that children from marginalised areas and especially, the pastoralist areas, are afforded an opportunity to get education.

(Applause)

Mr. Temporary Deputy Speaker, Sir, looking at the level of poverty all over the country and especially in those areas that I am referring to as marginalised areas, it is difficult for a parent to even afford Kshs200. When in primary education we are putting charges, we are actually condemning children in those areas to ignorance. We need urgent measures to also equalise the country in terms of infrastructure. We need to see good roads everywhere, equal facilities in terms of health and energy distributed round the country. We need to see these issues urgently addressed. That is why we must really get the constitutional review process under way. We need provisions in the Constitution that make it mandatory for the Government to offer equal services to all parts of the country and to redress the imbalances that exist today within a given number of years.

(Applause)

If we do not do that, we shall never have a cohesive society and we shall never eradicate tribalism, because people will believe that only when they have one of their own, the issues closer to them can be listened to.

Mr. Temporary Deputy Speaker, Sir, if we tackle the issue of distribution of resources and facilities countrywide, people will not be bothered as to who is in power as they will know that their rights are guaranteed by the Constitution.

We are also talking about water and energy. It is the duty of the Government to make sure that there is adequate water for everybody in arid and semi-arid areas. We should want to see a component in the national Budget, allocating funds for clean drinking water for all. So, at the end of each year, we should be able to assess the part of the population that we will have managed to deliver safe and clean drinking water to.

We can learn from desert countries such as Israel and those in the Middle-East. Those countries have managed to take water to their populations under very difficult circumstances. In Kenya, only a section of the country is arid and semi-arid land, yet we are unable to provide safe clean water. This is because we do not have adequate policies. These are areas which need to be addressed to urgently by hon. Members of this House. We want to see all hon. Members working together on this issue as Kenyans, devoid of partisan interests.

Mr. Temporary Deputy Speaker, Sir, the President's Address also talked of discouraging the growth of the culture of violence and defiance. The Government must lead the way in discouraging the culture of violence in this county. When the Government causes violent disruption of public rallies called by Members of Parliament, it should realise that, that encourages the culture of violence in the country.

(Applause)

This menace is affecting both sides of the House. We know that we no longer require licences to hold public rallies. We only need to notify the nearest police station. Why are Members of Parliament still being disrupted while addressing their constituents? Where are our freedoms of speech, assembly and association? Let the Government be discouraged from perpetuating this culture of violence against its citizens and elected leaders.

Mr. Temporary Deputy Speaker, Sir, we want to see the law being applied equally to everybody. We do not want double standards in the application of the law. When the Government haunts the Director of Kenya Co-operative Creameries (KCC), when there is a merger to which the Government is opposed, will Kenyans believe that justice is being done?

An hon. Member: No!

Ms. Karua: If, indeed, the directors have not filed returns, why were they not taken to court earlier before the emergence of the controversy on the merger? When a Member of Parliament is arrested because he has disagreed with a Cabinet Minister over a Harambee, will Kenyans believe that the rule of law is being observed? The Government needs to turn around and respect its citizens and the laws, which the Government helped to pass in this Houses, as well as the dignity of elected leaders. It is not necessary to brutalise Kenyans -and least of all, a Member of Parliament - during arrest.

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order! Hon. Karua, your time is up. Mr. Koskei, proceed!

The Assistant Minister for Health (Mr. Koskei): Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to join my colleagues in contributing to this Motion on the President's Address.

First of all, I would like to join my colleagues in congratulating the Speaker for having delivered a well-thought out speech. We all know that the welfare of hon. Members needs to be addressed. You will find that as much as a Member of Parliament is supposed to be a legislator, he is actually supposed to be a jack of all trades. He is supposed to do so many chores in order for him to be re-elected. So, if the conditions are improved, hon. Members will actually be effective legislators. Also, we will see an improvement in contributions by most hon. Members in this House.

Mr. Temporary Deputy Speaker, Sir, on behalf of the people of Kuresoi, I would like to take this opportunity to thank the President for having given me a chance to serve in this Government. Earlier on, a hon. Member of this House stood up and questioned the criteria used by the President in appointing some of us Assistant Ministers. I would like to assure the hon. Member that the people of Rift Valley elected us because they saw hope and leadership potential in us. The people of Kuresoi decided to send me to this House to represent them.

So, I would like to tell the hon. Member that I have actually convinced my constituents that I have what it takes to be a Member of Parliament. Also, I did convince the President that I have what it takes to serve in his Government. So, it really takes us aback when some hon. Members stand up in this House and cast aspersions on some of us.

Some of us remain speechless when we hear such insinuations. This is because we know that we can perform much better than some of the hecklers. It really does not make sense to talk a lot and deliver very little at the end of the day. It is better to talk a little and deliver more. So, I would like to urge the hon. Member to concentrate more on serving his constituents rather than just trivialise most of the issues which come up in this House.

Mr. Temporary Deputy Speaker, Sir, having said that, I would like to turn my attention to the issue of agriculture, the economy of this country, and the role agriculture can play in alleviating poverty in this country. Sometime last month, we had an opportunity to attend a conference in Mbagathi where the Government launched a programme to actually not eradicate poverty, but to try and alleviate it in this country.

When I talk of agriculture as means and ways of alleviating poverty amongst our people, the issue of the dairy industry springs up in mind. I represent a constituency whose economic backbone encourages us. We are very good tea, dairy and livestock farmers. I am talking of the world-famous Molo lambs which are bred and reared in Kernget Division. It is in this division, in Kuresoi Constituency, where ten or 15 years ago, the farmers decided to undertake dairy activities.

The Kenya Co-operative Creameries (KCC) plant that is situated in Molo Town is actually served by dairy farmers of Kuresoi. Earlier on in the day, I had opportunity to talk to one of the directors of the KCC, who happens to be an hon. Member of this House. If what I saw in him is the kind of attitude of some of the people who have been elected by farmers to serve in their co-operatives, I do not think we are rendering any service to these farmers.

As I have said, ten or 15 years ago, those farmers undertook a very expensive exercise. Farmers did not

breed the local Zebu cattle. They did not indulge in rearing the cross-breeds of cows. They went for pure breeds - the hostein - and that kind of breed. Unfortunately, because of mismanagement of the KCC, the investment that was put in by the farmers with the hope of alleviating poverty amongst themselves was actually rendered useless.

Mr. Temporary Deputy Speaker, Sir, so, in as much as we want to really pass the buck to the Government, we have to really rise above these parochial attitudes that we portray. This is because at the end of the day, when anybody from Rift Valley and especially any Member of Parliament from Rift Valley is sent to make any contribution in serving the dairy farmers--- We know what goes on at the KCC and when we want to talk about the truth behind the shambles and the mess within the dairy industry and morass within the KCC, you will find that the directors who happen to be members of this House and happen to be on the other side of the House, would want to narrow the pertinent issues of the KCC to imply that the Government is trying to interfere; yet, they were given the mandate by the farmers to run KCC. Unfortunately, they have taken that opportunity to loot and bring the farmers' body down.

Mr. Temporary Deputy Speaker, Sir, sometime back when there was a glut in milk production in this country, we were being told of stocks worth Kshs2.5 billion that were held in the stores of KCC. But now, somebody is coming up with a merger with a company from South Africa saying that they are going to give us Kshs1.3 billion and then you ask yourself: Why should they sell the assets of farmers to pay their debts and yet, the milk that was collected by this body was sold? So, we should not cheat the farmers. I would rather we told the farmers the truth, so that as we stand as leaders to try and provide some leadership to this nation, we should be judged by what we utter and what we do.

Mr. Temporary Deputy Speaker, Sir, having said that, I want to turn my attention to the infrastructure; that is, the roads in my constituency. If anybody was asked about a bad road in this country even if he did not go to school and he does not know the meaning of the word *El Nino*, he will always tell you that: What has caused the problem of roads in this country is *El Nino*. It is true to a large extent but you find that the Ministry of Public Works and Housing to a large extent, is also to blame. When I say that it is largely to blame, you will find that in some of these areas, the access roads that serve these farmers here have not been graded for the last three years. As I talk now, the only serviceable graders in the whole of Nakuru District are actually grounded and then, you ask yourself: We as residents of Nakuru District, we also pay the petroleum levy that is charged on any petroleum products that we buy and yet, the fuel levy that is supposed to be brought back to our districts to be used in the grading and maintenance of these roads is actually never brought. But even if the money was brought, what would be used to grade these roads? So, I am calling upon the Ministry of Public Works and Housing to actually render us the service as residents of Nakuru District because we also partake in this situation in form of the petroleum levy. So, it is incumbent upon the Ministry of Public Works and Housing to actually service these graders that have broken down in Nakuru. The District Works Officer in Nakuru have them repaired, so that these roads that have not been attended to despite having been affected by this *El Nino* phenomenon, are actually repaired and upgraded so that, these farmers can be able to market to market their products.

Mr. Temporary Deputy Speaker, Sir, somebody has talked about the bursary scheme provided by the Ministry of Education. I would want to say that this bursary had some good intentions. The problem is that, the mode of operation; that is, the way this bursary is actually being given out, is not in order. If it were streamlined, it would be of benefit to these students.

With those few remarks, I beg to support. **Mr. Ojode:** Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on the Presidential Speech. I would want to comment on the speech given by the Speaker of this House. It was a commendable speech and we do congratulate him for that speech.

Mr. Temporary Deputy Speaker, Sir, a lot has been said in both speeches. They talked of corruption and a number of other things but I would want to say one thing that touches on corruption. I tend to think that this Government is not serious with cases of corruption. The reason why I am saying this is because a number of hospitals and dispensaries are lacking medicines and the Ministry of Health is where there are a lot of scandals of either money allocated for the purchase of drugs or the drugs themselves. You can remember during the last session when we were just about to go on recess, I did raise a matter here that, there was a scandal of Kshs96 million which was paid up-front and approved by both the Minister and his Permanent Secretary. Then, what happened was that the Minister categorically refused that there was no scandal of such a magnitude. However, I did lay on the Table, the documents to the effect that there was a scandal and the only person I would say is supporting this corruption is the Attorney-General, Mr. Amos Wako.

Mr. Temporary Deputy Speaker, Sir, the reason why I am saying that it is because of the Attorney-General who is supporting and strengthening corruption in Kenya is because he always laughs and he is the laughing Attorney-General and he is not serious. Among those who rejected the sub-standard drugs which

were supplied at the MSCU, was one officer called Mr. Johnstone Kibera who was transferred from MSCU to the Ministry of Water Resources by the name of Mr. Mbova. The second officer called Mr. Hussein who is in charge of the World Bank project was also transferred for having questioned the up-front payments. The third officer who was transferred is Mr. Vitalis Oduor, the Principal Supplies Officer. He was transferred by the Permanent Secretary, Ms. Chemengich back to the Treasury. Where are we? What are we doing? We talk about corruption. Should it be mere rhetoric? It is nonsense. I think we are not serious and the Government itself is not serious about the eradication of corruption and poverty as well.

Mr. Temporary Deputy Speaker, Sir, we want to know what percentage has so far been delivered in terms of drugs which were ordered because from the records that I have, they have only delivered 40 per cent and the remaining 60 per cent has not been delivered up to now. So, that means that Kshs96 million had already been eaten amongst themselves and they are not willing to give it out. I went further and asked: Why is it that firms owned by Mr. Hiten who had already given this money to the officers concerned, cannot return the money because of non-deliveries of drugs? He said that he had already given money to respective officers and he does not have money and unless those people give him back the money, it is when he can refund the money to the Ministry. It is quite shameful for us to talk about corruption and poverty eradication and yet, those people who are dealing with the policies of corruption and eradication of poverty are the culprits of corruption.

There is no way you can go to ask for money and yet those people have that money through corrupt means. Let me give you one story. Recently, the officials of the Ministry of Health went to the Danish Embassy and asked them to fund KEPI for Kshs55 million. They said no. "What you have had is more than enough, you do not need another one." There is no need for the Danish Embassy to fund KEPI and yet, we are talking about Kshs96 million which has not been accounted for upto now. I am not going to let go that kind of corruption whereas hospitals and dispensaries in my constituency, including those in Eng. Kiptoon's constituency are going without drugs. We are not going to accept this. I am going to institute private prosecution against Mr. Mbova in order to recover the amount of money which has already been paid upfront and no deliveries made.

Mr. Temporary Deputy Speaker, Sir, as we speak here, in my constituency, we have over 98 primary schools which are understaffed as a result of non-availability of funds. Where do these funds go to when we keep on voting for money year-in-year-out? This money goes to some few pockets within the Government officers. Next time, we will name them because you find that one or two Ministers own aeroplanes! They should come and tell this House where they got the money from to buy those aeroplanes so that we can know that they are not corrupt. A number of schools in my constituency do not have equipments for practical subjects. The Ministry of Education and Human Resource Development should pull up its socks and equip the laboratories and other science classes. When you go to Kabuoch South Location in my constituency where people are growing a lot of cane, you find that sugarcane planted is not being harvested. They do not do this simply because SONY Sugar Factory does not have enough money to harvest that cane. That alone also brings poverty within my area because they have utilised their farms to grow cane.

Mr. Temporary Deputy Speaker, Sir, there is no single road in Ndhiwa Constituency which is passable. We have a number of bridges which are impassable and I did participate in voting for the budget of the Ministry of Public Works and Housing. The recently tarmacked roads; Rodi-Kopany-Sori is not passable as I am talking now. The Government spent over Kshs700 million and then, the T.M. Construction Company being owned by one powerful Minister, you cannot touch them; they paid Kshs1 millions to the engineers at the Ministry Headquarters in order to do a shoddy job. I did talk to the then Minister for Public Works and Housing about this and he promised that he will be sending the engineers to---

Mr. Katuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. You must have heard that one of our Ministers here is paying engineers million of shillings to get contracts and so on. Can the hon. Member substantiate those allegations?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, when we are discussing serious issues, it is an obvious case, they know him.

Mr. Katuku: On a point, Mr. Temporary Deputy Speaker, Sir. Could the hon. Member tell us who that Minister is?

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I said that one of the directors of T.M. Construction Company is a powerful Minister in this House.

Hon. Members: Name him!

Mr. Ojode: I am not going to name him because they know him, Mr. Temporary Deputy Speaker, Sir. It is an obvious case that they should not even ask me to name him. Can you defend me because my time is running out?

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order!

Mr. Katuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am making a very passionate appeal to the hon. Member on the Floor to name that Minister. If he cannot name him, he should withdraw.

Mr. Ojode: Mr. Temporary Deputy Speaker, Sir, I did say that the Government promised to give a grant of Kshs3 million in 1996 for water dams in my constituency, but upto now nothing has been given. If the Minister for Water Resources was here, I would have asked him to tell us what he has done with the Kshs3 million.

Mr. Temporary Deputy Speaker, Sir, the pollution of Sare River is the cause of the spread of cholera in my constituency and Nyatike. They dump the raw sewage in Sare River which joins Kuja River, which also passes through my constituency. I would request the Ministry of Health to look into that issue.

The Temporary Deputy Speaker (Mr. Poghio): Order! Time up!

Mrs. Kittony: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to add my voice to my colleagues who have already contributed to the Presidential Speech. I would like to congratulate the Speaker for a very elaborate speech which he gave, especially on the concern for Members of Parliament. On the Presidential Speech, I have listened to many of my colleagues contributions and for me, the Speech serves as a guideline for us to be able to make a way forward, especially on the topics that he outlined: poverty, security, education and so on. On the question of poverty, as a representative of a large women organisation, I know very well where the question of poverty pinches. Indeed, we as hon. Members should serve as a vehicle to find solutions to some of those problems. If we take ourselves to be champions of criticism, then we may not find solutions to some of those problems. So, the question of poverty culminates a lot with a number of issues. If we take the violence that is in the society now, violence is violence. It does not matter who has inflicted it. But when we analyze the situation, a lot come because of poverty in our homes. Therefore, it is an issue that should be seriously addressed.

Mr. Temporary Deputy Speaker, Sir, I would like to appeal to hon. Members, because they are leaders in the society, to serve as a role model to our people. Members of Parliament are in Parliament because of the trust they were given by their electorate. For me, there is a saying which says that if you have to be respected, you have got to respect yourself. But it is not so in many occasions when you look at the situation and what takes place in this august House. So, I think it is time that Members took their roles very seriously and themselves as respected leaders and the society will respect them. But in most cases, we would like to champion as inciters and when problems come, we are quick to criticise the security, the police, that they are harassing us and yet, we are the ones harassing the police. So, it is time that we addressed these issues seriously and took ourselves as very responsible citizens of this country so that we may be able to give proper guidance.

Mr. Temporary Deputy Speaker, Sir, on the question of health, most of the sufferers are women. When we talk of lack of medicine in our dispensaries, health issues should be given priority because a healthy society is a healthy nation and, therefore, we should be able to provide those dispensaries with proper equipment and medicine so that women and their children do not suffer. I am appealing to the Minister for Health to see to it that these provisions are provided. Also, us, hon. Members, should not criticise issues, but instead we should find out why medicine does not reach our people.

Mr. Temporary Deputy Speaker, Sir, on security, I would like to appeal to the Kenya police force to identify properly their targets without resorting to shooting-on-sight and in the end killing people. We have seen many incidents like those. It is very sad, indeed, that so many incidents have happened and we are letting them go on.

Mr. Temporary Deputy Speaker, Sir, a lot has been said on infrastructure, and I think it is time that this issue is addressed seriously so that, at least, we are able to transport and market whatever we produce. Since I am a farmer, I will now turn to the issue of agriculture. Agriculture is a thorn in the flesh and a number of hon. Members have talked about sugar and the Kenya Co-operative Creameries (KCC) in their speeches. I would like to talk about the situation of maize farmers. You know very well that the price of maize came down to as far as Ksh400 a bag and right now, we, as farmers, cannot get fertilizer. It is time, if we really need to tackle the poverty issue seriously, to address it because we depend on food and without food we cannot talk and work. Therefore, it is time that the farmer gets a subsidy and the middlemen are removed and those who are hoarding fertilizer for better prices are told to stop the habit forthwith. Lack of fertilizer is a serious issue right now as the farmers cannot plant the next crop without it as it is not there and if they get it, it is sold at Ksh1,800.

Mr. Temporary Deputy Speaker, Sir, I would also like again to talk on the issue of our responsibilities as hon. Members. We need to respect ourselves so that we are respected. It is unfortunate that those who cannot defend themselves in this House are mentioned adversely by hon. Members without any proof being given. I would like to challenge hon. Prof. Anyang'-Ny'ongo to table evidence against the lead story appearing in today's *People* newspaper which talks about the printing of money by Mr. Philip Moi. Indeed, if this money is printed, can the hon. Member come with proper documents so that we can prove it because that is a serious issue? We should

refrain from that kind of thing and talk in the right manner.

(Laughter)

Mr. Temporary Deputy Speaker, Sir, in conclusion, I would like to urge hon. Members to take the Presidential Address as a guide for the way forward in developing our country in order for Kenyans to enjoy a fruitful future.

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

Mr. Wafula: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I would like to start by congratulating Mr. Speaker for the excellent speech he gave during the State Opening of Parliament. I wish those who prepare the President's Speech would borrow a leaf from the Speaker of the National Assembly. Recently some education officers in Bungoma collected money from parents being payment of examination fees, but the money amounting to Ksh4 million disappeared from the District Education Office. Since then we have not heard the position of the Ministry; the parents have been left in suspense and the Standard Eight pupils do not know whether they will sit for the examination or not. So, I am calling upon the Minister for Education and Human Resource Development to take steps in order to make sure that the matter is addressed so that the candidates in Bungoma sit for the examination and parents are not asked to pay the fees for a second time. The Minister for Education and Human Resource Development, who happens not to be in this House today, because he is in Mutomo promising the voters that the Government will construct bridges---

(Laughter)

Mr. Obwocha: The Bridges man has come!

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, this is the bridge joining Mutomo and Kibwezi which has been impassable for a long time. But because there will be a by-election in that area, the Minister for Education and Human Resource Development must sit there and keep promising wananchi that the Government is doing something when he does not respond to important matters affecting his Ministry; that his officers are stealing money from parents.

The Assistant Minister for Education and Human Resource Development (Mr. Awori): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead this House by saying that the Minister for Education and Human Resource Development is in Mutomo promising impossible things while to my knowledge the hon. Minister is right now busy on Government matters in Seattle, Washington?

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, I did not know that hon. Awori was in the House because I thought that he should be sitting in the Front Bench.

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Wafula! You have made some very serious allegations and you should substantiate them?

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, Seattle could also be Mutomo.

(Laughter)

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Wafula! You need to be serious on that issue because if it is true that the hon. Minister is in Washington, then what you have been saying is untrue and you need to withdraw your remarks against the hon. Minister.

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, may I withdraw and apologise and go on with my speech. The other issue that I wanted to talk about is the tendency of this House to recycle some hon. Members when it comes to crucial issues in this House. Particularly, I would like to talk about the impact of the constitutional review process. When this Act came to Parliament, many Members did not get a chance to speak. I believe that it was assumed that there is that group of know-it-all Members of Parliament who must always get a chance to speak all the time in this House; and others should just listen. This is unfair because those who are always given preference to speak over others are sometimes found to be extortionists. They are the people who come here and contribute on everything while others do not. This is also what the Government does. It recycles people. Mr. Gilbert Oluoch, who had retired has now been appointed as the chairman of the Commission to look into the poverty. Why does this Government like recycling people? This is somebody who is retired and tired! I do not want to get out of the point. It is important that this House does not assume other Members. If, all of us had been given a chance to contribute to the Constitutional Review Amendment Act we would have pointed out that

there was going to be a problem on the distribution of the 13 seats. If this had been defined during the debate, we would not have had this impasse. It all comes back here! So, I am calling on the Chair to give a chance to every Member whenever there is such an important debate.

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Wafula is making very serious allegations, being wise after the event. If, indeed, he had misgivings about the Bill on the Constitutional Review Commission, why did he not raise that matter at that particular time instead being wise after the event?

Mr. Wafula: Mr. Temporary Deputy Speaker, Sir, hon. Munyasia is just wasting my time. I tried to catch the Speaker's eye and I did not get the chance. Having said that, I want to talk about security. We have insecurity in the country right now. This is also prevalent in Bungoma. There are cases of increased attacks on innocent wananchi by thugs. There are cases of house breaking that are going on and a lot of arms have been brought in and the Government does not seem to get into grips with what is going on. If a whole Deputy Commissioner of Police, whom I believe is security conscious could be shot in his shop in broad day light, what about the ordinary mwananchi who is not armed? The Government should have its officers in the security organs to enforce the laws and ensure that wananchi are protected.

Recently, an armed gang, who were in possession of AK-47 rifles attacked Ebukembe Market in Bungoma. Wananchi put up a spirited fight, arrested one of the members of the gang and recovered an AK-47 rifle. The members of the gang who escaped entered a nearby cane farm. The police were called in; the DO and a contingent of policemen from the DC's office were called in, they surrounded this cane farm for almost a week and after a week, we were told that this thug escaped. Where did he pass? What were these policemen doing?

The Assistant Minister for Home Affairs, National Heritage, Culture and Social Services (Ms. Mwachai): Nakushukuru sana Bw. Naibu Spika wa Muda kwa kunipatia fursa hii ili niseme machache. Pia, natoa pongezi sana kwa hotuba ambayo Bw. Spika alitoa wakati wa kufunguliwa kwa Kikao hiki cha Bunge kwa sababu ilionyesha kwamba yeye ni mtu mwenye msimamo na mawazo mema.

Kuhusu Hotuba ya Mtukufu Rais, ni hongera sana kwani wakati uliopita, kulikuwa na mzozo kwamba Katiba haikuteklezwa lakini wakati huu Katiba ilitokeleza vilivyo kwa kutuliwa Makamu wa Rais. Haya ni mambo yanayonyesha msimamo na utekelezaji wa haki wa Mtukufu Rais. Haya ni mawazo ambayo yameonyesha shabaha na malengo yake. Pia, Mtukufu Rais ameonyesha msimamo wa mtu mwenye kupenda haki na watu wake.

Kuna sehemu ambayo inaonyesha jinsi ya kuondoa umaskini. Kwa kusema ukweli, njia ya kuondoa umaskini inaonyesha shabaha nzuri sana lakini nina masikitiko kwani sehemu ninayotoka---Ikiwa kweli Serikali inataka kuondoa umaskini, basi inafaa iangalie mimea inayokuzwa katika sehemu fulani katika nchi hii ili iweze kuweka utekelezaji wa ununuzi, uuzaji ama uimarishaji wa viwanda ili wakulima waweze kuwa na usimamiaji wao wa kifedha. Kwa mfano, tukiangalia mambo ya maziwa, kulikuwa na kiwanda cha maziwa kule Mariakani lakini kwa sasa kimefungwa baada ya kufilisika. Kama kiwanda kama hicho hakitafunguliwa basi umaskini katika nchi hii hautaondoka kwa sababu kuna watu ambao kazi yao ni kufuga ng'ombe wa maziwa. Na ikiwa mahali pa kuuza maziwa yao pemefungwa basi sijui ni vipi watu hawa wataweza kuinua maisha yao. Kwa hivyo, wale wanaohusika na jambo hilo katika Serikali yetu tukufu ni lazima wahakikishe kwamba kile kiwanda cha Mariakani kimefunguliwa ili wananchi wanaofuga ng'ombe waweza kupata mahali pa kujipatia pesa.

Pia, tukiangalia mambo ya korosho, huu ni mmea ambao unakuzwa kuanzia Kipini hati Lunga Lungu. Wakulima wa Pwani wote wanakuza korosho lakini kiwanda ambacho kilikuwa kikisimamia mkulima wa korosho kule Kilifi kilifilisika. Ikiwa kweli tunataka kuondoa umaskini nchi hii, basi mkulima yule ambaye anatoka jasho ni lazima asaidiwe kwa kufungua kiwanda hiki. Kadhalika, kuna wakulima wanaokuza bixa kule Mwalukore, Kikoneni, Ukunda na sehemu nyinginezo. Tunapata kwamba yule mkulima hana mahali pa kuuza bixa yake kwa sababu kiwanda kilichoko Tiwi hakistahili kuitwa kiwanda kwa sababu hakitoshelezi mtu anayekuza bixa. Kwa hivyo, ni wajibu wa Serikali yetu, kupitia Wizara ile inayohusika, kuona ni vipi kiwanda kile kilichoko Tiwi kinaweza kuimarishwa ili mkulima wa bixa aweze kufaidika. Tukifanya hivyo, ile shabaha na lengo la kuondoa umaskini hususa litakuwa limepata sehemu yake tukufu. Tukiangalia mambo ya Msambweni, wakulima kule wamezoea kulima miwa. Lakini kiwanda cha miwa cha Ramisi kilikufa na hadi sasa watu wanajaribu mbinu zinazofaa ili kukifufua tena. Ikiwa Serikali inataka kufufua ukuzaji wa mali katika nchi yetu tukufu, kiwanda hicho lazima kifufuliwe na watu watakisimamia vilivyo.

Tukiangalia mambo ya ufisadi, ikiwa tunataka kuondoa ufisadi, lazima tujue kwamba kuna ufisadi wa fikra na ufisadi wa kumiliki. Ufisadi wa fikra kwa mfano, ikiwa vyo vya walimu sasa vimefungwa, ufisadi wa fikra utaondelewa vipi? Lazima tuongeze idadi ya vyo vya walimu ili wanafunzi waweze kufundishwa ili wadumu vilivyo. Ikiwa tunataka kuondoa ufisadi wa kifikra, ni wajibu wa Wizara ya Elimu kuchukua jukumu lake vilivyo ili kuondoa ufisadi huo. Kwa mfano, kuna hatua ya Serikali kuunganisha shule ambazo hazina wanafunzi wengi. Serikali isiangalie tu idadi ya wanafunzi walioko shuleni. Lazima iangalie umbali wa wanafunzi hao kufika shuleni. Kwa mfano, hatua kama hiyo haiwezi kuteklezwa kule Kwale kwa sababu kuna

hatari kubwa sana. Kuna mwanafunzi wa miaka sita hivi anayeishi umbali wa kilomita kumi kutoka shuleni. Hupitia njia yenye taka na msitu kufika shuleni. Sijui ni vipi skuli hizo zitaweza kuunganishwa ikiwa kuna shida kama hiyo. Kwa hivyo, ningepomba Serikali kwamba, wakati itakapoangalia upande wa Kwale na hasa sehemu yangu ya Msambweni, iangalie kwamba wazo kama hilo halitakeleza.

Tukiangalia upande wa usalama, ni kitu kizuri sana kwa kila mwananchi. Ikiwa ni upande wa polisi, yeyote anayeshiba anaweza kufanya kazi yake kwa uzuri. Ikiwa polisi watapewa mshahara mnono, basi watatekeleza kazi yao vizuri. Lakini ikiwa polisi wataachwa bila kuangaliwa vilivyo, basi hata kama tutawalazimisha--- Unaweza kumlazimisha ng'ombe kumpeleka kwenye mto lakini hautamlazimisha kunywa maji. Kwa hivyo, ni wajibu wetu kujiangalia kinaga ubaga kwa undani, ili tuweze kuimarisha Serikali.

Barabara za Msambweni ni mbaya sana. Ikiwa tunataka wananchi waishi kama watu waliopata Uhuru, barabara za Msambweni ni mbovu sana. Nauliza Wizara inayohusika irekebishe barabara hizo ili wananchi waishi kwa usalama na waweze kujitawala na kujimiliki kifika na kihali.

Serikali pia haijalingia kule vijijini kusambaza nguvu za umeme. Wananchi wakiwa na nguvu za umeme, njaa itaondoka. Nguvu za umeme na maji ziingaliwe kwa hali na mali ili wananchi waweze kujivunia mambo ambayo wanaweza kutekeleza. Kwa mfano, maji yakiletwa, mkulima anaweza kutumia maji hayo kunyunyizia ardhi yake na kupata mazao. Anapopata mazao, ni wajibu wake kuona anaweza kujimiliki vilivyo. Kwa hivyo, ningepomba Serikali kwamba, ikiwa inataka kuonyesha inachukua hatua nzuri, isadie sehemu za vitongojini ili nazo ziweze kunufaika.

Natoa pongezi sana kwa Hotuba ya Rais. Lakini wanaohusika lazima watilie msisitizo na mkato ili wajumuishie Jamhuri hii, ili kuonyesha kwamba hakuna ubaguzi hapa Kenya. Mpaka sasa, kuna wengine wanaishi wakifikiria labda wametengwa. Haya yote yanaletwa kwa vile hayajazungumzwa. Lakini yakizungumzwa, idara zinazohusika lazima zitekeleze wajibu wa hali na mali ili tuone kwamba, kwa kweli, Hotuba ya Rais inatekelezwa.

Kwa hayo machache, naunga mkono Hotuba ya Mtukufu Rais.

Mr. Ngure: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for recognising me, although I am very recognisable. I will not have much to say about the Presidential Speech. This is because having gone through it, I only ticked one opening paragraph that said: "After the Xmas holiday, Members of Parliament must have inspected and noticed development projects in their constituencies." I would like to put it on record that I did not notice any development projects in my constituency. Therefore, if that is how I would have spent my recess, it was not spent properly.

Mr. Temporary Deputy Speaker, Sir, if, maybe, that is what we call excellent exposition of the Government policy, then I think there is a lot to be desired in that Presidential Speech. I know that on the other side of the House, there must have been teachers, lecturers and professors who must have taught in the universities. If they had a hand in helping the President develop the Presidential Speech, I think they must have let him down. This is because if that had gone for marking, it was a clear D exposition. We expected, since this is the Parliament which is going to push this country to the next millennium, the Presidential Speech to highlight forward-planning in the Ministries. If you look at the Ministry of Education and Human Resource Development, we talked about the parallel degree programme. The parallel degree programme has attracted our university lecturers to lean towards lecturing to the other students who are pursuing the parallel degree programme, just because there is more to be earned. They are not really giving their full attention to the regular university students. So, we would have read in the Presidential Speech that this country, to usher this country into the next millennium, we should have thought about extended---

QUORUM

Mr. Wafula: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is there a quorum in the House?

The Temporary Deputy Speaker (Mr. Poghiso): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Poghiso): We have a quorum now. You may proceed, Mr. Ngure.

Mr. Ngure: Mr. Temporary Deputy Speaker, Sir, I was talking about education in this country. If there is a congestion in our public universities, I would suggest that we introduce distant-education courses which utilize

the advantage of television lectures rather than students being lectured by one lecturer in a crowded classroom. Those are things that should have been included in the Presidential speech.

Mr. Temporary Deputy Speaker, Sir, as we talk about poverty eradication in this country, our agricultural sector is collapsing. We cannot eradicate poverty if we do not consider seriously the agricultural sector. We know very well that we cannot expand the land that nature endowed to us, but we can enhance its productivity. All we can do to enhance its productivity is to develop irrigation so that the land that produces one crop per year can produce three crops in the same year. If we do that, then that will be one step towards poverty eradication in this country. I know that it is one thing to form a commission to eradicate poverty and another thing to appoint competent people to it. There is no way you can eradicate poverty if you do not consider the basic element of our production in this country: That is agriculture. That is what we expected would have been the input of the Minister for Agriculture into the Presidential speech.

Mr. Temporary Deputy Speaker, if you look at the energy sector in this country you will realise that there has been a lot of talk about rural electrification. A lot of us hon. Members, are expected to go to the Ministry of Energy to convince the Minister to extend rural electrification in our areas. But the question is: What do we want to do with that electricity? If we can develop parallel rural electrification and irrigation at the same time, then that electricity that will be generated in the rural areas will be used for agricultural activities. I am very comfortable, maybe, to look at my bed and find where it is with a lantern lamp and switch it off. It makes no difference if I use electricity. But I would rather that electricity was used by wananchi to produce food and enhance our economy.

Mr. Temporary Deputy Speaker, Sir, it is a nice thing to talk about rural electrification and water programmes in the rural areas. But we must consider, without discrimination, that majority of our constituents stay in the slum areas of Nairobi. They stay in slum areas of Kibera, Ngomongo and Korogocho where there is no water. Why does one want to give me piped water all the way in the rural area instead of drilling wells? Why can we not provide water to the City of Nairobi because that is where majority of our people are staying and working? We will have no pride in this country if this City has no power, water and people are dying of diseases.

We should plan the City of Nairobi now so that we build a Nairobi District Hospital. Way back, that was the plan. Pumwani Maternity Hospital was to be developed into Nairobi District Hospital so that Kenyatta National Hospital would remain strictly as a referral hospital; but that has not been done to date. Most of our people are referred from our rural hospitals to Kenyatta National Hospital. They are referred from Siaya District Hospital, only to be told that, "God willing, come back next year in February. That is when we will have a bed for you and that is when you can be treated." This person had been referred because he is seriously sick. By what miracle are you expecting him to survive up to February next year? We should consider health facilities as paramount in our fight against poverty eradication. This is because a healthy manpower is the only one that can eradicate poverty, but unhealthy manpower, whatever you do, will never eradicate it.

It is a nice thing to talk about corruption in this country. It is a nice thing to put it at the door-step of the present KANU Government. But to me, I will put it at the door-step of KANU, right from the time of the party's inception. You do not become "cleaner than thou" just because you have benefitted out of KANU's corrupt policies and now, probably, you are in the Opposition. Some of the fellows who were in KANU then and who were persecuting many of us in the then KPU must stand up and be counted. It is hard to tell whether they are genuinely condemning land grabbing and corruption because I do not see any difference in them to condemning it now. People must learn to live with their mistakes. Mac Amsony said that "the evil that men do lives on after them, the good is the one that is interred with their bones". For you who have participated in corruption before, those are the evils that are living with you now and your "cleaner than thou" attitude will not help us. I still see that evil in you till death do us apart.

Mr. Temporary Deputy Speaker, Sir, we have talked about development of roads in this country. I come from a constituency that has never seen even an inch of tarmac road. We have been asking Questions, year-in-year-out, in this House for that road to be tarmacked so that our fish can rich the market, poisoned or not. Nobody has talked about it. Thank God things go round and some people had criss-crosses of tarmac roads. I have learned that the tarmac on those has been eroded because of non-maintenance. The money that would have been spent to maintain that road was not utilised either to maintain it or tarmac it. So, it is going to cost this country a lot of money to repair the damaged roads and tarmac roads in my constituency. I believe in the next millennium, our people should see what is called tarmac, even if they do not have cars to drive on it.

Mr. Temporary Deputy Speaker, the question of security lies squarely on Government. If we have to eradicate poverty, we must make sure that people doing business are secure and whatever revenue they pay is used to protect their businesses so that they can pay revenue to the Government. We will not talk about poverty eradication or a healthy society, if the healthy society is driven into insecurity and thuggery because of poverty.

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

Mr. Kitur: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on the Presidential Speech. Before, I proceed, on 12th April, 1999 at 12.00 noon, riot policemen came to the place where I was having a meeting with my constituents. We were chased away!

Mr. Temporary Deputy Speaker, Sir, we were chased away by police officers, and yet no action was taken against them. Although I had informed the area District Commissioner (DC) about my meeting the police came and denounced it. I thought that the issue of barring hon. Members of Parliament from holding meetings in their respective constituencies was long gone. To my knowledge, this has been happening to the Opposition, but now it has also come to KANU. Finally, the DC called me on Wednesday and apologised for what had happened. However, it was too late because the people whom I was supposed to address had already been chased away.

Coming to the Presidential Address, I would like to say that we have over 3,000 nurses and clinical officers who are unemployed although our Government hospitals have a shortage of medical personnel. I do not know when the Government will absorb these nurses and clinical officers, so that our people can be given better treatment.

We have a shortage of teachers both in primary and secondary schools in this country, particularly in my constituency. But we are being told that the Government has been controlling the number of teachers posted to every school for the last one year. The shortage of teachers in some schools, besides lack of text books, laboratory equipment and so forth, has contributed to their poor performance in national examinations.

Mr. Temporary Deputy Speaker, Sir, some of the Africans who work for multi-international companies such as M/S Brooke Bond Kenya Ltd, African Highland Company and George Williamson live in single rooms, which measure nine feet by nine feet. These workers live in the single rooms with their families, which compose of a father, a mother and children. The profits which are declared at the end of the year by these companies are very high, but as "wings" in the tea industry we get nothing. We work from 6.00 a.m. upto 6.00 p.m. The only person who has a say in the tea estates is the manager, the assistant manager and the field assistant, but the tea plucker has no say.

Mr. Temporary Deputy Speaker, Sir, Brooke Bond Kenya Ltd. branch, which is in Limuru should be bought by the Kikuyus, while the one which is in Nandi District should be purchased by the Nandis. Likewise, the one in Kericho District should be bought by the Kipsigis. We do not want outsiders to come and buy those pieces of land. This is because our people were chased from those pieces of land before tea was planted on them in 1948. In fact, that was the time when I was born.

I would like now to touch on the sugar industry. Sugar is imported into this country by a few tycoons who are untouchable. Their commodity prices are competitive because they are far below the market price. This means that the duty and the VAT that they pay is too little. That is why they can compete with sugar which is manufactured locally. If the Government is serious in banning importation of sugar, then there should be no transit sugar in this country. Let the transit sugar pass through Dar-es-Salaam. Our sugar industry will only survive if this is done.

The activity fee which is charged in our primary schools is exorbitant because some of the pupils get no service in return. It is surprising that a pupil is asked to pay Kshs100 as activity fee, and yet most of the pupils in these schools do not go out for any activity.

Mr. Temporary Deputy Speaker, Sir, having talked about the tea industry, I would like to say that we do not have any tarmac road in Konoin Constituency. We only have a tarmac road that passes by the constituency. The roads we use to ferry our tea to the factories are impassable during the rainy season. Therefore, our tea cannot be collected from tea buying centres on time.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghisio): Order! I would like to remind hon. Members that consulting in this House is in order, but you must do it in low tones.

Mr. Kitur: Mr. Temporary Deputy Speaker, Sir, I was saying that our tea rots at tea buying centres, because we do not have good roads in my constituency. The roads were washed away a long time ago. Therefore, let us not blame *El-Nino*-induced rains as having damaged them because those rains came much later. Before the *El-Nino*-induced rains came, our roads were already in a bad state! I would like to request the Minister for Public Works and Housing to repair the roads, which have been classified by the Government.

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

Mr. Katuku: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity

to contribute to the Motion on the Presidential Address. Before I get to the Presidential Address, I would like to take this opportunity to alert the Government about an outbreak of army worms in my constituency, which is called Mwala. The army worms have also spread to Makueni District and some parts of Kajiado District. Army worm is a very dangerous pest because it eats every green thing that is available. In my constituency, it has been noticed in Kibauni and Ikalaasa Locations. The pest has also been noticed in Kalawa Location, which is in Mbooni Constituency. I would like to say that we had the same problem in 1984, and farmers in that area lost a lot of crops. This was because the worms ate everything that was green. I would like to appeal to the Government to take the necessary measures to arrest the situation. I would also like to appeal to my constituents and anybody who notices these worms to report the matter to the relevant authority for appropriate action to be taken.

On the Presidential Address, I would like to concur with those hon. Members who said that it is not worth the standards. I have gone through it and I have found that it lacks a lot of substance. This is a sign of a tired Government! It is a sign of a tired Government and it is high time it packed up and went away. According to this Speech the President talked about corruption, tribalism, eradication of poverty and all these. There are two alternatives; either the Government decides to have the will to deal with this vice of corruption and whatever it adopts the theory of conflict. Those who have done a bit of sociology understand what I am saying. You might have also come across the arguments of Karl Marx. Karl Marx argued that in a society, if there is no order the best thing is to have total disorder and things will sort themselves out. You will find that in this Government corruption starts from the sub-chief. It is passed on to the agricultural officers up to the Minister at the head office. It is high time we grabbed hospitals and everything and let us build houses on tarmac roads. Most likely we will have some order when we find that there is nothing to grab. Let this Government become tribal so that we can see how it can move out of that. For example today 80 per cent of all DCs in this country come from one tribe. I am urging this Government to go ahead and get 100 per cent of the DCs from one tribe.

You will find that over 90 percent of the deputy heads of parastatals come from one tribe. It is high time this Government went ahead and appointed all parastatal heads from that one tribe. I am talking about total disorder. We have told this Government and it has been told by others and of course there is no way we are going to continue with it. It is time the Government decided to take the hardline or it opens up its heart and starts taking things seriously. We cannot sit here and start talking about eradicating poverty within next 16 years. By then I will be very old. My father will be dead by the time we eradicate poverty. We have been talking about this for the last 35 years and that is why I am saying this Speech lacks a lot of credibility. It has no substance and it is high time this Government got serious. Whenever we raise issues here that message falls on the deaf ears of this Government.

I have said several times in this House that there is insecurity in my constituency. It has been raised by others and this is found everywhere. In my area we have a wave of thuggery. Every Saturday we must have two markets broken into. Recently, we had Kilala market, MIU Market and Wamunyu Market being robbed. That is the same thing everywhere. The Government must be serious. The problem lies with the security system. We must get rid of corrupt officials. They are colluding with these thugs. A person takes time to go and inform a security officer that so-and-so is doing this and then the same security officer is informing the thug. The thug comes to ask the person who gave the information. The public is not giving any information now because of this unbearable issue of corruption.

I want to touch on our education system in this country. Somebody has mentioned it and it is common sense in my area that we have inadequate teachers. In schools in my area parents have to employ extra teachers. In most of the schools in my area you will find that a school has to employ two to three teachers to manage the workload. I have raised that issue in this House and nothing has been done yet we have teachers who have been trained and they have not been deployed. We are also talking about closing down training institutions and colleges. Where are we heading? The population is growing and we are giving birth to more children. We expect to have more teachers and more institutions. Even if the economy does not allow, it this is an essential service which cannot be done away with. We have a lot of problems with our education system. They cannot pay offices for education officers. Parents are asked to pay for offices and for telephone bills for the Ministry of Education. Every now and then children are sent home to collect levies of this and that. It is high time the Ministry of Education got serious.

I would also want to talk about corruption in the Ministry of Local Authorities. It is a serious issue and especially in Machakos because Masaku County Council is collecting revenue only to pay officers in the offices. No services are being rendered to the people. It is high time we said: "So long as you are not getting any returns, we are not going to pay any taxes to the county council." We have paralysed operations at Masaku County Council. We are not paying taxes in our area. Why do we have to pay taxes to a council which is not giving services? When you go to a market place there is no toilet or fence and the roads within the town have been washed away and yet we are paying levies. It is a serious situation in my area. The Clerk to the Town Council is

messing up the council. He is a man who has been there for the last ten years. He has refused to go on leave and has also refused to get sick. How can you be in one office for ten years? I do not even know whether he goes to the toilet. As a result of that there is a lot of corruption and no services. When you go to the market place corruption starts with the person who is handling the tickets at the market places.

They have introduced levies which are not existent in this world. For example in my area you have to pay for Kshs50 for a cow when you take it to the market place whether you have sold it or not. I have told my people not to pay that fee. Why should they pay levy for an animal they have not sold? This is corruption and we are talking about corruption in this country which we have to fight. This time I am calling upon the Minister concerned to take action as far as Masaku county council is concerned. We cannot continue paying levy yet we are not getting services. According to the Act we are supposed to get 40 per cent of ---.

Mr. Toro: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to start by expressing my sincere gratitude to the Speaker for what he said in his opening remarks because it showed clearly that for the first time, he is thinking about the welfare of parliamentarians. I hope what he expressed will come to fruition. We are talking about what the President told us during his opening Speech. We are having a lot of problems trying to digest what the President really meant in his Speech. The President complained about the evils affecting Kenya. We wonder who is supposed to solve the problems of the Kenyans if the President himself who is heading the Government is not giving us a solution. When you talk about unemployment, hunger and malnutrition it is very obvious why we are having all these problems in this country. Every Kenyan knows why. It appears that the only people who do not know is the President and his Government. Instead of offering solutions to these problems that are affecting Kenyans, he is complaining.

Mr. Temporary Deputy Speaker, Sir, it is very obnoxious to hear Ministers themselves saying that the President gave a very good Speech that was full of wisdom, et cetera, whereas they know very well that what the President said was nothing. The President did not tell his Ministers what they are supposed to do and it is an open secret that Ministers in Kenya do not have control over their Ministries. The people running the Ministries are not the Ministers but the Permanent Secretaries. Permanent Secretaries in various Ministries are directed by the Office of the President.

Mr. Temporary Deputy Speaker, Sir, corruption in Kenya is being spearheaded from the Office of the President and the Ministers know this. I am wondering why they are afraid to come here and tell us where the problem is in Kenya. We do not understand why the Office of the President has to control funds like those of the *El-Nino* Fund. Why was the *El-Nino* Fund channelled through the Office of the President? There is a Ministry of Public Works which handles the infrastructure in this country, including the roads and the housing sector. However, instead of channelling the *El-Nino* funds through the Ministry of Public Works and Housing, the funds were channelled through the Office of the President. We do not have engineers in the Office of the President and we do not even have a management team that can control the *El-Nino* Funds in order to enhance the infrastructure that was damaged by the *El-Nino* induced rains. Those funds were channelled through the Office of the President because that office is the one that wants to make sure that 50 per cent of the money is looted and does not go to the worthy cause for which it was intended.

Mr. Temporary Deputy Speaker, Sir, the Kenya Wildlife Services (KWS) is in the Office of the President. Kenyans sometimes wonder why it should not be under the Ministry of Tourism. Why does it have to be put under the Office of the President? It is for the simple reason that, some money will come and the Minister for Tourism should not control the funds coming to KWS. Some people in the Office of the President want to take control of the money, just like they are controlling the money of the *El-Nino* Fund.

Mr. Temporary Deputy Speaker, Sir, the infrastructure in Kenya has collapsed over the last 20 years. I am glad to note that the Minister for Public Works and Housing is here. We have now come to a stage where projects and contracts are awarded to politically correct contractors and they are paid. Certificates are signed and they are paid without doing any work. It is completely incomprehensible---

The Minister for Public Works and Housing (Mr. Ngala): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to interrupt the hon. Member's contribution, but some of the comments we make should be substantiated so that we can take corrective measures. Could he substantiate his remarks?

Mr. Toro: Mr. Temporary Deputy Speaker, Sir, let me point out to the hon. Minister for Public Works and Housing that I am his Shadow Minister and if he wants some clarification, I can always go to his office and discuss these issues. What is happening in his Ministry is an open secret. He is new in that Ministry and he knows exactly what is happening. I do not have to go into details because he knows the details. If he does not know, then I will take the liberty to discuss it with him. I would like to---

The Assistant Minister for Industrial Development (Mr. Kimkung): On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has asked the hon. Member to substantiate his remarks, and it is

our right to know the details of what is talking about. Let the hon. Member tell us who these people are and how they are paid. Let him substantiate his remarks so that the Minister can take the correct action.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Mr. Toro, you are assuming that you know what the Minister knows. Would you discuss the matter since you brought it here? Let us know what is happening in his office.

Mr. Toro: Mr. Temporary Deputy Speaker, Sir, I said I will discuss it with him in his office.

The Temporary Deputy Speaker (Mr. Poghisio): Order! If you bring the matter here, then you have to substantiate.

(An on. Member stood up in his place)

The Temporary Deputy Speaker (Mr. Poghisio): Order! We have not given you the Floor. Mr. Toro, would you substantiate?

Mr. Toro: No, Mr. Temporary Deputy Speaker, Sir. I will not substantiate now, maybe, at a later stage.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Then you must withdraw.

Mr. Toro: Mr. Temporary Deputy Speaker, Sir, I will withdraw temporarily but---

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Toro---

Mr. Toro: Mr. Temporary Deputy Speaker, Sir, I withdraw. But, I would like to appeal to the Minister for Public Works and Housing---

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

The Temporary Deputy Speaker (Mr. Poghisio): Are you rising on a point of order?

Mr. Achola: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): It had better be a point of order.

Mr. Achola: Mr. Temporary Deputy Speaker, Sir, Mr. Toro is right to say that he should not withdraw that comment, because it is a known fact this is a Ministry with a lot of corruption---

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order, Mr. Achola! Leave that job to us. Proceed, Mr. Toro.

Mr. Toro: Mr. Temporary Deputy Speaker, Sir, I took the liberty to withdraw because I wanted to use my entire ten minutes.

I would like to appeal to the Minister for Public Works and Housing to make sure that the Kenya Roads Board Bill is brought to Parliament as soon as possible. This is because what we are having now is a corrupt Ministry. It is corrupt completely and if we are going to have any saviour in infrastructure, we need the Kenya Roads Board Bill to be brought to Parliament as soon as possible. The Bill should be debated and the Minister should come and guide the House on what he intends to do. Without the Kenya Roads Board Bill, it means that we are not going to have roads in the near future. Some people in the Ministry of Public Works and Housing have been suppressing the Bill and I hope the Minister will not suppress it; instead he will bring it to the House as soon as possible.

Mr. Temporary Deputy Speaker, Sir, the National Poverty Eradication Plan---

The Minister for Public Works and Housing (Mr. Ngala): On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to benefit from the hon. Member. I do not know where he got information that officers in my Ministry are suppressing the Bill. If he has got any information, could he tell us? As far as I know, there is nothing like suppression.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Ngala, it has to be a point of order. Proceed, Mr. Toro.

Mr. Toro: Mr. Temporary Deputy Speaker, Sir, I do not want to start accusing officers in his Ministry. I have some inside information which I cannot disclose at this time. Maybe, I can discuss such information with him later.

The Minister for Public Works and Housing (Mr. Ngala): Bw. Naibu Spika wa Muda, ninataka nikushukuru kwa kunipatia nafasi niongee machache. Kwanza ninataka kuungana na Wabunge waliotangulia kusema kwamba ninamshukuru Mtukufu Rais na kumtolea pongezi nyingi kwa Hotuba maridhawa aliyotoa hapa.

Hotuba ya Mtukufu Rais ilikuwa na mwelekeo mzuri; ilikuwa inagusia hasa, matatizo na kiini cha shida za raia wa Jamhuri ya Kenya. Kwa hivyo, anastahili heko na pongezi. Kama tunavyojua, kukiwa kuna Hotuba ambayo inatolewa na Kiongozi wa nchi akiwa anaelekeza fikiri za Wajumbe katika matatizo fulani, ninafikiri ni sawa kwamba kama kiongozi wa Taifa, ni vizuri alete matatizo ya nchi hapa katika Bunge, awaeleze Wabunge shida za nchi hii, vile zilivyo ili waweze kujua na watafute njia ya kutatua matatizo pamoja na Rais wa nchi hii.

Kwa hivyo, sioni makosa kwa Rais kuleta maelezo hapa kwa mhusari. Maelezo ambayo yanahusu matatizo ya nchi na kueleza katika Bunge hili kwamba, "haya ndiyo matatizo ambayo nayaona katika nchi yetu, na kwa hivyo ya juu. Lakini nimeyaleta mbele zenu ili tuweze kuchanga pamoja mawazo ya kutatua matatizo hayo". Kwa hivyo, mwelekeo wa kuleta Hotuba hapa na kusema aliyosema, si ukosefu au kutokuwa na lengo la kueleza. Kwa hivyo ni sawa kabisa kwa Kiongozi kama Mzee wa nchi kusema: "Nyinyi kaka Wabunge wenzangu, matatizo ya nchi hii ni haya. Nimeyaleta mbele ya Jumba hili tuweze kujadiliana pamoja. Lakini ninawapatia nafasi na nyinyi mtoe michango yenu ili tuangalia tutaweza kusaidia vipi umaskini, kuangalia mambo ya usalama wa nchi hii na kadhalika". Kwa hivyo, ninafikiri ni njia sawa kabisa ambayo imefanyika namna hiyo.

Bw. Naibu Spika wa Muda, Rais alizungumza juu ya umaskini. Umaskini ni kitu kibaya na hakuna anayetaka kuwa maskini. Lakini ninafikiri katika hali yakuweze kupunguza ama kuhakikisha kwamba hatuzidishi umaskini katika nchi yetu, mimi nina kitu kidogo ambacho ningesema. Fujo ya aina yoyote ambayo inaweza kuelekeza fujo hizo kwa raia yule ambaye anachuma kwa jasho na hata raia mwingine wa Kenya ambaye anafanya kazi mchana na usiku kutafuta riziki yake; fujo ni kitu kibaya na ni sehemu moja inaongeza umaskini. Kwa hivyo, ni wajibu wetu viongozi tuangalie kwamba tutaweza kuzuia vilivyo na kwamba hatutafanya fujo za aina yoyote, ziwe dogo au kubwa ambazo zinatia zaidi au nyongesa ya kile kidogo ambacho raia amekipata. Kwa hivyo, ninataka kusema fujo huchangia mambo ya umaskini. Kwa hivyo, ikiwa tunataka twendelea kusaidia mpango huu vile ulivyo kutokea sasa, lazima tuwe makini sana kwamba hatutakuwa na mipango au njia za kuzusha fujo katika nchi, mitaa au pahali pengine na kuleta umaskini kwa watu wetu. Ninafikiri tunahitaji kabisa tuone kwamba tunaweza kufanya hivyo. Kwa hivyo, uongozi wetu uwe ni uongozi ambao hautakuwa na fujo kwa raia au pahali popote katika nchi ili mwananchi aamke asubuhi aende akatafute riziki yake, jioni arudi alale, pengine yale mapeni yake aweze kuyatumia kwa matumizi ambayo anaweza kuyafanya. Ni vizuri tuhakikishe kwamba usalama unaendelea kupatikana. Vyovyote tukavyofanya au kusema, ni vizuri tuhakikishe kwamba amani katika nchi hii inazidi kudumishwa. Ni lazima tuhakikishe kwamba amani inadumu katika nchi yetu ili tufanye kazi na kuishi bila matatizo. Huo ni mpango ambao ni muhimu sana katika yote tutakayoyafanya tukiwa viongozi wa vyama mbalimbali. Ni lazima tuhakikishe kwamba tunaweka amani katika miji yetu kama vile tulivyo.

Bw. Naibu Spika wa Muda, Rais aliguzia juu ya usalama. Usalama ni kitu muhimu na tunahitaji sana katika nchi hii. Mambo si mazuri wakati huu, lakini tunashukuru kwamba katika Hotuba, Rais alisema kwamba pesa ziliongezwa za kuweza kusaidia wale wenye kusimamia usalama. Kwa hivyo, ni pongezi kwamba Serikali imeongeza kiasi fulani cha fedha katika kwendelea kusaidia mambo ya usalama ili watu wetu wazidi kupata usalama na waishi bila matatizo. Hii ni pongezi na hongera kwa Serikali kuongeza zaidi pesa ili vifaa vinunuliwe vitakavyoweza kusimamia mambo ya usalama katika nchi yetu.

Mazungumzo pia katika Hotuba ya Rais yaliguzia barabara. Aliguzia barabara na akasema ni moja ambayo inachangia kwamba uchumi wetu unazidi kufikia kwa sababu barabara zimeharibika na kwamba kuna haja ya mipango ya barabara iweze kufanywa ili kusaidia namna ya kufufua uchumi. Ni kweli barabara zimeharibika na ni lazima mipango ifanywe. Tunajue sababu ambazo zimesababisha barabara zetu kuharibika, labda, ni uzani zaidi katika barabara, labda ni upungufu wa pesa, kutoweza kuzikarabati vizuri au pengine ni kutokuwa na mipango mizuri ya kuzisimamia. Sababu hizi na nyinginezo ziko mbele mbele katika kule kuleta matatizo kwa hali ya uzuri wa barabara katika nchi yetu. Bila shaka haya ni matatizo ambayo yatazungumziwa. Kwa hivyo, ninatarajia kwamba katika muda ambao si mrefu, nitajaribu kutengeneza kama ni Msemo wa Wizara ili nije nieleze juhudi zinazofanywa kwa sasa katika kusaidia na kutengeneza barabara katika Jamhuri yetu. Nitajaribu kuja kueleza Jumba hili ili jambo hili lieleweke vizuri.

Lakini kumekuwa na maandishi katika magazeti ambayo mengine yamepita mpaka katika maelezo. Yamekuwa yakizungumzia hali ambazo si za sawa. Kwa hivyo, tukiyasoma mambo hayo tuyasome na kuangalia katikati ya maandishi yake yanasema nini kwa sababu maneno mengine hayana ukweli. Yamezungumzwa, yakatiwa chumvi mpaka yamefanya mambo mengine kutokuwa ya sawa. Kwa mfano, ningetaka kusema juu ya barabara iliyoandikwa gazetini ya Mwatate-Taveta. Mhesimiwa mwenzangu Maj. Rtd Madoka, alizungumza na akasema kwamba si makosa kama vitu kama hivi vilivyoandikwa gazetini vilitendeka. lakini nakanusha hapa hakuna pesa zililolipwa au kandarasi iliyotolewa kwa barabara ya Mwatate-Tavete. Ni kweli kulikuwa na mipango iliyokuwa imezungumziwa katika DDC na wakapitisha kwamba barabara hii inafaa iwekwe lami, wakafanya hesabu zao na zilizoletwa katika Wizara zikaonekana zilikuwa zimepita zaidi kiwango cha sawa. Kwa hivyo, ikawa sasa lazima ikaguliwe tene upya. Lakini hakuna mtu yeyote anayelitwa jina hilo la kampuni hiyo ya kandarasi ambaye amepewa bilioni moja nukta mbili. Kwa hivyo, ningetaka haya mambo yaeleweke vizuri katika Jumba hili kusije kukawa na mawazo ya kusema kwamba pesa hizo zilitumiwa kiholela na zikaharibu. Kwa hivyo, barabara ya Mwatate-Taveta bado haijapewa mtu wa kandarasi basi. Ikiwa imepewa, itajulikana na hiyo itakuwa ni wakati huo. Lakini kwa sasa aliyeandika haya mambo asizidishie zaidi mambo kama hayo kwa sababu yataleta mvurugano wa maneno ambayo si ya sawasawa.

Bw. Naibu Spika wa Muda, nikimalizia, nitazungumza juu ya Katiba. Ninashangaa kwa nini sisi wenyewe hatuwezi kujipatia haki zetu, vyama hivi; wa saba tumpe saba, wa tatu tumpe tatu, wa mbili tumpe mbili na wa moja tumpe moja. Haiwezekani hii sisi kama waniasia kupeana hivi, tukapanga wenyewe katika kuelewana? Kwa nini isiwe namna hiyo?

Kwa hayo machache, naunga mkono.

Mr. Maina: Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Presidential Speech. I do not know whether this debate on the Presidential Speech is interesting or rather puzzling. We have people on the Government side who are supposed to be giving direction on where we are supposed to go and yet they are the greatest complainants. So, I am wondering whether this is a case where you go to your house and find your children crying and then you also start crying.

Mr. Temporary Deputy Speaker, Sir, the history of this country is that, corruption is like an official policy. I am saying this because I have had the opportunity to be a civil servant. I remember way back in 1983 when I was a fresh graduate from the university and we noticed something which was very sad by that time. For example, if you were a Quantity Surveyor and decided that the cost of a door was Kshs10,000, your head of department would tell you to make it Kshs15. We raised that issue that time because we found it very odd and even wrote a letter to the Head of State, the Chief Secretary, the Chief of General Staff and the Director of Intelligence, because we were disgusted with the whole affair. In the end, that person we were trying to accuse was promoted to a higher position. So, that is why I say, corruption is like an official policy, though not explicit. It is surprising that when you identify an errant person, he or she is rewarded.

Mr. Temporary Deputy Speaker, Sir, the history is such that all these wrong things have been happening to the Government's knowledge. We have planners in the Government who know the income per capita of this country. In 1978 we started from 6 percent, but have since gone down to 1.6 percent, today. All these things have been happening with a Government in place. These people have seen this happening, but they cannot act on it. After all this has happened, they now want us to find a solution. Why do you have to wait for somebody to become so sick till he is taken to the ICU and yet all this time you knew his problem? Why could the Government not do something to correct that situation at that particular time? This portrays a Government that is not competent. It is a Government without proper management.

Mr. Temporary Deputy Speaker, Sir, in management, there are a few things we learn. First, if you want your company to function efficiently, you get the best manager; a manager that can manage the organization properly. Unfortunately, that is not the case with this Government. Managers in this Government are not people who have ever handled the kind of responsibilities bestowed on them. The basis on which they have been given these responsibilities is completely different. They have been given these responsibilities not because they have specialized in those fields, but because, possibly that individual comes from a certain tribe or is a friend to the appointing authority. But I do not think anybody who knows what management means would use that criteria to choose a manager.

Mr. Temporary Deputy Speaker, Sir, if for instance, I am given the opportunity to chair a committee that chooses the people to manage this country, I would make sure that the Minister for **[Mr. Maina]** Public Works and Housing would not be a historian. He would be an Engineer, an Architect or a Quantity Surveyor. I would make sure that his deputy is equally a technical person. I would also make sure that his Permanent Secretary is somebody technically qualified in that field. I assure you, positive results would be seen very quickly. I would do the same thing if I was the one to choose the Minister for Health; I would choose a Minister, his Assistant Minister, a Permanent Secretary and the Director of Health who are qualified in that field. Unfortunately, that is not what is happening in this country. You find a person qualified in medical services being appointed the PS in Treasury, whereas Treasury requires somebody who is qualified in economics. How do you expect a medical expert to lead and direct economic policies in the Treasury? It is like taking Mr. Speaker, to Kenyatta National Hospital to operate on people. A person is picked from nowhere and expected to have the ability to do anything. This is the mentality of this Government; that everybody is qualified to do anything. It is not possible. Until and unless we change this situation, it will not be possible to succeed. You find somebody being appointed a Minister of Trade and yet he has never operated even a kiosk or the maximum business he can do is probably operating a kiosk. Preferably, you could consider somebody who has operated a supermarket and not a kiosk. People have to be appointed on merit. These are the few things that make this country lag behind. So, when you talk about eradication of poverty, I do not think we are serious at all.

Mr. Temporary Deputy Speaker, Sir, I would also like to inform the House that when we talk about infrastructure in this country, indeed, as hon. Toro said, it is true that there are people who get certificates, never do the work but get paid. For example, there is a project in my place; the Murang'a-Kangema, Kangema-Kiriaini, Kiriaini-Othaya, Othaya to Nyeri Road. The contractor for that project has been paid Kshs302 million and he has

not repaired a single pot-hole.

The Minister for Public Works and Housing (Mr. Ngala): On a point of order, Mr. Temporary Deputy Speaker, Sir. The Ministry of Public Works and Housing is really being discussed today. I would like to get some substantiation on what the hon. Member is talking about. He is claiming that somebody has been paid money and he has not done anything.

Mr. Maina: Mr. Temporary Deputy Speaker, Sir, M/s HZ Company built a camp at Kangema Market in 1992. They have been on that site from 1992 to-date. I have been trying to investigate but that company has now moved from that place.

The Temporary Deputy Speaker (Mr. Poghiso): Order. Hon. Njakwe, your time is over.

Mr. Maina: With those remarks, I beg to support the Motion.

The Minister for Industrial Development (Mr. Obure): Thank you, Mr. Temporary Deputy Speaker, for giving me this opportunity to join my colleagues in contributing to this Motion.

Mr. Temporary Deputy Speaker, Sir, since I am the latest arrival in the front bench, I want to take this opportunity, first of all, to thank His Excellency the President for the trust and confidence he has expressed in appointing me to this position. I want to pledge to this nation that I will do everything within my powers to serve the nation. I want to appeal to hon. Members in this House to support me, advise me where necessary and give me ideas on what to do, so that this country can realise its dream by the year 2020.

Mr. Temporary Deputy Speaker, Sir, I want to thank the President for an excellent exposition of public policy. The Address identified some of the problems which confront this nation. Some of the challenges which we, as a nation, face together are unemployment, hunger and the burden of cost-sharing. All these have arisen because of increasing levels of poverty. I believe that the ultimate solution lies in revitalising the economy, so that it can grow at a higher rate and generate more employment opportunities for our people. It is only through accelerated growth of the economy that we can alleviate most of the problems facing this nation. But, the challenges we face are real and they need the support and co-operation of everybody if we are going to get anywhere near to solving those problems. This is why it is necessary to call upon all Kenyans, irrespective of their status in life or their political affiliation, so that we can together tackle the challenges facing this nation. I believe that the right policies have been put in place. But I also want to say we can come up with the best policies, but the most important thing is that Kenyans must be prepared to work hard and honestly, because in that lies the secret to success.

Mr. Temporary Deputy Speaker, Sir, I want to make brief remarks about the effects of liberalisation on our economy. Some of those effects are far-reaching. A lot of manufacturing establishments in our country today have collapsed. Many of them are operating well below capacity while many others have been placed under receivership; all this has happened because we opened our doors perhaps too soon before a lot of our industries were prepared for competition. The economy is performing poorly today partly because of dumping of cheap goods from certain countries. Such goods include textiles, footwear *et cetera*. These are some of the industries which have been affected very badly. The Textile Industry, in particular, is on the verge of collapse. The Automotive Industry and the Sugar Industry, which has been mentioned here before are also on the verge of collapse, because of imports from South Africa, South East Asian countries and so on.

It is important for Kenyans to know that for every import, we are exporting jobs to those where such goods are manufactured. Therefore, it is important that Kenyans themselves adopt the right attitude. Kenyans must support their own economy by supporting local industries in order to guarantee them long term survival. These imports have led to loss of jobs and revenue and have created a lot of hardships to our people. If we are going to allow existing industries to close down today, how can we be expected to industrialise the country by the target year? It will be impossible.

Therefore, the Government is addressing this issue vigorously. We would like for example, to empower the Kenya Bureau of Standards to seize any sub-standard products and to prosecute the perpetrators of production of such products. We will be presenting a Bill in this Parliament to amend the Kenya Bureau of Standards regulation in order to give them powers to do that. The Government will impose anti-dumping and counterfeiting duties where necessary. We intend to carry out more frequent checks on containers because we have found that some importers have become mischievous and many times they under-declare, so that the Government is unable to collect the due revenue from some of the imports. For example, imports of second-hand garments, shoes and underwear should be subjected to more rigorous quality inspection, including certification on health grounds. We have discovered that some of the imported textiles and particularly underwear, are the source of some of the strange skin diseases which Kenyans experience today. But above all, the managers of private enterprises in this country must work hard to ensure that they produce goods of high quality at affordable prices, because this is the only way in which they can stay in the market; they can retain the market only on a competitive basis.

Mr. Temporary Deputy Speaker, Sir, it is important for manufacturers to reveal their manufacturing

methods. They have to change their technology. If they do not change it, they will soon find that they have no reason to stay in business.

The President talked about eradication of poverty. This is a matter of great concern to all Kenyans. However, I believe that people who are in the rural areas are worst hit by poverty. Many of them are undergoing severe difficulties in their daily lives. I believe that if we are to reduce poverty, we should start by installing infrastructure in those areas. For example, we should provide electricity and good roads in rural areas, so that people can engage in productive activities. They can go into farming, being sure that they can transport their produce to the market and fetch income for themselves. If these measures are to be meaningful to Kenyans, they should be focused on the rural areas because there is where the majority of Kenyans live. That way, we will reduce rural-urban migration as people will be encouraged to stay in the rural areas.

With those few remarks, I support.

The Assistant Minister for Health (Dr. Wako): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this Motion. May I take this opportunity to, first and foremost, thank Mr. Speaker for delivering a splendid speech which touched on the independence of Parliament as a whole. This is the right direction we should head to.

Mr. Temporary Deputy Speaker, Sir, the President's Address was short, precise and to the point. It was frank in that it pointed out all the issues concerning most of the problems that are affecting Kenyans. Especially, the President pointed out the problems affecting Kenyans due to the hardships brought about by non-performance of the economy. We need to ask ourselves what has gone wrong since Kenya is a high-potential country, which had a strong economy.

I think what brought about the economic hardships we are experiencing is the fact that the country's economy has been put into the hands of foreigners. This has been the biggest problem, coupled with the structural adjustment policy, which is in favour of liberalisation. The Structural Adjustment Programmes (SAPs) do not favour exportation of goods from this country. The question we should ask ourselves is whether we really considered the effects of the SAPs on local manufacturing industries.

For example, second-hand clothes are imported into the country duty-free, thus 'killing' the textile industry completely. Also, liberalisation has led to massive sugar importation, resulting in the collapse of the country's sugar industry. Generally, liberalisation has impacted negatively on the agricultural sector. If things were to continue the way they started, maize production would also have declined. Duty-free importation of maize from South Africa would have made it very difficult for Kenyan farmers to supply their maize to the market. The same would be true for other commodities.

So, it is in light of this that the Government should revisit some of the policies it formulated with donors. Donors are not supposed to dictate terms to us. The Government is accountable to its people, and it should consider their interests when formulating any policies that touch on their welfare.

Mr. Temporary Deputy Speaker, Sir, the recent launching of the Poverty Eradication Plan by the President is timely. The plan will boost efforts to reduce the gap between the rich and the poor, which tend to encourage many people to indulge in criminal activities. It will also help to reduce most of the problems being experienced by the majority of Kenyans, who live below the poverty line. A small portion of Kenyans live above the poverty line, majority of whom are in the middle class. Only a few Kenyans are in the upper class. So, unless this gap is reduced, we will continue to have difficulties in achieving our goals and aspirations.

It is time that Kenya looked at its policy on security afresh. Insecurity is mostly rife in pastoral areas, and this has led to both internal and external problems. Insecurity has led to our people's suffering aggression from Somalia, Ethiopia, Uganda, Sudan, *et cetera*. In order to arrest this situation, the Government should recruit Kenya Police Reservists (KPR) from within banditry-hit communities since it is costly and difficult for the Government to police those areas.

Mr. Temporary Deputy Speaker, Sir, the level of poverty in pastoral areas is very high, and something has to be done to reduce it, even if it means reviving the Kenya Meat Commission (KMC). The KMC did not die a natural death. Its death was deliberately engineered by its management. Some of the parastatals that were put under receivership had very good feasibility studies which showed that they could perform. However, because some unscrupulous people were interested in buying them, they ensured that they were mismanaged and put under receivership.

So, it is our appeal that the Government revives the KMC by removing it from the list of those companies which have been put under receivership. The burden of reviving it should be borne by the Government.

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

MEMBERS' HALF-HOUR STATEMENTS

The Temporary Deputy Speaker (Mr. Poghiso): Hon. Members, it is now Zero- Hour and we will proceed to requests for Ministerial Statements under the provisions of Standing Order No.20 (A). Mr. Norman Nyagah.

GOVERNMENT'S POSITION ON ARMY WORM INVASION

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for Agriculture on the Government's position with respect to curbing the spread of an invasion of army worms that have attacked parts of Kitui District, and which are now menacingly threatening to cover the whole of Makueni District particularly Kalawa Division. They are now moving very fast to Machakos District. Ikalaasa and Kibauni Locations and Kajiado District are very badly affected. I would like to know from the Minister what urgent steps the Government will take to protect this menace?

The Minister for Agriculture (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, I will make a very brief comment. The Ministry is aware of the army worm outbreak in the country. To give us some brief background to the hon. Members, the first incident was reported in Nyanza Province and 1,100 litres of pesticides were given for the control campaign. This was in March this year. Subsequently, there was an invasion in Coast Province, that was in Kwale, Kilifi, Malindi, Lamu, Tana River Districts and parts of Mombasa and also in Taita Taveta districts.

Mr. Temporary Deputy Speaker, Sir, normally, district agricultural officers are given chemicals and pesticides for army worm control long before the outbreak. When the outbreak was reported, the agricultural officers started giving out these chemicals that they had in store. On 8th April, we gave an additional 1,000 litres to the Provincial Director of Agriculture for Coast Province for this exercise and the campaign in that area is continuing and we hope we will get the situation under control. Early this week, the outbreak was in North Eastern Province and arrangements have been made to deliver some 1,000 litres of pesticides for control campaigns. The outbreaks have now been reported as hon. N. Nyagah indicates, in Kitui, Makueni, Mbeere and Machakos Districts and our officers are using the chemicals that they have for this. Meanwhile, it is only this morning that we released additional pesticides, or chemicals, to the Provincial Director of Agriculture, Eastern Province, and the District Agricultural Officer, Kitui, District Agricultural Officers, Meru South and Mbeere Districts. We hope that as these officers work closely with the farmers, the farmers will join in the campaign to try and eradicate the menace.

Mr. Temporary Deputy Speaker, Sir, we are monitoring the situation countrywide to try and fight the problem as and when it occurs. I think I should just also add that we hope that we will have heavy rains. Ordinarily, if we have heavy rains, this becomes a natural way of eradicating the army worms.

ARREST OF MATHARE 4A RESIDENTS

Mr. Muchiri: Thank you, Mr. Temporary Deputy Speaker, Sir, for having given me this opportunity. I want the Minister in charge of Internal Security to tell this House what action he is taking against the police officers who on the night of the 9th March, 1999 arrested the residents of Mathare 4A Estate, who have been camping at the Holy Basilica Church, and damped them in the streets of Nairobi. They arrested them again on the 10th and 11th of March 1999 and charged them with being habitual robbers, house breakers and thieves. Even this morning they arrested more residents, who are now at the Central Police Station and are also to be charged with similar offences.

Two, I am requesting---

The Temporary Deputy Speaker (Mr. Poghiso): Just make one request and you will come back to the next one later.

The Assistant Minister of State, Office of the President (Mr. W. Ruto): Mr. Temporary Deputy Speaker, Sir, I sincerely appreciate the role that the Government is supposed to play in ensuring that Kenyans go about their business with minimum interruption or with no interruption at all. It is the duty of the Government to train policemen and to equip them with the necessary skills, know-how and knowledge. About the issues raised by the hon. Member for Kasarani, Mr. Muchiri, I will be able to issue a comprehensive statement next week, with your permission.

The Temporary Deputy Speaker (Mr. Poghiso): Mr. Muchiri, is that okay?

Mr. Muchiri: Yes, Mr. Temporary Deputy Speaker, Sir.

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

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Mwenje, it is Zero Hour.

Mr. Mwenje: Yes, I know it is Zero Hour. I am aware of that but I am asking whether the police could---

The Temporary Deputy Speaker (Mr. Poghisio): We have already agreed with Mr. Muchiri and that has been taken care of. We will have Dr. Kituyi making a request to the Minister for Education and Human Resource Development.

DISAPPEARANCE OF EXAMINATIONS FEES

Dr. Kituyi: Thank you, Mr. Temporary Deputy Speaker, Sir, I also want to rise under Standing Order No.20A and direct the following matter to the Minister for Education and Human Resource Development. In the course of the first two months of this year, the parents of Class Eight pupils across Bungoma District paid the examination fees to the Kenya National Examinations Council. All the fees were collected and kept in the custody of the District Education Officer, but sometime towards the end of last month, it was discovered that all the money amounting to Kshs3.8 million had disappeared from the safes, and that the cashier in the District Education Officer's office had run away. This is getting very urgent and very embarrassing to Bungoma District because the money was lost while in the custody of a Ministry official, who was an agent of the Kenya National Examination Council. Now, the same officer who lost the money is asking parents to pay again before their children can be registered for exams. Could the Minister assure this House, and help us to maintain the rule of law and order in Bungoma District, that the poor peasants are not going to be obliged to pay for this money which was not lost by them or their agents, and that between the Ministry and the Kenya National Examinations Council and the Government will be able to sort out that matter?

The Assistant Minister for Education and Human Resource Development (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, the events as stipulated by the hon. Member are correct. The District Education Officer together with two officers have already been arrested. They were charged and released on bond pending full investigation. As the hon. Member states, the money was in the custody of officers of our Ministry, who were agents of the Kenya National Examinations Council. I want to assure my hon. friend and this House that, indeed, all the 12,700 students who registered and paid this money will sit for their examinations. As I stand here now, there is already a new District Education Officer appointed, who is taking over between today and tomorrow and we will ensure that no parent is obliged to pay a second time.

Dr. Kituyi: I want to express my appreciation for the Assistant Minister's statement. But do I understand that he has said in his a statement that any officer of the Government purporting to be authoritatively attempting to collect money in Bungoma right now is doing it illegally? It is important because it is being attempted.

The Temporary Deputy Speaker (Mr. Poghisio): Dr. Kituyi, that is the Minister's statement.

INSECURITY: CRIMINAL ACTIVITIES IN NAIROBI

Mr. Muchiri: Thank you, Mr. Temporary Deputy Speaker, Sir. Could the Minister of State, Office of the President in charge of internal security, inform this House what action the Government is taking following the insecurity caused by criminal activities which have left several people killed in Nairobi, especially in Kasarani, Kahawa and Embakasi areas, this year alone?

The Assistant Minister of State, Office of the President (Mr. Ruto): Mr. Temporary Deputy Speaker, Sir, while appreciating that there is a general increase in crime around the City of Nairobi, the Government has stepped up its security machinery in Nairobi and its environs. It is on record that, as recently as this week, there have been major operations in the City to flush out criminals from their hideouts in the various slums. There has been a general appeal by both the Commissioner of Police and the PPO, Nairobi Area, to the residents of Nairobi to team up with the security machinery that has already been put in place to make sure that those criminals are apprehended. Because this is a very serious matter touching on the City and, indeed, the capital of our country, I want to request the hon. Member for Kasarani, again to give me time upto Wednesday next week so that I can issue a very comprehensive statement on the state of affairs.

Mr. Mwenje: Mr. Temporary Deputy Speaker, Sir, I want to inform the Assistant Minister that we are happy with the action that they took even today and the one they took in Korogocho the previous day. We are appealing to the Assistant Minister to ensure that his officers do not harass the common man, but let them flush out the criminals. We totally support them and we are happy with the job they are doing.

An hon. Member: How would they differentiate them?

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghio): Order! Order! Hon. Members, it is now time to interrupt the business of the House. Therefore, the House stands adjourned until Tuesday, 20th April, at 2.30 p.m.

The House rose at 6.45 p.m.