

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

### Seventh Parliament - Sixth Session - First Day

*(Seventh Parliament established by Proclamation -  
Legal Notice No.57 of 1993)*

**Tuesday, 1st April, 1997**

### STATE OPENING OF A NEW SESSION

*The National Assembly met at thirty minutes past Two O'clock at Parliament Buildings on Tuesday, 1st April 1997, it being the first day of the Sixth Session.*

### ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

*[His Excellency the President (Mr. Daniel arap Moi)  
escorted by the Speaker and accompanied by the Mace  
of the National Assembly, entered the Chamber at  
fifty-five minutes past Two O'clock]*

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

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

### PRAYERS

**Mr. Speaker:** Your Excellency, hon. Members, may I call upon the Spiritual Leaders to offer prayers for the new Session.

*(Prayers were then said by the following: The Rt. Rev. Bishop Gitari; His Grace Archbishop Raphael Ndingi Mwana wa Nzeki; Sheikh N.M. Nahdy; The Rt. Rev. Benard Muindi and Mr. Siopin Lekoolool)*

### COMMUNICATION FROM THE CHAIR

#### WELCOME TO HIS EXCELLENCY THE PRESIDENT

**Mr. Speaker:** Order! Order, now! Order, hon. Members!  
Your Excellency the President and Commander-in-Chief of the Armed Forces of the Republic of Kenya.

On behalf of all hon. Members, it is my great pleasure and privilege to welcome Your Excellency to Parliament Buildings.

Your Excellency, as we enter what may be the last Session of this Seventh Parliament, it is important to take stock of the last four years since the re-introduction of a multi-party Parliament. I am happy to observe that the House has settled down after many bumps along the way, to doing business for which the people of this country chose us to do. This is not to say that there have not been heated and controversial debates in the House. On the contrary, the debates have been lively, occasionally too lively! However, this is Parliament and that is how it should be. My only caveat is that dignity and decorum should be the guiding light in our deliberations.

I, therefore, remind and appeal to all hon. Members to approach their tasks in a spirit of absolute loyalty to our country and they must never allow their judgement to be clouded by emotional and sectional advantages. This is to be borne in mind notwithstanding the political heat that may be generated as a prelude to the general elections.

As we get into the home stretch in the life of this Parliament, I expect Members from both sides of the House to wish to be heard by the electorate. This is the right of all hon. Members. Nevertheless, I urge them to do so within the bounds of their rules and with due respect and decorum to each other. I believe, over the last four years together, we have chartered a new course of the practice of a multi-party Parliamentary system. Each one of us has had a share in the charting of this course. Let us improve on it. I, on my part, would wish to reiterate my earlier pledge of trying my best to work as hard, and as I conscientiously can, in upholding and protecting individual Members' rights and privileges; ensuring that even the voice of the minority is accorded a fair hearing; while at the same time enforcing the rules and practices that the House, in its collective wisdom, has formulated.

Your Excellency, on behalf of the Members, I take the opportunity to congratulate you most warm-heartedly for the sterling work you have been undertaking with the assistance of your colleagues to bring peace in the civil-strife ridden Great Lakes Region. We commend you for the effort and pray for success in that endeavour.

Your Excellency, allow me to thank the Government for availing resources to undertake some major renovation works currently underway within Parliament Buildings. The exercise is expected to take another couple of weeks to complete and is aimed at giving the Buildings a facelift they so earnestly yearned for, besides enabling the Buildings to recapture their aesthetic beauty. I hope more resources would be availed to us to create a conducive environment for Members to work with relative ease and comfort. Meanwhile, I plead with hon. Members to bear with some inadvertent inconveniences that may arise in due course as a result of the on-going repairs.

It is now with great pleasure and honour that I humbly invite Your Excellency to address the House which is waiting in anticipation to receive an outline of the Government's major policies to be brought before this august Assembly during the Session. Thank you.

#### PRESIDENTIAL ADDRESS

**His Excellency the President** (Mr. Daniel arap Moi): Mr. Speaker, Sir, my first and pleasant duty this afternoon is to welcome hon. Members to the Sixth Session of the Seventh Parliament. I do hope that the Christmas Recess provided ample time for all of us hon. Members to interact with our constituents and that we are now better placed to represent their views.

Mr. Speaker, Sir, many events took place during the last Session. One sad event was the untimely death of our dear brother and colleague, the late Dr. Zachary Onyonka, Member of Parliament for Kitutu Chache Constituency.

The late Dr. Onyonka was a man who devoted his life to the service of his fellow Kenyans. His death is a big loss to the country, and it is, therefore, appropriate that we all rise and observe one minute's silence in the honour of the late Dr. Zachary Onyonka.

*(Hon. Members stood up and  
observed a minute's silence)*

Thank you.

Mr. Speaker, Sir, although there are signs that the long rains have started, this Session starts at a time when our country has experienced one of the worst droughts in Kenya's history. It is, therefore, pertinent that I comment on the drought situation for the benefit of hon. Members and Kenyans in general. Hon. Members will recall that many parts of our country experienced severely reduced rainfall during the past two seasons. As a result, many parts of the country, especially the North Eastern areas, were severely affected by drought. The main food growing areas of the country also realised very poor harvests. This situation has caused much suffering to our people due to loss of crops and livestock. Regrettably, some of us have tried to make political capital out of this unfortunate situation. Some have even been tempted to mislead Kenyans by claiming that the declaration of a national disaster by the Government was a plot to deny them their constitutional rights and freedoms. Yet others have alleged that KANU is using famine relief to gain political mileage out of those stricken by the famine.

*(Applause)*

The Government is fully aware that famine relief is a temporary measure which does not address the root cause of the problem. There is need for us to develop the capacity of people in drought-prone areas to cope with the situation. In this connection the Government will continue to initiate long-term measures to reduce the adverse effects of drought in the future.

Mr. Speaker, Sir, hon. Members will agree with me that the management of natural disasters puts a considerable strain on available resources. When disasters strike, the Government is compelled to divert resources

from the on-going development projects in order to cope with the existing emergency. For this reason, our country may register a decline in economic growth and possible increase in the rate of inflation this year.

Mr. Speaker, Sir, the role of Parliament in the general management of the affairs of this country remains vital.

By electing us to represent them in this House, Kenyans have entrusted us with the responsibility of guiding this country to higher levels of social and economic prosperity. Each of us, therefore, has an obligation to take this responsibility

seriously and to promote the common good of all our people. It is disheartening when some Members of this august House have sometimes shown complete disregard of their duty and obligation to this country and its people.

In recent times, Kenyans have read with disbelief reports in both the local and international Press about some hon. Members who, while enjoying the freedom and security to travel in and out of the country, have selfishly and maliciously abused this privilege by making disparaging remarks against this country.

I would like to remind such leaders that leadership goes with responsibility. Leaders are under obligation to set a good example to their fellow Kenyans by upholding the sovereignty and dignity of this country at all times. In this regard, Members of Parliament must be aware that they are elected representatives and they should not engage themselves in activities, or make utterances, that undermine the good name of this country and its people abroad.

Kenya is our motherland, and for this reason, its destiny is bound with our own. It is, therefore, the duty and obligation of every Kenyan and, in particular, leaders to be patriotic and show due respect for this country and its institutions. We must all remember that talking ill of one's country does not bestow honour on anybody. In fact, those who talk ill of their countries may not necessarily win the respect or honour of their listeners.

Mr. Speaker, Sir, this is the last Session of the Seventh Parliament. At the end of this Session, we must all seek a fresh mandate from our employers, the Kenyan voters.

Understandably, this process does at times generate a highly charged political atmosphere. However, if leaders set aside narrow sectarian interests and focus more on the real issues facing our country, this Session will enable us to have lively debates that will improve the well-being of our people, which is the reason why we are here. I, therefore, call upon all hon. Members to continue to uphold the dignity of this House by desisting from engaging ourselves in debates that are likely to divide the people of this country or spark off ethnic hostilities.

We must all strive to cultivate a peaceful society in which the constitutional right to elect the leader of one's choice is respected by all. In this regard, my Government will continue to uphold the maintenance of law and order by dealing firmly with those who seek to promote ethnicity and senseless disregard for the rule of law.

We can, however, save valuable resources which we could use to uplift the standards of living of our people if we do not allow the election process to divide us. As we strengthen our democracy, we must also jealously guard our unity. After all, there is no meaningful development that can be attained in an atmosphere of chaos and disunity.

Mr. Speaker, Sir, having discussed matters concerning us, we must recognize that we are part and parcel of the international community. As we have done in the past, we in Kenya will continue to develop meaningful associations in the sub-region, the entire African continent and, indeed, with the rest of the world. I want to take this opportunity to reaffirm the foreign policy that Kenya has pursued over the years, based on the maintenance of good neighbourly relations and non-interference in the affairs of others.

The renewed spirit of East African Co-operation aims at the promotion of social and economic interaction among the three East African countries. I am glad to inform hon. Members that much progress has been made over the past one year. To mention but a few examples, the currencies of the three partner states are now fully convertible. Plans to harmonize tariffs and the easing of immigration formalities are at an advanced stage. This will help to facilitate the free movement of people across the common borders, and promote trade and investment opportunities in the region.

On the international scene, the civil war in Zaire remains one of the biggest challenges to peace in the region. Members will recall that the regional leaders initiated several meetings in the search for a lasting and negotiated solution to the conflict in Zaire. My Government is still committed to these peace initiatives and will continue to do everything possible to help parties in the conflict find a peaceful solution.

In this connection, I am glad to inform hon. Members that the recent meeting of the regional leaders made good progress and I am confident that the human suffering created by the war situation there will soon be brought to an end.

Mr. Speaker, Sir, during this Session, hon. Members will be called upon to deliberate on a number of Bills. Some of these Bills will be tabled by the Government and others by hon. Members themselves. I trust that we shall set aside party differences and work together for the common good of the Kenyan nation. As we embark on this final Session of the Seventh Parliament, let us shun empty rhetoric and engage ourselves more meaningfully in resourceful and constructive deliberations for the benefit of all Kenyans.

With these remarks, Mr. Speaker, Sir, it is now my great pleasure to declare the Sixth Session of the Seventh

Parliament officially opened.

### NOTICE OF MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

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

THAT, the thanks of this House be recorded for the exposition of public policy contained in his Excellency's Presidential Address from the Chair on 1st April, 1997.

### DEPARTURE OF HIS EXCELLENCY THE PRESIDENT

**Mr. Speaker:** Hon. Members, it is now the pleasure of His Excellency the President to take his leave.

*(His Excellency the President, in procession,  
left the Chamber)*

### ADJOURNMENT

**Mr. Speaker:** Hon. Members, the House is now adjourned until tomorrow, Wednesday, 2nd April, at 9.00 a.m.

The House rose at 3.35 p.m.